



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: May 12, 2021

Re: HB 1103

Signed: May 4, 2021

Effective: November 1, 2021

Topic: The *Oklahoma Prevention Needs Assessment Survey*

Summary: Beginning with the 2022-2023 school year and biennially thereafter, this Act requires school districts to administer the *Oklahoma Prevention Needs Assessment Survey* (“Survey”), which is a biennial mental health prevention survey of students in grades six (6), eight (8), ten (10), and twelve (12), which is managed by the Department of Mental Health and Substance Abuse Services (“ODMHSAS”). The Survey is intended to provide direction to schools, school districts, and communities “to effectively improve the lives of students regarding a variety of issues with a focus on alcohol, tobacco, other drug use, mental health, academic failure and violence.”

The Act provides that the ODMHSAS will maintain the Survey and provide technical assistance to schools in the Survey’s administration, reporting, planning, and development of school mental health prevention and intervention strategies that are informed by the Survey’s results.

A school district may administer an alternative assessment survey or assessment tool to fulfill the purposes of this Act, but it must apply for a waiver through the ODMHSAS. The Oklahoma State Department of Education and the ODMHSAS may promulgate rules to carry out the provisions of this Act, which school districts should follow once/if promulgated when administering, interpreting, or responding to the Survey’s results.

Finally, the Act provides that its provisions “shall be subject to the availability of federal funding,” and “if federal funding is insufficient to provide the [Survey] to public schools on a biennial basis, administration of the [Survey] shall not be required.” However, the Act does not establish how or when districts will be notified regarding this.



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Please visit the firm's website to view the signed Act.

RFR attorneys are reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.