

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1308

By: Conley

COMMITTEE SUBSTITUTE

An Act relating to school safety; amending Section 1, Chapter 323, O.S.L. 2018 (70 O.S. Supp. 2018, Section 24-100.8), which relates to threatening behavior; modifying definition of threatening behavior; requiring persons reporting threatening behavior to comply with certain laws; requiring school district to develop policy determining if student needs to complete an assessment or evaluation prior to returning to school; specifying who will pay for assessment or evaluation; identifying who can administer assessment or evaluation; providing for alternative education placement; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 323, O.S.L. 2018 (70 O.S. Supp. 2018, Section 24-100.8), is amended to read as follows:

Section 24-100.8 A. As used in this section, "threatening behavior" means any verbal threat or act of threatening behavior, whether or not it is directed at another person, which reasonably indicates ~~potential for future~~ that students, school personnel or school property are at actual and imminent risk of serious physical

1 ~~harm to students, school personnel or school property~~ and includes,
2 but is not limited to, a verbal threat or act of threatening
3 behavior directed against a person, vandalism of property, a
4 terrorist attack or a school campus shooting.

5 B. An officer or employee of a school district or member of a
6 board of education shall notify law enforcement ~~of any verbal threat~~
7 ~~or act of threatening behavior which reasonably may have the~~
8 ~~potential to endanger students, school personnel or school property~~
9 as defined in subsection A of this section.

10 C. Officers or employees of a school district or members of a
11 board of education shall be immune from employment discipline and
12 any civil liability for communicating information pursuant to
13 subsection B of this section in good faith ~~if they reasonably~~
14 ~~believe a person is making verbal threats or is exhibiting~~
15 ~~threatening behavior.~~

16 D. Officers or employees of a school district or members of a
17 board of education who notify law enforcement of threatening
18 behavior by a student shall comply with state and federal laws
19 applicable to release of student education records.

20 E. The school district shall develop a policy to determine if a
21 student who engages in threatening behavior that has the potential
22 to cause severe bodily harm or extreme violence needs to complete a
23 mental health assessment or psychological evaluation at the expense
24 of the parent or guardian of the student and administered by a

1 psychologist trained in assessing harmful behavior prior to
2 returning to the general population environment of the school. If
3 needed, alternative education placement options shall be provided by
4 the school district.

5 F. Nothing in this section shall be construed to impose a
6 specific liability on any school district.

7 SECTION 2. This act shall become effective November 1, 2019.

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