

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3800

By: Conley

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 24-158, as amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2023, Section 24-158), which relates to the Oklahoma Prevention Needs Assessment Survey; providing for optional administration of and participation in survey; including certain information in notification; providing for written parental permission to participate; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 24-158, as amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2023, Section 24-158), is amended to read as follows:

Section 24-158. A. The "Oklahoma Prevention Needs Assessment Survey" means the biennial mental health prevention survey of public school students in grades six, eight, ten, and twelve managed by the Department of Mental Health and Substance Abuse Services.

B. Beginning in the 2022-2023 school year, and biennially thereafter, public schools ~~shall~~ may administer the Oklahoma Prevention Needs Assessment Survey, or an alternative survey as

1 provided in subsection D of this section, for the purpose of  
2 providing direction to schools, school districts, and communities to  
3 effectively improve the lives of students regarding a variety of  
4 issues with a focus on alcohol, tobacco, other drug use, mental  
5 health, academic failure, and violence.

6 C. The Department of Mental Health and Substance Abuse Services  
7 shall maintain the Oklahoma Prevention Needs Assessment Survey and  
8 shall provide technical assistance for schools in survey  
9 administration, reporting, planning, and development of school  
10 mental health prevention and intervention strategies informed by the  
11 survey results.

12 D. If a school or school district chooses to administer an  
13 alternative survey or assessment tool to fulfill the purpose  
14 described in subsection B of this section, it may apply for a waiver  
15 through the Department of Mental Health and Substance Abuse  
16 Services.

17 E. The school district superintendent or his or her designee  
18 shall provide prior written notification to the parents or legal  
19 guardians of students ~~to be administered~~ who have the option to  
20 participate in the Oklahoma Prevention Needs Assessment Survey or an  
21 alternative survey or assessment tool adopted pursuant to subsection  
22 D of this section. The notification shall include a copy of the  
23 survey or assessment tool and information to parents and legal  
24 guardians that they may ~~opt~~ allow their student ~~out of~~ to

1 participate in the survey or assessment tool by providing written  
2 notice permission to the school district.

3 F. Prior to the biennial administration of the Oklahoma  
4 Prevention Needs Assessment Survey, the Department of Mental Health  
5 and Substance Abuse Services shall submit the survey to the  
6 President Pro Tempore of the Oklahoma State Senate, the Speaker of  
7 the Oklahoma House of Representatives, the chairs of the committees  
8 with responsibility over common education in both houses of the  
9 Legislature, and the chairs of the committees with responsibility  
10 over public health in both houses of the Legislature.

11 G. The provisions of this section shall be subject to the  
12 availability of federal funding. If federal funding is insufficient  
13 to provide the Oklahoma Prevention Needs Assessment Survey to public  
14 schools on a biennial basis, administration of the survey shall not  
15 be required.

16 H. The Board of Mental Health and Substance Abuse Services and  
17 the State Board of Education may promulgate rules as necessary to  
18 carry out the provisions of this section.

19 SECTION 2. This act shall become effective November 1, 2024.  
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