

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 39

By: Stanley

AS INTRODUCED

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

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

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

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

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

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

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

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

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

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

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

23 SECTION 2. This act shall become effective July 1, 2023.
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1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health, or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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