

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3540

By: Boatman

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5
6 AS INTRODUCED

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

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

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

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

B. Beginning with the 2021-2022 school year, the State Board of
Education shall require that all schools, as part of their physical
education and health curriculum, include instruction in mental

1 health, with an emphasis on the interrelation of physical and mental
2 well-being.

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

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

15 E. The Board shall adopt rules to implement the provisions of
16 this section.

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-194, as
18 last amended by Section 1, Chapter 16, O.S.L. 2019 (70 O.S. Supp.
19 2019, Section 6-194), is amended to read as follows:

20 Section 6-194. A. The district boards of education of this
21 state shall establish professional development programs for the
22 certified teachers and administrators of the district. Programs
23 shall be adopted by each board based upon recommendations of a
24 professional development committee appointed by the board of

1 education for the district. For the fiscal years ending June 30,
2 2011, and June 30, 2012, a school district board of education may
3 elect not to adopt and offer a professional development program for
4 certified teachers and administrators of the district. If a school
5 district elects not to adopt and offer a professional development
6 program, the district may expend any monies allocated for
7 professional development for any purpose related to the support and
8 maintenance of the school district as determined by the board of
9 education of the school district.

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

20 C. In developing program recommendations, each professional
21 development committee shall annually utilize a data-driven approach
22 to analyze student data and determine district and school
23 professional development needs. The professional development
24 programs adopted shall be directed toward development of

1 competencies and instructional strategies in the core curriculum
2 areas for the following goals:

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

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

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

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

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

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

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

- 23 1. Training in awareness of dyslexia characteristics in
24 students;

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

3 3. Available dyslexia resources for teachers, students and
4 parents.

5 G. One time per year, beginning in the 2021-2022 school year, a
6 mental health awareness program shall be offered. At a minimum, the
7 program shall be at least eight (8) hours and include:

8 1. Strategies and action plans for helping students who are
9 experiencing a mental health or addiction challenge or who are in
10 crisis;

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

12 3. Review of typical adolescent development;

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

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

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

20 7. The availability of mental health evaluation and treatment
21 available by telemedicine; and

22 8. Information about evidence-based strategies for prevention
23 of at-risk behaviors.

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1 H. Except as otherwise provided for in this subsection, each
2 certified teacher in this state shall be required by the district
3 board of education to meet the professional development requirements
4 established by the board, or established through the negotiation
5 process. Except as otherwise provided for in this subsection, the
6 professional development requirements established by each board of
7 education shall require every teacher to annually complete a minimum
8 number of the total number of points required to maintain
9 employment. Failure of any teacher to meet district board of
10 education professional development requirements may be grounds for
11 nonrenewal of such teacher's contract by the board. Such failure
12 may also be grounds for nonconsideration of salary increments
13 affecting the teacher. For the fiscal years ending June 30, 2011,
14 and June 30, 2012, a certified teacher shall not be required to
15 complete any points of the total number of professional development
16 points required. Provided, a teacher may elect to complete some or
17 all of the minimum number of points required for the two (2) fiscal
18 years and any points completed shall be counted toward the total
19 number of points required to maintain employment. If a teacher does
20 not complete some or all of the minimum number of points required
21 for one (1) or both fiscal years, the total number of points
22 required to maintain employment shall be adjusted and reduced by the
23 number of points not completed.

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1 ~~H.~~ I. Each district shall annually submit a report to the State
2 Department of Education on the district level professional
3 development needs, activities completed, expenditures, and results
4 achieved for each school year by each goal as provided in subsection
5 C of this section. If a school district elects not to adopt and
6 offer a professional development program as provided for in
7 subsection A of this section, the district shall not be required to
8 submit an annual report as required pursuant to this subsection but
9 shall report to the State Department of Education its election not
10 to offer a program and all professional development activities
11 completed by teachers and administrators of the school district.

12 ~~I.~~ J. Subject to the availability of funds, the Department
13 shall develop an online system for reporting as required in
14 subsection ~~H~~ I of this section. The Department shall also make such
15 information available on its website.

16 SECTION 3. This act shall become effective November 1, 2020.

18 57-2-9806 AB 01/14/20

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