

1 ENGROSSED HOUSE
2 BILL NO. 3836

By: Pittman, Hefner, and
Rosecrants of the House

3 and

4 Garvin of the Senate
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6

7 An Act relating to schools; describing the problem of
8 unaddressed trauma in children; providing program
9 purpose; providing for implementation and operation
10 of a Handle With Care Oklahoma program; providing for
11 program coordination between certain public agencies
12 and community coalitions; enabling law enforcement to
13 notify program; listing applicable traumatic events
14 for notification; requiring administration of a
15 hotline, email, or other method to provide
16 notification; prescribing information to be included
17 in notification; prohibiting inclusion of certain
18 information; directing notification to designated
19 representatives; including specified statement in
20 notification; authorizing development of local multi-
21 disciplinary teams; providing for team membership;
22 requiring Department of Mental Health and Substance
23 Abuse Services to provide model protocol and
24 training; specifying information to be included in
training; authorizing rule promulgation; providing
exception for notification that could compromise an
ongoing investigation; requiring program to apply for
funding sources; directing program to submit annual
report to certain elected officials; providing for
noncodification; providing for codification; and
providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

1 A. The Problem.

2 Research shows that unaddressed trauma can undermine children's
3 ability to learn, form relationships, and function appropriately in
4 the classroom. In the past, calling the Oklahoma Department of
5 Human Services statewide centralized hotline to make a mandated
6 child welfare report was one of the only tools in the first
7 responder's toolbox, but most children and teens do not meet the
8 criteria for a child welfare report. Consequently, the children and
9 teens are never identified, nor do they receive services, and they
10 linger in traumatic situations without adequate support. These
11 students have an increased risk for negative outcomes such as poor
12 academic performance, truancy, dropping out of school, and
13 delinquency.

14 B. The Handle With Care Oklahoma Program Purpose.

15 Handle With Care (HWC) Oklahoma is a program designed to enhance
16 existing cross-agency communication and partnership between local
17 law enforcement, community mental health services and supports, and
18 schools regarding children's exposure to traumatic events. The
19 "Handle With Care" approach enables first responders to start
20 building trust and positive connections with children and teens they
21 encounter at a traumatic scene and through a HWC notification, local
22 schools and mental health providers can provide trauma-sensitive
23 support immediately as needed. HWC is aimed at ensuring that
24 children who are exposed to crime, violence, and abuse receive

1 appropriate interventions so they can succeed in school to the best
2 of their ability. Children must feel safe in order to learn.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1210.164 of Title 70, unless
5 there is created a duplication in numbering, reads as follows:

6 A. Subject to the availability of funding pursuant to
7 subsection K of this section, the Department of Mental Health and
8 Substance Abuse Services shall implement and operate a Handle With
9 Care (HWC) Oklahoma program. HWC Oklahoma program efforts shall
10 enhance existing partnerships and collaborations with key partners
11 such as, but not limited to, state and local first responder
12 agencies, school districts, community coalitions, the State
13 Department of Education, the Department of Human Services, and the
14 State Department of Health. The HWC Oklahoma program shall enhance
15 planning, training, implementation, and sustainability in all
16 counties in the state. The program shall provide opportunities for
17 local HWC programs to receive support from the state as needed.

18 B. The HWC Oklahoma program shall enable a law enforcement
19 officer or employee of a law enforcement agency to notify the
20 program when a child, who may attend a public school or childcare
21 agency in the state, is exposed to a traumatic event, is at the
22 scene with a first responder, or another event occurs that may
23 affect his or her ability to succeed at school including, but not
24 limited to:

- 1 1. Domestic violence in the presence of the child;
- 2 2. Death of a member of the family or household of the child;
- 3 3. Arrest of a parent or guardian of the child affecting the
- 4 welfare of the child;
- 5 4. Search warrant is served in the residence of the child;
- 6 5. Drug or alcohol overdose of a child's family member;
- 7 6. Violence or mass shootings in the neighborhood where the
- 8 child resides;
- 9 7. Forced displacement from the residence;
- 10 8. House fire;
- 11 9. Child maltreatment; or
- 12 10. Child is present at a first responder encounter.

13 C. No later than November 1, 2027, the HWC Oklahoma program
14 shall coordinate with local communities and key partners to
15 administer a telephone hotline, email, or other appropriate method
16 to allow a law enforcement officer or first responder agency to
17 provide the notification described in subsection B of this section.

