STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1401

By: Standridge

AS INTRODUCED

An Act relating to civil liability; creating the Critical Race Theory Curriculum Elimination Act; providing short title; prohibiting public school from employing or contracting with certain persons; authorizing parent to bring certain action; providing sequence of remedies for certain action; providing exception to application of The Governmental Tort Claims Act; providing for noncodification; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the “Critical Race Theory Curriculum Elimination Act”.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-160 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No public school of this state, as defined pursuant to Section 1-106 of Title 70 of the Oklahoma Statutes, shall employ or contract with a person that introduces and teaches lessons related
to Critical Race Theory in the classroom or at any function of the public school.

B. Notwithstanding any provision of law to the contrary, a parent or parents may bring a claim as guardian, guardian ad litem, or next friend on behalf of a child against a public school of this state in a court of competent jurisdiction for occurrences when a public school introduces or teaches lessons related to Critical Race Theory. The remedies for the cause of action pursuant to this section shall be available in the sequence as follows:

1. Petition for injunctive relief whereby the school and applicable personnel will immediately be enjoined from the conduct resulting in the introduction or teaching of lessons related to Critical Race Theory in the classroom or at any function of the public school.

2. If the school does not immediately comply with any relief issued by a court pursuant to paragraph 1 of this subsection, the petitioner may refile a claim for relief that shall name any and all individuals participating, employed, or contracted with the school that are directly or indirectly introducing or teaching lessons related to Critical Race Theory in the classroom or at any function of the public school.

Any named person whose act or omission constitutes a violation of this section shall be strictly liable for damages at a minimum of Ten Thousand Dollars ($10,000.00) per incident, per individual. All
persons found liable for damages shall make payment from personal resources and shall not receive any assistance from individuals or groups. Any evidence of receiving outside assistance shall result in termination of their position and a stay placed on any reemployment with any public school position within the state for five (5) years.

3. If the school does not immediately comply with any relief issued by a court pursuant to paragraph 1 or 2 of this subsection, the petitioner may refile a claim for relief that shall name any and all individuals participating, employed, or contracted with the school that are directly or indirectly introducing or teaching lessons related to Critical Race Theory in the classroom or at any function of the public school.

A finding by the court of a violation made in the claim shall result in termination proceedings of the individuals in violation and shall also result in permanent prohibition from working or in any way being affiliated with a public school in this state.

C. A public school or an individual employed or contracted with a school subject to a claim made pursuant to the CRT Curriculum Elimination Act shall not have the limitations of liability or immunity provided by The Governmental Tort Claims Act.

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