

1 ENGROSSED SENATE  
2 BILL NO. 39

By: Stanley of the Senate

3 and

4 Vancuren of the House

5  
6 An Act relating to schools; amending 70 O.S. 2021,  
7 Section 6-101.6b, which relates to whistleblower  
8 protection for teachers; making protections  
9 applicable to support employees; defining term;  
10 updating statutory reference; providing an effective  
11 date; and declaring an emergency.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-101.6b, is  
14 amended to read as follows:

15 Section 6-101.6b. A. For purposes of this section, "teacher"  
16 means the term as defined in paragraph 1 of Section 1-116 of ~~Title~~  
17 ~~70 of the Oklahoma Statutes~~ this title, and "support employee" means  
18 the term as defined in paragraph 8 of Section 1-116 of this title.

19 B. No school district shall prohibit or take disciplinary  
20 action against teachers or support employees for:

21 1. Disclosing public information to correct what the teacher or  
22 support employee reasonably believes evidences a violation of the  
23 Oklahoma Constitution or law or a rule promulgated pursuant to law;

24 2. Reporting a violation of the Oklahoma Constitution or state  
or federal law; or

1           3. Taking any of the above actions without giving prior notice  
2 to the teacher's or support employee's supervisor or anyone else in  
3 the ~~teacher's~~ relevant chain of command.

4           C. For the purposes of this section, "reporting" means  
5 providing a spoken or written account to a supervising teacher,  
6 administrator, school board member, representative from the State  
7 Department of Education, law enforcement official, district  
8 attorney, and/or parent or legal guardian of a student directly  
9 impacted by the actions.

10          D. Each school district shall prominently post or publish a  
11 copy of this section of law in locations where it can reasonably be  
12 expected to come to the attention of all teachers and support  
13 employees.

14          E. Nothing in this section shall be construed to allow a  
15 teacher or a support employee to violate students' or parents'  
16 rights to confidentiality and protection under the Family  
17 Educational Rights and Privacy Act of 1974 (FERPA).

18          SECTION 2. This act shall become effective July 1, 2023.

19          SECTION 3. It being immediately necessary for the preservation  
20 of the public peace, health, or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.

1 Passed the Senate the 7th day of March, 2023.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2023.

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8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives