

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 865

By: Bullard

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5  
6 AS INTRODUCED

7 An Act relating to teachers; creating the Teachers'  
8 Bill of Rights; providing short title; affording  
9 certain rights to certain teachers, administrators,  
10 and support staff; directing creation of certain due  
11 process plan; requiring plan to include certain  
12 components; providing for codification; providing an  
13 effective date; and declaring an emergency.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 6-101.9 of Title 70, unless  
17 there is created a duplication in numbering, reads as follows:

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

20 B. Teachers, administrators, and support staff employed by a  
21 school district, public charter school, or public virtual charter  
22 school in this state shall be afforded the following rights:

23 1. The right to free expression of religion, speech, and  
24 peaceable assembly including, but not limited to:

- a. the right to keep the Holy Scriptures in their classroom for personal use,
- b. the right to use the Holy Scriptures as they pertain to the teaching of American history or American literature if presented objectively as part of a secular program of education,
- c. the right to wear faith-based or religious symbols including jewelry on their persons,
- d. the right to pray with, over, or in front of students as provided for in Section 11-101.1 of Title 70 of the Oklahoma Statutes, and
- e. the right to a working environment in which the employing school district, public charter school, or public virtual charter school does not endorse, favor, promote, demean, show hostility toward, or intentionally undermine any particular religion or nonreligious faith or religious perspective;

2. The right to be free from the use of vulgar or abusive language by students and other teachers, administrators, or support staff;

3. The right to be free from physical harm or threats from students, parents or legal guardians of students, and other employees of the school district, public charter school, or public virtual charter school;

1 4. The right to provide for the control and discipline of  
2 students as may be assigned to him or her and to keep good order in  
3 the classroom and other places in which he or she is assigned to be  
4 in charge of students including:

5 a. the right to have disobedient, disrespectful, violent,  
6 abusive, or disruptive students removed from the  
7 classroom,

8 b. the right to refuse to allow a student who has been  
9 suspended for a violent offense to return to his or  
10 her classroom, as provided for in Section 24-101.3 of  
11 Title 70 of the Oklahoma Statutes, and

12 c. the right to use established and reasonable methods of  
13 discipline, as provided for in the policy adopted  
14 pursuant to Section 24-100.4 of Title 70 of the  
15 Oklahoma Statutes, and to be immune from civil  
16 liability for any action taken in good faith as  
17 provided for Section 24-101.3 of Title 70 of the  
18 Oklahoma Statutes;

19 5. The right of designated school personnel to carry and use a  
20 firearm, as provided for in Section 5-149.2 of Title 70 of the  
21 Oklahoma Statutes;

22 6. The right to a safe working environment with adequate safety  
23 protocols and structural safety measures to ensure protection from  
24 exterior or interior threats of violence;

1           7. The right to medical privacy, to refuse a vaccination as a  
2 condition of employment, and to refuse to wear a mask or any other  
3 medical device as a condition of employment, except as provided for  
4 in Section 1210.190 of Title 70 of the Oklahoma Statutes;

5           8. The right to refuse to provide instruction or participate in  
6 training on any topic that violates the individual's conscience,  
7 ethics, or religion; provided, however, the individual shall be  
8 prohibited from refusing to provide instruction prescribed by state  
9 law, including the subject matter standards provided for in Section  
10 11-103.6 of Title 70 of the Oklahoma Statutes, or prescribed by  
11 State Board of Education rules;

12           9. The right to adequate planning time including at least one  
13 hour not to be infringed by additional responsibilities or requests;  
14 provided, however, an individual may voluntarily relinquish his or  
15 her planning hour;

16           10. The right to a lunch period of a minimum of twenty (20)  
17 minutes during the school day;

18           11. The right to information regarding complaints filed by a  
19 student or the parent or legal guardian of a student, unless the  
20 complaint is part of a law enforcement investigation;

21           12. The right to be protected by school administrators when  
22 helping students better understand, analyze, critique, and review in  
23 an objective manner the strengths and weaknesses of existing  
24 theories, issues, and subjects which may be controversial when

1 covered in a course being taught using evidence-based, peer-reviewed  
2 material; and

3 13. The right to privately petition a school administrator, a  
4 school district board of education, or a governing body of a public  
5 charter school or public virtual charter school to modify a school  
6 policy.

7 C. A school district board of education or the governing body  
8 of a public charter school or public virtual charter school shall  
9 create a due process plan for teachers, administrators, and support  
10 staff to report violations of the rights provided for in subsection  
11 B of this section. The due process plan shall include, at a  
12 minimum, the following:

13 1. Designation of a school employee or employees to receive  
14 reports of violation;

15 2. Provisions for anonymous reports to protect the identity of  
16 the accuser from retribution;

17 3. A requirement that reported violations be investigated by  
18 designated school employees in a timely manner;

19 4. Procedures for investigating and implementing punishment for  
20 false accusations;

21 5. Procedures for reporting to law enforcement suspected  
22 violations that may constitute criminal activity or reasonably have  
23 the potential to endanger school safety; and  
24

1           6. A procedure for appealing findings of designated school  
2 employees to a school district board of education or the governing  
3 body of a public charter school or public virtual charter school.

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

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

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