

HB2696 FA1 FordRo-SW
3/23/2026 1:06:23 pm

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2696 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Ross Ford

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 FLOOR SUBSTITUTE
4 FOR

HOUSE BILL NO. 2696

By: Ford of the House

5 and

6 Rader of the Senate

7
8
9 FLOOR SUBSTITUTE

10 An Act relating to the Oklahoma Open Records Act;
11 amending 51 O.S. 2021, Section 24A.16, as amended by
12 Section 1, Chapter 86, O.S.L. 2024 (51 O.S. Supp.
13 2025, Section 24A.16), which relates to educational
14 records; requiring schools to release certain records
15 to parents, guardians, or adult students; requiring
16 records to be provided in a timely manner; mandating
17 that certain record requests be provided for free;
18 specifying that certain information cannot be
19 omitted; providing examples of certain records;
20 amending 51 O.S. 2021, Section 24A.28, as amended by
21 Section 1, Chapter 325, O.S.L. 2023 (51 O.S. Supp.
22 2025, Section 24A.28), which relates to confidential
23 information; adding certain cybersecurity information
24 to list of confidential information; and providing an
effective date.

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

SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.16, as
amended by Section 1, Chapter 86, O.S.L. 2024 (51 O.S. Supp. 2024,
Section 24A.16), is amended to read as follows:

Commented [1]: EDERIV

1 Section 24A.16. A. Except as set forth in subsection B of this
2 section, public educational institutions and their employees may
3 keep confidential:

- 4 1. Individual student records;
- 5 2. Teacher lesson plans, tests and other teaching material;
- 6 3. Personal communications concerning individual students; and
- 7 4. Any contract for use of a student athlete's name, image, or
8 likeness disclosed to a postsecondary institution pursuant to the
9 Student Athlete Name, Image and Likeness Rights Act.

10 B. If kept, statistical information not identified with a
11 particular student and directory information shall be open for
12 inspection and copying. Except as provided in subsection C of this
13 section, each educational institution may choose to designate
14 specific information which shall be classified as directory
15 information for students attending the educational institution. In
16 accordance with the Family Educational Rights and Privacy Act,
17 Section 1232g of Title 20 of the United States Code and Part 99 of
18 Title 34 of the Code of Federal Regulations, "directory information"
19 includes a student's name, address, telephone listing, date and
20 place of birth, major field of study, participation in officially
21 recognized activities and sports, weight and height of members of
22 athletic teams, dates of attendance, degrees and awards received,
23 and the most recent previous educational institution attended by the
24 student. Any educational agency or institution making public

1 directory information shall give public notice of the categories of
2 information which it has designated as directory information with
3 respect to each student attending the institution or agency and
4 shall allow a reasonable period of time after the notice has been
5 given for a parent or guardian to inform the institution or agency
6 that any or all of the information designated should not be released
7 without prior consent of the parent or guardian or the student if
8 the student is eighteen (18) years of age or older.

9 C. All educational agencies or institutions which are not the
10 primary custodians of student directory information of students
11 attending the educational institution, but which are allowed to
12 access the information for educational purposes, shall be prohibited
13 from releasing or selling any or all student directory information
14 unless disclosure is authorized by the Family Educational Rights and
15 Privacy Act, Section 1232g of Title 20 of the United States Code and
16 Part 99 of Title 34 of the Code of Federal Regulations, or Section
17 3-168 of Title 70 of the Oklahoma Statutes.

18 D. A public school district may release individual student
19 records for the current or previous school year to a school district
20 at which the student was previously enrolled for purposes of
21 evaluating educational programs and school effectiveness.

22 E. Notwithstanding any provisions of this section, public
23 educational institutions and their employees shall release all
24 requested student records to the student's parent or guardian, or to

1 the student themselves if he or she is eighteen (18) years of age or
2 older, if the records are requested by the parent, guardian, or the
3 adult student. Such records shall be provided in a timely manner in
4 accordance with the Oklahoma Open Records Act. An educational
5 institution shall provide such records free of charge, and shall not
6 redact or otherwise omit any information from the record, unless
7 including such information would violate the law. Records related
8 to a student include, but are not limited to, personal
9 communications concerning the student related to IEPs, behaviors
10 that result in a disciplinary action, or official school activities
11 including student-teacher meetings, any school staff or teacher
12 correspondence, individual student records, meeting notes, student
13 athlete contracts, proposed changes to an Individualized Education
14 Program or other program for students with disabilities, student
15 assessments, progress reports, and internal complaints and
16 recommendations regarding the student.

