

1 ENGROSSED SENATE
2 BILL NO. 1539

By: Haste of the Senate

3 and

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

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

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

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

B. Beginning in the 2022-2023 school year, and biennially
thereafter, public schools shall administer the Oklahoma Prevention
Needs Assessment Survey, or an alternative survey as provided in

1 subsection D of this section, only to students with written consent
2 as provided for in subsection E of this section for the purpose of
3 providing direction to schools, school districts, and communities to
4 effectively improve the lives of students regarding a variety of
5 issues with a focus on alcohol, tobacco, other drug use, mental
6 health, academic failure, and violence.

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

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

18 E. The school district superintendent or his or her designee
19 shall provide prior written notification to the parents or legal
20 guardians of students to be administered the Oklahoma Prevention
21 Needs Assessment Survey or an alternative survey or assessment tool
22 adopted pursuant to subsection D of this section. The notification
23 shall include information to parents and legal guardians that they
24 may opt their student ~~out of~~ in to the survey or assessment tool by

1 providing written ~~notice~~ consent to the school district. Only
2 students whose parents or legal guardians have provided written
3 consent to participate in the Oklahoma Prevention Needs Assessment
4 Survey or an alternative survey or assessment tool shall be
5 administered the survey or tool.

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

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

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

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

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health, or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 Passed the Senate the 4th day of March, 2024.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2024.

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Presiding Officer of the House
of Representatives

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