



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 434: Suicide Risk Ref./Mental Health/Teen Violence.

2019-2020 General Assembly

<b>Committee:</b>	House Education - K-12. If favorable, re-refer to Health. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 2, 2019
<b>Introduced by:</b>	Reps. Horn, Cunningham, Murphy, White	<b>Prepared by:</b>	Samantha Yarborough
<b>Analysis of:</b>	PCS to First Edition H434-CSBN-6		Staff Attorney

**OVERVIEW:** House Bill 434 would require local boards of education to adopt and implement (i) a suicide risk referral protocol and (ii) a policy against teen dating and violence. The bill would also encourage local boards of education to adopt a mental health training program.

The PCS to House Bill 434 makes technical and clarifying changes. The PCS would require local boards of education to adopt a mental health training program. The PCS would also extend the requirements of adopting and implementing (i) a suicide risk referral protocol, (ii) a mental health training program, and (iii) a policy against teen dating and violence to charter schools, regional schools, innovative schools, laboratory schools, and the Renewal School System schools to adopt and implement.

### CURRENT LAW and BILL ANALYSIS:

**Section 1** of the PCS would require each local board of education, charter school, regional school, innovative school, laboratory school, and the Renewal School System (public schools) to adopt for school personnel who work directly with students in grades Kindergarten through 12 (i) a suicide risk referral protocol and (ii) a mental health training program.

The suicide risk referral protocol would be required to, at a minimum, do the following:

- Inform school personnel of suicide risk referral procedures, including the provision of training.
- Establish crisis teams.
- Inform school personnel on how to identify and intervene in appropriate situations.

The mental health training program would be required to, at a minimum, address the following topics:

- Youth mental health.
- Suicide prevention.
- Substance abuse.
- Sexual abuse prevention.
- Sex trafficking prevention.

Public schools would be required to periodically review and update the adopted suicide risk referral protocols and mental health training programs, as necessary.

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Nothing in this section of the PCS would impose an additional duty on a public school. No public school would be liable in civil damages to any part for any loss or damage caused by any act or omission relating to the suicide risk referral protocol or mental health training program, unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

The PCS would require that the suicide risk referral protocols and mental health training programs adopted by public schools meet the requirements developed by the Superintendent's Working Group on Health and Well Being, created pursuant to Section 5 of S.L. 2018-32.

**Section 2** of the PCS would require each public school to adopt a policy against teen dating violence. The policy would do all of the following:

- Define dating violence and abuse.
- Prohibit dating violence and abuse by any student on school property, including during a school-sponsored activity or during school-sponsored transportation.
- Provide procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse.
- Be implemented in a manner that is integrated with the discipline policies of the school.

Additionally, public schools would be required to provide instruction on teen dating violence and abuse, as defined in the policy.

**EFFECTIVE DATE:** House Bill 434 would be effective when it becomes law. Each public school would be required to adopt a suicide risk referral protocol, a mental health training program, and a policy against teen dating and violence by July 1, 2020. Each public school shall provide instruction about dating violence and abuse beginning with the 2020-2021 school year.

**BACKGROUND:** The report of the Superintendent's Working Group on Health and Well Being created pursuant to Section 5 of S.L. 2018-32 can be found here:

<https://www.ncleg.gov/documentsites/committees/JLEOC/Reports%20Received/2018%20Reports%20Received/Recommendations%20from%20Superintendent%E2%80%99s%20Working%20Group%20on%20Student%20Health%20&%20Well-Being.pdf>.