18 D. Information submitted to the HWC program in the notification
19 shall comply with the Oklahoma State Bureau of Investigation's
20 dissemination laws and Victim's Bill of Rights. It shall only
21 include, to the extent that it is available:

- 22 1. The first, middle, and last name of the child;
- 23 2. The grade and school or childcare agency where the child is
- 24 enrolled; and

1 3. The date of birth and age of the child.

2 The HWC notification shall not include any details about the
3 traumatic event unless there is an imminent threat to the safety of
4 the child or school safety.

5 E. Upon receiving notification as provided in subsection D of
6 this section, HWC Oklahoma shall determine if the child attends a
7 public school or childcare agency in this state. If the child
8 attends a public school or childcare agency in the state, HWC
9 Oklahoma shall contact the local HWC multi-disciplinary team (MDT)
10 created in subsection F of this section, which shall notify
11 designated representatives where the child attends. The notice
12 shall include that "the child referenced has been exposed to a
13 traumatic event in the last twenty-four (24) hours and could exhibit
14 academic, emotional, and behavioral problems because of exposure to
15 a traumatic event. Please handle the child with care."

16 F. In coordination with HWC Oklahoma and the Department of
17 Mental Health and Substance Abuse Services, each school district
18 board of education, city, town, or municipal governing body, county
19 commission, or other political subdivision may develop a local HWC
20 multi-disciplinary team (MDT) for the political subdivision. The
21 HWC MDT may meet as frequently as needed and determined by the team
22 lead. The team lead for the HWC MDT shall be selected by members of
23 the team and shall have received trauma-informed training from the
24 Department of Health, Department of Mental Health and Substance

1 Abuse Services, or other recognized trauma-informed training
2 provider. The HWC MDT members shall include, but not be limited to:

- 3 1. Employees of the local school districts;
- 4 2. Community advocates or clergy;
- 5 3. Youth services professionals; and
- 6 4. Members of local law enforcement.

7 G. 1. The Department of Mental Health and Substance Abuse
8 Services, in coordination with community coalitions and partner
9 state and local first responder agencies, shall provide model
10 protocol and training for the HWC Oklahoma program to first
11 responder agencies and their employees who may respond to a
12 traumatic event involving a child.

13 2. The Department of Mental Health and Substance Abuse
14 Services, in coordination with the State Department of Education and
15 community coalitions, shall include model protocol and training for
16 the HWC Oklahoma program in existing efforts which promote universal
17 trauma-informed practices in school settings.

18 H. The training required in subsection G of this section shall
19 include, at a minimum:

- 20 1. The criteria for sending an HWC notice;
- 21 2. The procedure for notifying the HWC program when a child who
22 may attend a public school or childcare agency is exposed to an
23 event listed in subsection B of this section that may affect his or
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1 her ability to succeed at school and the information to include in
2 the notification;

3 3. Proper response to a notification received from the program,
4 including, without limitation, the manner in which to respond to
5 notification through early interventions; and

6 4. Collaboration with teachers and other members of the staff
7 of a school, students, family members of students, multi-
8 disciplinary teams, other persons, and behavioral, social, and
9 health providers, as appropriate, to reduce the negative impact of
10 the traumatic event on the affected student, appropriate
11 interventions that may be available to assist the student, and the
12 overall well-being of the student. Community coalitions shall be
13 engaged to increase coordination of community services.

14 I. The Department of Mental Health and Substance Abuse Services
15 may promulgate rules to implement the provisions of this section
16 with feedback from local first responder agencies, schools, and
17 community coalitions.

18 J. Nothing in this section shall be construed to require a law
19 enforcement officer or employee of a law enforcement agency to
20 provide notification pursuant to this section if the disclosure of
21 information may compromise an ongoing investigation.

22 K. In addition to any funds appropriated by the Legislature,
23 the HWC Oklahoma program shall apply for federal, state, local, and
24 private funds to support the HWC Oklahoma program.

1 L. The Department of Mental Health and Substance Abuse Services
2 shall submit an annual report of the HWC Oklahoma program's progress
3 and outcomes including, but not limited to, number of sent notices,
4 and impact on students and communities to the Speaker of the
5 Oklahoma House of Representatives, President Pro Tempore of the
6 Oklahoma State Senate, and the Governor.

7 SECTION 3. This act shall become effective November 1, 2024.

8 Passed the House of Representatives the 6th day of March, 2024.

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Presiding Officer of the House
of Representatives

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13 Passed the Senate the ____ day of _____, 2024.

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Presiding Officer of the Senate

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