

1 STATE OF OKLAHOMA

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

3 SENATE BILL 843

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to higher education; affording
8 certain rights to students enrolled in and attending
9 institutions within The Oklahoma State System of
10 Higher Education; directing institutions to establish
11 a Safe Campus Committee; providing for membership;
12 providing method for reporting violations of certain
13 rights; directing certain committee to create certain
14 due process plan; requiring plan to include certain
15 components; allowing a Safe Campus Committee to
16 request certain investigation; creating a cause of
17 action for certain violation; providing time
18 limitation on causes of action; providing for
19 codification; providing an effective date; and
20 declaring an emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2129 of Title 70, unless there
24 is created a duplication in numbering, reads as follows:

25 A. A student enrolled in and attending an institution within
26 The Oklahoma State System of Higher Education shall be afforded the
27 following rights:

28 1. The right to public and free expression of religion, speech,
29 and peaceable assembly including but not limited to:

- a. the right to participate in religious student associations free from discrimination pursuant to the provisions of Sections 2119 through 2119.4 of Title 70 of the Oklahoma Statutes,
- b. the right to engage in expressive activity on campus pursuant to the provisions of Section 2120 of Title 70 of the Oklahoma Statutes, and
- c. the right to an unbiased education that does not endorse, favor, actively encourage, demean, show hostility toward, or intentionally undermine any particular religion, nonreligious faith, or religious perspective;

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

3. The right to an unbiased learning environment that is free from the display of flags or propaganda of any organization or symbol of socialism, communism, Marxism, or anti-American sentiment; and

4. The right to an education free from indoctrination. For the purposes of this section, "indoctrination" means the forced or compelled endorsement, adoption, acceptance, or affirmation of any belief system, ideology, theory, lifestyle, religion, non-religious faith, religious perspective, or philosophy by any action,

1 curriculum, training, or instruction in a program or activity
2 offered by an institution of higher education.

3 B. Each institution within The Oklahoma State System of Higher
4 Education shall establish a Safe Campus Committee to be composed of
5 seven (7) members. Each committee shall be composed of:

6 1. One student who is enrolled full time in the institution,
7 appointed by the institution president or his or her designee;

8 2. One member of the institution's administration, appointed by
9 the institution president or his or her designee;

10 3. One community representative who is not employed by the
11 institution, who does not serve on the governing board for the
12 institution, and who has not donated to the institution, appointed
13 by the Governor;

14 4. Two community representatives who are not employed by the
15 institution, who are not serving on the governing board for the
16 institution, and who have not donated to the institution, appointed
17 by the President Pro Tempore of the Senate; and

18 5. Two community representatives who are not employed by the
19 institution, who are not serving on the governing board for the
20 institution, and who have not donated to the institution, appointed
21 by the Speaker of the House of Representatives.

22 C. Students enrolled in an institution of higher education and
23 faculty employed by an institution of higher education may report
24 violations of the rights provided for in subsection A of this

1 section to the Safe Campus Committee. Reports may be made in a
2 manner that protects the identity of the accuser from retribution.

3 D. The Safe Campus Committee shall create a due process plan
4 for students and faculty that includes at a minimum the following:

5 1. Designation of a hotline or email address to submit reports
6 of violations of the rights provided for in subsection A of this
7 section;

8 2. Procedures for investigating and implementing punishment for
9 false accusations;

10 3. Procedures for reporting to law enforcement suspected
11 violations that may constitute criminal activity or reasonably have
12 the potential to endanger campus safety;

13 4. A requirement that reported violations be investigated by
14 the Safe Campus Committee in a timely manner and that individuals
15 involved in the reported violations be notified of the committee's
16 findings; and

17 5. A procedure for the Safe Campus Committee to hear appeals of
18 the committee's findings.

19 E. The Safe Campus Committee may request that the Attorney
20 General investigate an institution of higher education for non-
21 compliance with the provisions of this section.

22 F. A student aged eighteen (18) or over or the parent or legal
23 guardian of a student under the age of eighteen (18) whose rights
24 under this act have been violated shall have a cause of action

1 against an institution of higher education. The student or the
2 parent or legal guardian of the student shall bring suit for
3 violation of this act no later than one (1) year after the day the
4 violation occurs.

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

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

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