

# Student Communication

*Enhancing Student Safety:*

*Understanding and  
Implementing HB 3958*

*Effective July 1, 2024*

*For all Staff and Faculty in  
Oklahoma Schools*

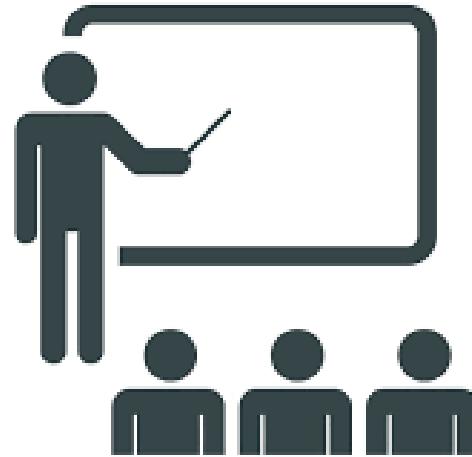


# Purpose

- Regulate electronic communication between school personnel and students and ensuring parental involvement and student safety.

# Objectives

- Educate school personnel on the scope and definitions outlined in HB 3958, **Title 70 O.S. Sec. 6-401**, including what constitutes electronic communication and who qualifies as school personnel.



# Objectives Continued

- Clarify the communication requirements mandated by the law, emphasizing the inclusion of parents/guardians in electronic communications with students, except in emergency situations
- Prepare school personnel to effectively implement the statutory provisions by providing guidance and ensuring they understand the consequences of non-compliance

# Definitions

- “Electronic or digital communication includes, but is not limited to, emails, text messages, instant messages, direct messages, social media messages, messages sent through software applications, and any other electronic digital means of communication.”

See Title 70 O.S. Sec. 6-401(A)(1).

# Definitions Continued

- “School personnel’ includes teachers, coaches, administrators, school bus drivers, or any other persons employed full-time or part-time by a public school or charter school.”

See Title 70 O.S. Sec. 6-401(A)(2).



# Requirements

- School personnel MUST include parent/guardian in electronic communications with students UNLESS such communication is on a school-approved platform AND related to school and academic communications.
  - School personnel SHALL make reasonable efforts to use school-approved platforms, systems, or applications that allow automatic inclusion of parents or guardians in communications with students.
- Exceptions for emergencies, with subsequent parental notification.
- Schools SHALL provide training to school personnel.

# Enforcements/Investigations

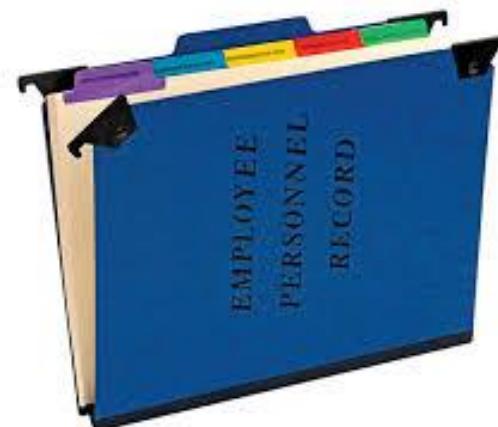
- Schools MUST develop a process for reporting violations and an investigative protocol to include a thorough documentation process
- Personnel REPORTED to be in violation MUST be put on administrative leave while the school district investigates AND the school board WILL be notified



# Enforcements/Investigations Continued

## ➤ Potential Outcomes

- If the investigation finds that no misconduct occurred, the school personnel SHALL be re-instated, and the incident SHALL be noted in the school personnel's employee file.



# Enforcements/Investigations Continued

## ➤ Potential Outcomes

- If the investigation finds misconduct occurred, the school personnel SHALL be disciplined according to the school district board of education's policy, up to and including termination of employment, and the incident SHALL be reported to law enforcement pursuant to **Section 1210.163 of Title 70** of the Oklahoma Statutes. Also be aware of mandatory reporting under **Title 10A O.S. Sec. 1-2-101(B)(2)(a)-(b).**

# Notes

- School faculty members MUST inform and require students to include a parent/guardian when the student sends any text or messages to school employees and inform and require the students to use only school-approved platforms and that messages be related only to school and academic communications.
- School faculty members MUST add a parent/guardian in any response to a student where the student initiated the communication and did not include a parent/guardian.

# Notes Continued

- If school personnel have a familial relationship with the student, the statute does not require that the communication include a parent/guardian. The focus of the statute is not communications between family members.

See e.g. *McIntosh v. Watkins*, 2019 OK 6, ¶ 4, 441 P.3d 1094, 1096 (“Statutory construction that would lead to an absurdity must be avoided and a rational construction should be given to a statute if the language fairly permits.”)

# Notes Continued

- The bill/law is not written to extend to communications between college instructors and students. However, if the instructor is employed by a public school (charters are a public school) then the statute covers the communication even if the communications is for a class for college credit.
- Schools are responsible for tracking, monitoring, and verifying training. OSDE will not issue training certificates.

# Conclusion

- Ensures parental involvement in electronic communications, keeping parents informed about ongoing activities and interactions.
- Enhances student safety through regulated communication practices.
- Safe-guards school personnel with clear guidelines and protections.





# Still have questions?

Contact School Safety & Security [okcares@sde.ok.gov](mailto:okcares@sde.ok.gov)