

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3540

By: Boatman, **Bush** and **McEntire**

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8 COMMITTEE SUBSTITUTE

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10 An Act relating to schools; creating Maria's Law;
11 requiring mental health education; directing the
12 State Board of Education to promulgate standards,
13 curriculum lists, and rules; allowing local school
14 districts to collaborate with nonprofits and
15 community partners; amending 70 O.S. 2011, Section 6-
16 194, as last amended by Section 1, Chapter 16, O.S.L.
17 2019 (70 O.S. Supp. 2019, Section 6-194), which
18 relates to professional development programs;
19 requiring annual training program for mental health
20 awareness; allowing local school districts to
21 collaborate with nonprofits and community partners;
22 listing components of training program; providing for
23 codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 11-103.9b of Title 70, unless
there is created a duplication in numbering, reads as follows:

1 A. This section shall be known and may be cited as "Maria's
2 Law".

3 B. Beginning with the 2021-2022 school year, the State Board of
4 Education shall require that all schools, as part of any health
5 education curriculum, include instruction in mental health, with an
6 emphasis on the interrelation of physical and mental well-being.

7 C. The Board shall collaborate with the Department of Mental
8 Health and Substance Abuse Services to promulgate standards and to
9 approve age-appropriate curriculum options for students in grades
10 kindergarten through twelve. The standards and curriculum lists
11 shall be available on the website of the State Department of
12 Education.

13 D. Local school districts may enter into agreements with
14 nonprofit entities and other community partners to assist with or to
15 provide mental health education to students pursuant to this section
16 if the nonprofits and community partners are approved by the State
17 Department of Education and the Department of Mental Health and
18 Substance Abuse Services.

19 E. The Board shall adopt rules to implement the provisions of
20 this section.

21 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-194, as
22 last amended by Section 1, Chapter 16, O.S.L. 2019 (70 O.S. Supp.
23 2019, Section 6-194), is amended to read as follows:
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1 Section 6-194. A. The district boards of education of this
2 state shall establish professional development programs for the
3 certified teachers and administrators of the district. Programs
4 shall be adopted by each board based upon recommendations of a
5 professional development committee appointed by the board of
6 education for the district. For the fiscal years ending June 30,
7 2011, and June 30, 2012, a school district board of education may
8 elect not to adopt and offer a professional development program for
9 certified teachers and administrators of the district. If a school
10 district elects not to adopt and offer a professional development
11 program, the district may expend any monies allocated for
12 professional development for any purpose related to the support and
13 maintenance of the school district as determined by the board of
14 education of the school district.

15 B. Each professional development committee shall include
16 classroom teachers, administrators, school counselors or licensed
17 mental health providers, and parents, guardians or custodians of
18 children in the school district and shall consult with a higher
19 education faculty. A majority of the members of the professional
20 development committee shall be composed of classroom teachers. The
21 teacher members shall be selected by a designated administrator of
22 the school district from a list of names submitted by the teachers
23 in the school district. The members selected shall be subject to
24 the approval of a majority vote of the teachers in the district.

1 C. In developing program recommendations, each professional
2 development committee shall annually utilize a data-driven approach
3 to analyze student data and determine district and school
4 professional development needs. The professional development
5 programs adopted shall be directed toward development of
6 competencies and instructional strategies in the core curriculum
7 areas for the following goals:

- 8 1. Increasing the academic performance data scores for the
9 district and each school site;
- 10 2. Closing achievement gaps among student subgroups;
- 11 3. Increasing student achievement as demonstrated on state-
12 mandated tests and the ACT;
- 13 4. Increasing high school graduation rates; and
- 14 5. Decreasing college remediation rates.

15 Each program may also include components on classroom management
16 and student discipline strategies, outreach to parents, guardians or
17 custodians of students, special education, and racial and ethnic
18 education, which all personnel defined as teachers in Section 1-116
19 of this title shall be required to complete on a periodic basis.
20 The State Board of Education shall provide guidelines to assist
21 school districts in developing and implementing racial and ethnic
22 education components into professional development programs.

23 D. At a minimum of once an academic year a program shall be
24 offered which includes the following:

1. Training on recognition of child abuse and neglect;
2. Recognition of child sexual abuse;
3. Proper reporting of suspected abuse; and
4. Available resources.

