

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1446

By: Greenwood

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 11-107, which relates to certain psychological testing or treatment of students; clarifying required consent for certain testing; limiting the practice of certain psychological tests and methods to certain professionals; requiring prior written parental consent for such tests and methods; requiring screening for such tests and methods; defining terms; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 11-107, is amended to read as follows:

Section 11-107. ~~Without the prior written consent of the parent or guardian, no~~ A. No student who is an unemancipated minor shall be required, as part of any applicable program, to submit to psychiatric or psychological examination, testing or treatment; ~~nor may any~~ without the prior written consent of the parent or guardian.

B. No teacher or staff personnel shall without ~~such~~ prior written consent elicit by written survey or written examination from

any student information of a personal or private nature concerning any of the following areas:

1. Religious beliefs;
2. Mental or psychological problems potentially embarrassing to the student or his family;
3. Sexual behavior and attitudes;
4. Critical appraisals of other individuals with whom the student has a close family relationship;
5. Legally recognized privileged communication.

C. Only a licensed professional psychologist or certified school psychologist shall be allowed to practice measuring and testing and psychological methods, as defined in this subsection, on a student who is an unemancipated minor as part of any applicable program except in the context of simple acts of persuasion or crisis intervention. Any practice of measuring and testing and psychological methods shall be permissible only with the prior written consent of the parent or guardian for each individual practice that may be contemplated and must be appropriately screened by a licensed professional psychologist or certified school psychologist. As used in this subsection:

1. "Measuring and testing" means the psychological assessment and evaluation of abilities, attitudes, aptitudes, achievements, adjustments, motives, personality dynamics and other psychological attributes of individuals or groups of individuals by means of standardized measurements or other methods, techniques or procedures recognized by the science and profession of psychology; and

2. "Psychological methods" means the application of principles of learning and motivation in an interpersonal situation with the objectives of modification of perception and adjustment and requiring highly developed skills in the disciplines, techniques and methods of altering through learning processes, attitudes, feelings, values, self concept, personal goals and adaptive patterns.

SECTION 2. This act shall become effective November 1, 1995.

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