

1 ENGROSSED HOUSE  
2 BILL NO. 3540

By: Boatman, Bush, McEntire and  
Albright of the House

3 and

4 Paxton of the Senate  
5  
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8 [ schools - creating Maria's Law - requiring mental  
9 health education - requiring annual training  
10 program for mental health awareness - effective  
11 date ]  
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

20 B. Beginning with the 2021-2022 school year, the State Board of  
21 Education shall require that all schools, as part of any health  
22 education curriculum, include instruction in mental health, with an  
23 emphasis on the interrelation of physical and mental well-being.  
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1 C. The Board shall collaborate with the Department of Mental  
2 Health and Substance Abuse Services to promulgate standards and to  
3 approve age-appropriate curriculum options for students in grades  
4 kindergarten through twelve. The standards and curriculum lists  
5 shall be available on the website of the State Department of  
6 Education.

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

13 E. The Board shall adopt rules to implement the provisions of  
14 this section.

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

18 Section 6-194. A. The district boards of education of this  
19 state shall establish professional development programs for the  
20 certified teachers and administrators of the district. Programs  
21 shall be adopted by each board based upon recommendations of a  
22 professional development committee appointed by the board of  
23 education for the district. For the fiscal years ending June 30,  
24 2011, and June 30, 2012, a school district board of education may

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

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

18 C. In developing program recommendations, each professional  
19 development committee shall annually utilize a data-driven approach  
20 to analyze student data and determine district and school  
21 professional development needs. The professional development  
22 programs adopted shall be directed toward development of  
23 competencies and instructional strategies in the core curriculum  
24 areas for the following goals:

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

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

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

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

22 E. One time per year, beginning in the 2009-2010 school year,  
23 training in the area of autism shall be offered and all resident  
24 teachers of students in early childhood programs through grade three

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

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

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

20 1. Training in awareness of dyslexia characteristics in  
21 students;

22 2. Training in effective classroom instruction to meet the  
23 needs of students with dyslexia; and  
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1 3. Available dyslexia resources for teachers, students and  
2 parents.

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

12 1. Strategies and action plans for helping students who are  
13 experiencing a mental health or addiction challenge or who are in  
14 crisis;

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

16 3. Review of typical adolescent development;

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

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

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

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1        7. The availability of mental health evaluation and treatment  
2 by telemedicine; and

3        8. Information about evidence-based strategies for prevention  
4 of at-risk behaviors.

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

1 for one (1) or both fiscal years, the total number of points  
2 required to maintain employment shall be adjusted and reduced by the  
3 number of points not completed.

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

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

19 SECTION 3. This act shall become effective November 1, 2020.  
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1 Passed the House of Representatives the 10th day of March, 2020.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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9 Presiding Officer of the Senate