

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3619

By: Conley

AS INTRODUCED

An Act relating to students; creating the Students' Bill of Rights; listing rights for students attending public schools and charter schools; prohibiting punishment for students exercising their rights; providing notification and demand process for violations of students' rights; authorizing filing civil lawsuit for violation of rights; directing court to award attorney fees to prevailing party; prohibiting filing lawsuit in certain circumstances; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.11 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Students' Bill of Rights".

B. A student enrolled in and attending a public school district or public charter school in this state shall be afforded the following rights:

1 1. The right to a safe learning environment, including the
2 right to be free from bullying and threatening behavior as defined
3 in Section 24-100.3 of Title 70 of the Oklahoma Statutes;

4 2. The right to an unbiased education that does not endorse,
5 favor, or promote socialism, communism, or Marxism and that is free
6 from anti-American bias;

7 3. The right to an unbiased learning environment that includes,
8 but is not limited to:

9 a. the right to a classroom environment that is free from
10 the display of flags or propaganda of any organization
11 or symbols of socialism, communism, Marxism, or anti-
12 American sentiment, and

13 b. the right to attend or participate in school-sponsored
14 or school-sanctioned events or activities that are
15 free from the display of flags or propaganda that are
16 paid for with public funds and that represent any
17 organization or symbol of socialism, communism,
18 Marxism, or anti-American sentiment;

19 4. The right to use self-defense if attacked on school property
20 or during a school event;

21 5. The right to public and free expression of religion, speech,
22 and peaceable assembly including, but not limited to:

23 a. the right to participate in or lead prayer,
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1 b. the right to observe one minute of silence each day,
2 pursuant to Section 11-101.2 of Title 70 of the
3 Oklahoma Statutes,

4 c. the right to study and read the religious texts of his
5 or her choosing during free time,

6 d. the right to an unbiased education that does not
7 endorse, favor, promote, demean, show hostility
8 toward, or intentionally undermine any particular
9 religion or nonreligious faith or religious
10 perspective;

11 6. The right to an appropriate relationship with teachers and
12 school employees that is free from actions that constitute a crime
13 or an attempted crime under state law;

14 7. The right to be free from the use of vulgar language
15 directed toward other individuals by other students, teachers,
16 athletic coaches, or school district employees; and

17 8. The right to have a parent or legal counsel present if the
18 student is being questioned concerning potential illegal conduct.

19 C. Students shall not be punished or otherwise penalized at
20 school or during school-related activities for lawfully exercising
21 their rights or engaging in lawful conduct outside of school hours
22 and outside of school property or school events.

23 D. If any rights listed in the Students' Bill of Rights are
24 violated, a parent, legal guardian, or the student may submit a
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1 written demand for enforcement of the rights provided in the
2 Students' Bill of Rights. Within seven (7) business days of receipt
3 of the demand, the school shall submit a written response to the
4 allegation, either admitting or denying the allegation. If the
5 school continues to deny the student's demand, a parent, legal
6 guardian, or student may file a civil lawsuit in district court to
7 enforce the rights outlined in this section. The court shall award
8 reasonable attorney fees to the prevailing party.

9 E. A lawsuit shall not be filed pursuant to the bullying or
10 threatening behavior provisions of paragraph 1 of subsection B of
11 this section unless a parent, legal guardian, or student has
12 notified the school of ongoing bullying or threatening behavior and
13 the school fails to address the bullying or threatening behavior by
14 allowing the perpetrator to remain in contact with the victim when
15 the bullying or threatening behavior continues and rises to the
16 level of harassment. A lawsuit shall not be filed prior to a second
17 or subsequent incident within twelve (12) calendar months.

18 SECTION 2. This act shall become effective November 1, 2024.

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