

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3836

By: Pittman

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5  
6 AS INTRODUCED

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.

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

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

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