

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3836

 By: Pittman

7 AS INTRODUCED

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

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

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

3 A. The Problem.

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

16 B. The Handle With Care Oklahoma Program Purpose.

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

1 support immediately as needed. HWC is aimed at ensuring that
2 children who are exposed to crime, violence, and abuse receive
3 appropriate interventions so they can succeed in school to the best
4 of their ability. Children must feel safe in order to learn.

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

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

20 B. The HWC Oklahoma program shall enable a law enforcement
21 officer or employee of a law enforcement agency to notify the
22 program when a child, who may attend a public school or childcare
23 agency in the state, is exposed to a traumatic event, is at the
24 scene with a first responder, or another event occurs that may

1 affect his or her ability to succeed at school including, but not
2 limited to:

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

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

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

- 24 1. The first, middle, and last name of the child;

1 2. The grade and school or childcare agency where the child is
2 enrolled; and

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

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

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

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

1 the team and shall have received trauma-informed training from the
2 Department of Health, Department of Mental Health and Substance
3 Abuse Services, or other recognized trauma-informed training
4 provider. The HWC MDT members shall include, but not be limited to:

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

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

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

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

- 22 1. The criteria for sending an HWC notice;
- 23 2. The procedure for notifying the HWC program when a child who
24 may attend a public school or childcare agency is exposed to an

1 event listed in subsection B of this section that may affect his or
2 her ability to succeed at school and the information to include in
3 the notification;

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

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

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

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

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

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

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

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12 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/20/2024
13 - DO PASS.

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