

1 **SENATE FLOOR VERSION**
February 28, 2023
2 **AS AMENDED**

3 SENATE BILL NO. 39

By: Stanley of the Senate

4 and

5 Vancuren of the House

6
7 **[schools - whistleblower protection - effective date**
8 **-**
9 **emergency]**

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

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

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

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

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

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

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.

23 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
24 February 28, 2023 - DO PASS AS AMENDED