

SENATE FLOOR VERSION

February 27, 2024

SENATE BILL NO. 1539

By: Haste of the Senate

and

Vancuren of the House

An Act relating to schools; amending 70 O.S. 2021, Section 24-158, as amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2023, Section 24-158), which relates to the Oklahoma Prevention Needs Assessment Survey; providing for administration of survey only to students with certain written consent; requiring certain notification to include certain information about opting in to a survey or tool; requiring electronic submission of certain report; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 24-158, as amended by Section 2, Chapter 281, O.S.L. 2022 (70 O.S. Supp. 2023, Section 24-158), is amended to read as follows:

Section 24-158. A. The "Oklahoma Prevention Needs Assessment Survey" means the biennial mental health prevention survey of public school students in grades six, eight, ten, and twelve managed by the Department of Mental Health and Substance Abuse Services.

1 B. Beginning in the 2022-2023 school year, and biennially
2 thereafter, public schools shall administer the Oklahoma Prevention
3 Needs Assessment Survey, or an alternative survey as provided in
4 subsection D of this section, only to students with written consent
5 as provided for in subsection E of this section for the purpose of
6 providing direction to schools, school districts, and communities to
7 effectively improve the lives of students regarding a variety of
8 issues with a focus on alcohol, tobacco, other drug use, mental
9 health, academic failure, and violence.

10 C. The Department of Mental Health and Substance Abuse Services
11 shall maintain the Oklahoma Prevention Needs Assessment Survey and
12 shall provide technical assistance for schools in survey
13 administration, reporting, planning, and development of school
14 mental health prevention and intervention strategies informed by the
15 survey results.

16 D. If a school or school district chooses to administer an
17 alternative survey or assessment tool to fulfill the purpose
18 described in subsection B of this section, it may apply for a waiver
19 through the Department of Mental Health and Substance Abuse
20 Services.

21 E. The school district superintendent or his or her designee
22 shall provide prior written notification to the parents or legal
23 guardians of students to be administered the Oklahoma Prevention
24 Needs Assessment Survey or an alternative survey or assessment tool

1 adopted pursuant to subsection D of this section. The notification
2 shall include information to parents and legal guardians that they
3 may opt their student ~~out of~~ in to the survey or assessment tool by
4 providing written ~~notice~~ consent to the school district. Only
5 students whose parents or legal guardians have provided written
6 consent to participate in the Oklahoma Prevention Needs Assessment
7 Survey or an alternative survey or assessment tool shall be
8 administered the survey or tool.

9 F. Prior to the biennial administration of the Oklahoma
10 Prevention Needs Assessment Survey, the Department of Mental Health
11 and Substance Abuse Services shall electronically submit the survey
12 to the President Pro Tempore of the ~~Oklahoma State~~ Senate, the
13 Speaker of the ~~Oklahoma~~ House of Representatives, the chairs of the
14 committees with responsibility over common education in both houses
15 of the Legislature, and the chairs of the committees with
16 responsibility over public health in both houses of the Legislature.

17 G. The provisions of this section shall be subject to the
18 availability of federal funding. If federal funding is insufficient
19 to provide the Oklahoma Prevention Needs Assessment Survey to public
20 schools on a biennial basis, ~~administration of~~ the survey shall not
21 be ~~required~~ administered.

22 H. The Board of Mental Health and Substance Abuse Services and
23 the State Board of Education may promulgate rules as necessary to
24 carry out the provisions of this section.

1 SECTION 2. This act shall become effective July 1, 2024.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health, or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
7 February 27, 2024 - DO PASS
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