



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

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Horn, Cunningham, Murphy, White	Prepared by:	Theresa Matula
Analysis of:	Third Edition		Committee Staff

OVERVIEW: *House Bill 434 would require local boards of education, charter schools, regional schools, innovative schools, laboratory schools, and the renewal school system schools to: (i) adopt and implement a suicide risk referral protocol, (ii) adopt a mental health training program; and (iii) adopt a policy against teen dating and violence.*

BILL ANALYSIS:

Section 1 of HB 434 requires the adoption and implementation of a suicide risk referral protocol and mental health training program. *Section 1(a)* applies to local boards of education; *Section 1(b)* applies to charter schools, *Section 1(c)* applies to regional schools, which serve students in grades seven through twelve from two or more local boards of education and created in accordance with G.S. 115C-238.6; and *Section 1(d)* applies to laboratory schools, which are those public schools located in qualifying local school administrative units with 25% or more of the schools identified as low performing and serves students in at least three consecutive grade levels. This section also applies to innovative schools (Article 7A, Chapter 115C) and the renewal school system (Part VI, S.L. 2018-32).

Section 1(e) broadens the title of Article 25A of Chapter 115C to include mental health needs of students and *Section 1(f)* creates a new statute (G.S. 115C-375.11) requiring a suicide risk referral protocol and mental health training program for school personnel who work directly with students in grades kindergarten through 12.

The *suicide risk referral protocol* would be required to, at a minimum, do all of 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.

Local boards would be required to periodically review and update the adopted suicide risk referral protocols and mental health training programs.

Nothing in the statutory requirement for the suicide risk referral protocol and mental health training program (G.S. 115C-375.11) would impose an additional duty on any entity required to adopt the suicide risk referral protocol and mental health training program, or its employees, to provide referrals, suicide

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 434

Page 2

prevention measures, or mental health services to students of the unit. Additionally, no entity, members, employees, designees, agents or volunteers would be liable in civil damages to any party 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. Further, nothing in the section should be construed to impose a specific duty of care or standard of care on an entity required to adopt the

Section 1(g) provides that Section 1 would become effective when it becomes law and would require that the suicide risk referral protocol and mental health training program be adopted and implemented by each entity by July 1, 2020. The referral protocol and training program must also 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, and provided by the Superintendent of Public Instruction by October 15, 2019.

Section 2 would require each local board of education, charter school, regional school, innovative school, laboratory school, and the renewal school system, to adopt a policy against teen dating violence. The policy must 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, schools would be required to provide instruction on teen dating violence and abuse. Each entity is required to adopt and implement a policy by July 1, 2020, and to provide instruction on dating violence and abuse beginning with the 2020-2021 school year.

EFFECTIVE DATE: House Bill 434 would be effective when it becomes law and as provided under Sections 1 and 2 each entity 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 entity must provide instruction on 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 is accessible through the link in this sentence.

**Samantha Yarborough, staff to House Education K-12, substantially contributed to this summary.*