

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1308

By: Conley and **Randleman**

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8                               COMMITTEE SUBSTITUTE

9           An Act relating to school safety; amending Section 1,  
10 Chapter 323, O.S.L. 2018 (70 O.S. Supp. 2018, Section  
11 24-100.8), which relates to threatening behavior;  
12 modifying definition of threatening behavior;  
13 requiring persons reporting threatening behavior to  
14 comply with certain laws; requiring school district  
15 to develop policy determining if student needs to  
16 complete an assessment or evaluation prior to  
17 returning to school; specifying who will pay for  
18 assessment or evaluation; identifying who can  
19 administer assessment or evaluation; providing for  
20 alternative education placement; and providing an  
21 effective date.

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

25           SECTION 1.           AMENDATORY           Section 1, Chapter 323, O.S.L.  
26 2018 (70 O.S. Supp. 2018, Section 24-100.8), is amended to read as  
27 follows:

28           Section 24-100.8   A.   As used in this section, "threatening  
29 behavior" means any verbal threat or act of threatening behavior,  
30 whether or not it is directed at another person, which reasonably

1 ~~indicates potential for future~~ that students, school personnel or  
2 school property are at actual and imminent risk of serious physical  
3 ~~harm to students, school personnel or school property~~ and includes,  
4 but is not limited to, a verbal threat or act of threatening  
5 behavior directed against a person, vandalism of property, a  
6 terrorist attack or a school campus shooting.

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

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

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

22 E. The school district shall develop a policy to determine if a  
23 student who engages in threatening behavior that has the potential  
24 to cause severe bodily harm or extreme violence needs to complete a

1 mental health assessment or psychological evaluation at the expense  
2 of the parent or guardian of the student and administered by a  
3 psychologist trained in assessing harmful behavior prior to  
4 returning to the general population environment of the school. If  
5 needed, alternative education placement options shall be provided by  
6 the school district.

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

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

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11 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/26/2019  
12 - DO PASS, As Amended and Coauthored.