17 SECTION 2. AMENDATORY 51 O.S. 2021, Section 24A.28, as
18 amended by Section 1, Chapter 325, O.S.L. 2023 (51 O.S. Supp. 2025,
19 Section 24A.28), is amended to read as follows:

20 Section 24A.28. A. The following information may be kept
21 confidential:

22 1. Investigative evidence of a plan or scheme to commit an act
23 of terrorism;

24

1 2. Assessments of the vulnerability of government facilities or
2 public improvements to an act of terrorism and work papers directly
3 related to preparing the assessment of vulnerability;

4 3. Records including details for deterrence or prevention of or
5 protection from an act or threat of an act of terrorism;

6 4. Records including details for response or remediation after
7 an act of terrorism;

8 5. Information technology of a public body or public official
9 but only if the information specifically identifies:

- 10 a. design or functional schematics that demonstrate the
11 relationship or connections between devices or
12 systems,
 - 13 b. system configuration information,
 - 14 c. security monitoring and response equipment placement
15 and configuration,
 - 16 d. specific location or placement of systems, components,
17 or devices,
 - 18 e. system identification numbers, names, or connecting
19 circuits,
 - 20 f. business continuity and disaster planning, or response
21 plans, ~~or~~
 - 22 g. investigative information directly related to security
23 penetrations or denial of services; or
- 24

1 h. cybersecurity risk assessments, vulnerability scans,
2 penetration testing results, incident response plans
3 and reports, forensic reports, security audit reports,
4 system or network logs, and cyber threat intelligence
5 shared with other government agencies or through
6 recognized information sharing organizations, to the
7 extent such records could reasonably be expected to
8 facilitate unauthorized access to or disruption of
9 information systems;

10 6. Investigation evidence of an act of terrorism that has
11 already been committed;

12 7. Records received, maintained, or generated by the Oklahoma
13 Office of Homeland Security which include confidential private
14 business information or an individual's private records;

15 8. Records received by the Oklahoma Office of Homeland Security
16 from the United States Department of Homeland Security or records
17 maintained or generated by the Oklahoma Office of Homeland Security
18 involving the United States Department of Homeland Security;

19 9. Records received, maintained, or generated by the Department
20 of Environmental Quality that contain information regarding sources
21 of radiation in quantities determined by the United States Nuclear
22 Regulatory Commission to be significant to public health and safety,
23 by whomever possessed, whether in transit or at fixed sites, when
24 the information could reasonably be expected to have an adverse

1 effect on the health and safety of the public by increasing the
2 likelihood of theft, diversion, or sabotage of the radiation sources
3 or facilities. The information may include but is not limited to
4 information:

- 5 a. from or relating to radioactive material licensees
6 identifying the exact location of the radioactive
7 material,
- 8 b. describing how the radioactive material is secured
9 from unauthorized removal or access when it is in
10 storage,
- 11 c. describing the control and maintenance of constant
12 surveillance of the radioactive material when it is
13 not in storage,
- 14 d. describing specific policies and procedures for
15 actions to physically protect the radioactive
16 material,
- 17 e. identifying possession limits or actual inventories of
18 radionuclides,
- 19 f. containing or describing assessments or analyses that
20 could reveal vulnerabilities,
- 21 g. identifying specific locations of safety and security
22 equipment,
- 23 h. describing emergency planning, emergency response and
24 fire protection, and

1 i. containing or describing other information that could
2 reasonably be expected to be useful to persons with
3 malevolent intent;

4 10. The names of school district personnel who have been
5 designated to carry a firearm pursuant to Section 5-149.2 of Title
6 70 of the Oklahoma Statutes;

7 11. Information technology of the State Election Board or a
8 county election board which is determined jointly by the Secretary
9 of the State Election Board and the State Chief Information Officer
10 to be technology that could reasonably be expected to be useful to
11 persons with intent to interfere with the conduct of an election,
12 voter registration, or other election processes;

13 12. Records received, maintained, or generated by the Oklahoma
14 Municipal Power Authority established pursuant to Section 24-101 et
15 seq. of Title 11 of the Oklahoma Statutes and in its role as an
16 electric utility regulated by the federal government, related to
17 security plans and procedures including, but not limited to,
18 cybersecurity matters; and

19 13. Risk and vulnerability assessments of school districts
20 conducted pursuant to Section 2 of this act including
21 recommendations to increase security on school district property and
22 work papers directly related to preparation of the risk and
23 vulnerability assessments.

24 B. The following information shall not be kept confidential:

1 1. Records related to federal grants administered by the
2 Oklahoma Office of Homeland Security or the Department of
3 Environmental Quality;

4 2. Records related to the receipt and expenditure of public
5 funds; or

6 3. Records related to the financial performance or financial
7 administration of the Oklahoma Office of Homeland Security or the
8 Department of Environmental Quality.

9 C. For the purposes of this section, the term "terrorism" means
10 any act encompassed by the definitions set forth in Section 1268.1
11 of Title 21 of the Oklahoma Statutes.

12 D. 1. Public educational institutions may keep confidential
13 campus security plans. An institution or agency may in its
14 discretion release information contained in or related to the campus
15 security plan in order to design or implement the plan.

16 2. Nothing in this subsection shall preclude an institution or
17 agency within The Oklahoma State System of Higher Education from
18 collecting and releasing information relating to campus crime
19 statistics and campus security policies as is required pursuant to
20 the Jeanne Clery Disclosure of Campus Security Policy and Campus
21 Crime Statistics Act, 20 U.S.C. 1092(f).

22 3. For purposes of this subsection, "campus security plan"
23 shall include, but is not limited to, prevention and response
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1 | procedures to and notification procedures for perceived or actual
2 | security threats and incidents on or impacting the campus.

3 | SECTION 3. This act shall become effective November 1, 2026.

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