

1 ENGROSSED HOUSE  
2 BILL NO. 2696

By: Ford of the House

and

Rader of the Senate

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5  
6 An Act relating to the Oklahoma Open Records Act;  
7 amending 51 O.S. 2021, Section 24A.16, as amended by  
8 Section 1, Chapter 86, O.S.L. 2024 (51 O.S. Supp.  
9 2025, Section 24A.16), which relates to educational  
10 records; requiring schools to release certain records  
11 to parents, guardians, or adult students; requiring  
12 records to be provided in a timely manner; mandating  
13 that certain record requests be provided for free;  
14 specifying that certain information cannot be  
15 omitted; providing examples of certain records;  
16 amending 51 O.S. 2021, Section 24A.28, as amended by  
17 Section 1, Chapter 325, O.S.L. 2023 (51 O.S. Supp.  
18 2025, Section 24A.28), which relates to confidential  
19 information; adding certain cybersecurity information  
20 to list of confidential information; and providing an  
21 effective date.

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

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

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

1. Individual student records;
2. Teacher lesson plans, tests and other teaching material;

1 3. Personal communications concerning individual students; and

2 4. Any contract for use of a student athlete's name, image, or  
3 likeness disclosed to a postsecondary institution pursuant to the  
4 Student Athlete Name, Image and Likeness Rights Act.

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

1 that any or all of the information designated should not be released  
2 without prior consent of the parent or guardian or the student if  
3 the student is eighteen (18) years of age or older.

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

13 D. A public school district may release individual student  
14 records for the current or previous school year to a school district  
15 at which the student was previously enrolled for purposes of  
16 evaluating educational programs and school effectiveness.

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;

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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.

4 | Passed the House of Representatives the 25th day of March, 2026.

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Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2026.

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Presiding Officer of the Senate