

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1308

By: Conley of the House and David of the Senate

Title: School safety; requiring school district to develop policy determining if student needs to complete an assessment or evaluation prior to returning to school; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House concurs in the Senate amendment; and
2. By restoring the title to read as follows:

“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 report of threatening behavior to law enforcement; modifying immunity provision for employment discipline and civil liability; directing persons reporting threatening behavior to comply with certain laws; requiring school district to develop policy determining if student needs to complete a threat assessment; mandating State Department of Education to develop a threat assessment system; and providing an effective date.”

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

David	_____
Stanislowski	_____
Pemberton	_____
Kidd	_____
Dossett	_____
Hicks	_____

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1308 By: Conley and Randleman of the
3 House
4 and
5 David of the Senate
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8 [school safety - requiring school district to
9 develop policy determining if student needs to
10 complete an assessment or evaluation prior to
11 returning to school - effective date]
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15 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert
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17 "[school safety - requiring school district to
develop policy determining if student needs to
18 complete an assessment - effective date]
19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
21 SECTION 1. AMENDATORY Section 1, Chapter 323, O.S.L.
22 2018 (70 O.S. Supp. 2018, Section 24-100.8), is amended to read as
23 follows:
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1 Section 24-100.8 A. As used in this section, "threatening
2 behavior" means any verbal or written threat or act of threatening
3 behavior, whether or not it is directed at another person, which
4 reasonably indicates ~~potential for future~~ that students or school
5 personnel are at actual and imminent risk of serious physical harm
6 to students, school personnel or school property and includes, but
7 is not limited to, a terrorist attack, a school campus shooting or a
8 verbal or written threat or act of threatening behavior directed
9 against a person.

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

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

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

E. The school district shall develop a policy to determine if a student who engages in threatening behavior that has the potential to cause severe bodily harm or violence needs to complete a behavioral threat assessment. The State Department of Education shall develop a behavioral threat assessment system which districts may utilize to determine the viability of each threat and the appropriate protocol to ensure each student receives continuity of educational services.

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

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

and when the title is restored, amend the title to conform

Passed the Senate the 24th day of April, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2019.

Presiding Officer of the House
of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 1308

By: Conley and Randleman of the
House

3 and

4 David of the Senate
5
6
7

8 [school safety - requiring school district to
9 develop policy determining if student needs to
10 complete an assessment or evaluation prior to
11 returning to school - effective date]
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 3. AMENDATORY Section 1, Chapter 323, O.S.L.
16 2018 (70 O.S. Supp. 2018, Section 24-100.8), is amended to read as
17 follows:

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

1 behavior directed against a person, vandalism of property, a
2 terrorist attack or a school campus shooting.

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

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

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

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

1 needed, alternative education placement options shall be provided by
2 the school district.

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

5 SECTION 4. This act shall become effective November 1, 2019.

6 Passed the House of Representatives the 7th day of March, 2019.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2019.

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Presiding Officer of the Senate

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