E. One time per year, beginning in the 2009-2010 school year, training in the area of autism shall be offered and all resident teachers of students in early childhood programs through grade three shall be required to complete the autism training during the resident year and at least one time every three (3) years thereafter. All other teachers and education support professionals of students in early childhood programs through grade three shall be required to complete the autism training at least one time every three (3) years. The autism training shall include a minimum awareness of the characteristics of autistic children, resources available and an introduction to positive behavior supports to challenging behavior. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors.

Districts are authorized to utilize any means for professional development that is not prohibited by law including, but not limited to, professional development provided by the district, any state agency, institution of higher education, or any private entity.

1 F. One time per year, beginning in the 2020-2021 school year, a
2 dyslexia awareness program shall be offered. At a minimum, the
3 program shall include:

4 1. Training in awareness of dyslexia characteristics in
5 students;

6 2. Training in effective classroom instruction to meet the
7 needs of students with dyslexia; and

8 3. Available dyslexia resources for teachers, students and
9 parents.

10 G. One time per year, beginning in the 2021-2022 school year, a
11 mental health awareness program shall be offered. Local school
12 districts may enter into agreements with nonprofit entities and
13 other community partners to assist with or to provide mental health
14 education to teachers and administrators pursuant to this subsection
15 if the nonprofits and community partners are approved by the State
16 Department of Education and the Department of Mental Health and
17 Substance Abuse Services. At a minimum, the program shall be at
18 least eight (8) hours and include:

19 1. Strategies and action plans for helping students who are
20 experiencing a mental health or addiction challenge or who are in
21 crisis;

22 2. Introduction to common mental health challenges for youth;

23 3. Review of typical adolescent development;
24

1 4. Information on topics including, but not limited to,
2 anxiety, depression, substance use, disorders in which psychosis may
3 occur, disruptive behavior disorders and eating disorders;

4 5. Information about the services provided by community-based
5 organizations related to mental health, substance abuse and trauma;

6 6. Information about the impact trauma and adverse childhood
7 experiences can have on a student's ability to learn;

8 7. The availability of mental health evaluation and treatment
9 available by telemedicine; and

10 8. Information about evidence-based strategies for prevention
11 of at-risk behaviors.

12 H. Except as otherwise provided for in this subsection, each
13 certified teacher in this state shall be required by the district
14 board of education to meet the professional development requirements
15 established by the board, or established through the negotiation
16 process. Except as otherwise provided for in this subsection, the
17 professional development requirements established by each board of
18 education shall require every teacher to annually complete a minimum
19 number of the total number of points required to maintain
20 employment. Failure of any teacher to meet district board of
21 education professional development requirements may be grounds for
22 nonrenewal of such teacher's contract by the board. Such failure
23 may also be grounds for nonconsideration of salary increments
24 affecting the teacher. For the fiscal years ending June 30, 2011,

1 and June 30, 2012, a certified teacher shall not be required to
2 complete any points of the total number of professional development
3 points required. Provided, a teacher may elect to complete some or
4 all of the minimum number of points required for the two (2) fiscal
5 years and any points completed shall be counted toward the total
6 number of points required to maintain employment. If a teacher does
7 not complete some or all of the minimum number of points required
8 for one (1) or both fiscal years, the total number of points
9 required to maintain employment shall be adjusted and reduced by the
10 number of points not completed.

11 ~~H.~~ I. Each district shall annually submit a report to the State
12 Department of Education on the district level professional
13 development needs, activities completed, expenditures, and results
14 achieved for each school year by each goal as provided in subsection
15 C of this section. If a school district elects not to adopt and
16 offer a professional development program as provided for in
17 subsection A of this section, the district shall not be required to
18 submit an annual report as required pursuant to this subsection but
19 shall report to the State Department of Education its election not
20 to offer a program and all professional development activities
21 completed by teachers and administrators of the school district.

22 ~~I.~~ J. Subject to the availability of funds, the Department
23 shall develop an online system for reporting as required in
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1 subsection # I of this section. The Department shall also make such
2 information available on its website.

3 SECTION 3. This act shall become effective November 1, 2020.
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5 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/25/2020
6 - DO PASS, As Amended and Coauthored.
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