



# SENATE BILL 476: School-Based Mental Health.

2019-2020 General Assembly

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<b>Committee:</b>		<b>Date:</b>	October 13, 2020
<b>Introduced by:</b>		<b>Prepared by:</b>	Brian Gwyn*
<b>Analysis of:</b>	S.L. 2020-7		Staff Attorney

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**OVERVIEW:** *Session Law 2020-7 directs the State Board of Education (SBE) to adopt a school-based mental health policy and directs K-12 school units to adopt and implement a school-based mental health plan that includes a mental health training program and a suicide risk referral protocol.*

*This act became effective June 8, 2020. School personnel who are required to complete the training and are employed in a K-12 school unit as of that date must complete initial mental health training by the end of the 2021-2022 school year.*

## **BILL ANALYSIS:**

### **SBE Policy on School-Based Mental Health**

The SBE must adopt a school-based mental health policy that contains the following for K-12 school units:

- Minimum requirements for a school-based mental health plan.
- A model mental health training program and model suicide risk referral protocol.

"K-12 school units" are local school administrative units (including renewal school systems), charter schools, regional schools, innovative schools, and laboratory schools.

The model mental health training program must be provided to school personnel who work with students in grades kindergarten through 12 and must address the following topics: youth mental health; suicide prevention; substance abuse; sexual abuse prevention; sex trafficking prevention; and teenage dating violence.

The model suicide risk referral protocol must be provided to school personnel who work with students in grades 6 through 12 and must include guidelines on identifying students at risk of suicide and procedures and referral sources that address the actions that should be taken.

The SBE is directed to adopt the school-based mental health policy by December 1, 2020, and it must implement the recommendations of the May 31, 2018, report of the Superintendent's Working Group on Health and Well-Being pursuant to Section 4 of S.L. 2017-57 to the extent those recommendations are consistent with this act and current State law. The model mental health training program and model suicide risk referral protocol incorporated in the policy must meet the requirements developed by the Superintendent's Working Group on Health and Well-Being in its October 15, 2018, report required by Section 5 of S.L. 2018-32. The policy must be made available to each K-12 school unit by December 31, 2020.

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## **School-Based Mental Health Plan**

Each K-12 school unit must adopt a school-based mental health plan that includes the minimum requirements set by the SBE and a mental health training program and suicide risk referral protocol consistent with the models developed by the SBE.

Each K-12 school unit must provide its adopted mental health training program and suicide risk referral program to school personnel with training in the first six months of employment and then in the following school year and annually thereafter.

The school-based mental health plan must be adopted by each K-12 school unit by July 1, 2021.

## **Periodic Review and Reporting**

The Superintendent of Public Instruction must review the minimum requirements for a school-based mental health plan, model mental health training program, and model suicide risk referral protocol starting in August 2025 and every five years thereafter and recommend any changes needed.

By September 15 of each year, K-12 school units must report to the Department of Public Instruction (DPI) on its school-based mental health plan and its prior school year compliance. DPI must report this information to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by December 15 annually.

The act does not impose any additional duties on a K-12 school unit to provide referrals, treatments, follow-ups or other mental health and suicide prevention services to students of a K-12 school unit. The act also limits the civil liability of the governing body of the K-12 school unit and its members, employees, designees, agents, or volunteers.

**EFFECTIVE DATE:** The act became effective June 8, 2020. School personnel required to complete the training and employed in a K-12 school unit as of the effective date of this act must complete their initial mental health training by the end of the 2021-2022 school year.

*\*Jason Moran-Bates, Kara McCraw, and Drupti Chauhan, Staff Attorneys, substantially contributed to this summary.*