

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 1623

By: Floyd

AS INTRODUCED

An Act relating to schools; stating legislative findings; requiring boards of education to adopt a suicide and student drug abuse policy; directing boards of education to establish suicide prevention and awareness schoolwide training; providing for selection of content; establishing a minimum annual training requirement; providing immunity for certain acts by school employees; providing for liability for certain negligent actions; limiting causes of action; prohibiting certain construction; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds that the American Journal of Public Health recently reported that suicides have surpassed car crashes as the leading cause of injury-related deaths in the nation. In Oklahoma, student suicides are among the leading cause of death in the state among school-age children. While both school and community resources are limited, some Oklahoma educators have reported success

in intervening by using large, schoolwide presentations to staff and students that focus on bullying prevention, suicide prevention, and early intervention through the use of real examples and testimony from those who have dealt directly with student suicide and bullying.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.7 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The board of education of each school district in this state shall adopt a policy regarding suicide awareness and training and the reporting of student drug abuse.

B. The board of education of each school district in this state shall provide schoolwide training to all students and staff addressing suicide awareness and prevention. Each board of education shall be responsible for selecting the content of the training. Beginning with the 2013-2014 school year, every school district shall provide a training program for students and school district staff of not less than two (2) hours annually that addresses suicide awareness and prevention. The training program may be combined with any other training provided by the school district addressing bullying prevention. The board may require additional time to be allotted for the training if deemed necessary.

C. Teachers, counselors, principals, administrators and other school personnel shall be immune from employment discipline and any civil liability for:

1. Calling the 911 emergency telephone number, law enforcement, or the Department of Human Services if they believe a student poses a threat to themselves or others or if a student has committed or been the victim of a violent act or threat of a violent act;

2. Providing counseling, referral, emergency medical care, or other assistance offered in good faith to a student or other youth; and

3. Communicating information in good faith concerning drug or alcohol abuse or a potential safety threat by or to any student to the parents of the student, law enforcement officers or health care providers.

D. The provisions of this section shall not preclude liability for civil damages:

1. Where the individual negligently performs professional counseling or nursing services which the person is licensed under state law to perform; or

2. Which are a result of gross negligence.

E. No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of this section or resulting from any training, or

lack thereof, required by this section, unless the loss or damage was caused by willful or wanton misconduct.

F. The training required pursuant to this section, or the lack thereof, shall not be construed to impose any specific duty of care.

SECTION 3. This act shall become effective July 1, 2013.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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