

SB0297S01 compared with SB0297

~~{Omitted text}~~ shows text that was in SB0297 but was omitted in SB0297S01

inserted text shows text that was not in SB0297 but was inserted into SB0297S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 **School Social Worker Amendments**
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Emily Buss
House Sponsor:



2
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions related to a social service worker in a public school.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ amends a definition related to personnel providing health and counseling support to a student;
- 10 ▶ requires the State Board of Education to ~~{align}~~ provide certain guidance based on requirements ~~{with the Department}~~ the Division of Professional Licensingsets; and
- 12 ▶ makes technical and conforming changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **53F-2-415** , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

SB0297 compared with SB0297S01

20

21 *Be it enacted by the Legislature of the state of Utah:*

22 Section 1. Section 53F-2-415 is amended to read:

23 **53F-2-415. Student health and counseling support -- Qualifying personnel -- Distribution
formula -- Rulemaking.**

25 (1) As used in this section:

26 (a) "Behavioral health support personnel" means an individual who:

27 (i) works under the direct supervision of qualifying personnel to:

28 (A) support and track a student's progress and access to and completion of school curriculum; and

30 (B) support students by prompting, redirecting, encouraging, and reinforcing positive behaviors;

32 (ii) is not certified or licensed in mental health; and

33 (iii) meets the professional qualifications as defined by state board rule.

34 ~~(b)~~

~~{(i)} "Qualifying personnel" means a school counselor or other counselor, a school psychologist or
other psychologist, a school social worker or other social worker, or a school nurse who:~~

37 ~~{(i)}{ (A)} is licensed; and~~

38 ~~{(ii)}{ (B)} collaborates with educators and a student's parent on:~~

39 ~~{(A)}{ (D)} early identification and intervention of the student's academic and mental health needs;
and~~

41 ~~{(B)}{ (H)} removing barriers to learning and developing skills and behaviors critical for the
student's academic achievement.~~

43 ~~(ii){(b)}~~

~~(i) "Qualifying personnel" {includes} means an individual listed in Subsection (1)(b)(ii) who:~~

44 ~~(A) {a social service worker} is licensed or working under {Title 58, Chapter 60, Part 2, Social Worker
Licensing Act} qualified personnel as an intern; and~~

46 ~~(B) {a social service worker intern} collaborates with educators and a student's parents on:~~

47 ~~{(e)} early identification and intervention of the student's academic and mental health needs; and~~

48 ~~(II) removing barriers to learning and developing skills and behaviors critical for the student's academic
achievement.~~

50 ~~(ii) "Qualifying personnel" includes the following individuals if the individual meets the requirements
of Subsection (1)(b)(i), a:~~

SB0297 compared with SB0297S01

- 52 (A) school counselor;
53 (B) school psychologist;
54 (C) school social worker;
55 (D) registered nurse under Title 58, Chapter 31b, Nurse Practice Act;
56 (E) social service worker licensed under Title 58, Chapter 60, Part 2, Social Worker Licensing Act;
58 (F) certified social worker under Title 58, Chapter 60, Part 2, Social Worker Licensing Act;
60 (G) licensed clinical social worker under Title 58, Chapter 60, Part 2, Social Worker Licensing Act;
62 (H) clinical mental health counselor licensed under Title 58, Chapter 60, Part 4, Clinical Mental Health
Counselor Licensing Act;
64 (I) marriage and family therapist licensed under Title 58, Chapter 60, Part 3, Marriage and Family
Therapist Licensing Act; or
66 (J) psychologist licensed under Title 58, Chapter 61, Psychologist Licensing Act.
67 (c) "Telehealth services" means the same as that term is defined in Section 26B-4-704.
48 (2)
(a) Subject to legislative appropriations, and in accordance with Subsection (2)(b), the state board shall
distribute money appropriated under this section to LEAs to provide targeted school-based mental
health support, including clinical services and trauma-informed care, through:
52 (i) employing qualifying personnel;
53 (ii) employing behavioral health support personnel; or
54 (iii) entering into contracts for services provided by qualifying personnel, including telehealth
services.
56 (b)
(i) The state board shall, after consulting with LEA governing boards, develop a formula to distribute
money appropriated under this section to LEAs.
58 (ii) The state board shall ensure that the formula described in Subsection (2)(b)(i) incentivizes an LEA
to provide school-based mental health support in collaboration with the local mental health authority
of the county in which the LEA is located.
62 (iii) The state board shall provide guidance for LEAs regarding the training, qualifications, roles, and
scopes of practice for qualifying personnel and behavioral health support personnel that incorporates
parent consent and partnership as key components in addressing the mental health and behavioral
health needs of students.

SB0297 compared with SB0297S01

- 67 (3) To qualify for money under this section, an LEA shall submit to the state board a plan that includes:
- 69 (a) measurable goals approved by the LEA governing board on improving student safety, student
engagement, school climate, or academic achievement;
- 71 (b) how the LEA intends to meet the goals described in Subsection (3)(a) through the use of the money;
- 73 (c) how the LEA is meeting the requirements related to parent education described in Section
53G-9-703; and
- 75 (d) whether the LEA intends to provide school-based mental health support in collaboration with the
local mental health authority of the county in which the LEA is located.
- 78 (4) The state board shall[-] :
- 79 (a) ~~{ensure that the use of funds}~~ provide guidance for ~~{a social service worker under this section
aligns with the supervision requirements the Department of Professional Licensing establishes;
ensuring no lapse}~~ services in ~~{clinical oversight; and}~~ schools that:
- 82 (b) (i) align with scope of practice, supervision, and clinical oversight requirements the Division of
Professional Licensing establishes; and
- 102 (ii) comply with the definition of practice of mental health therapy, as that term is defined in Section
58-60-102; and
- 104 (b) distribute money appropriated under this section to an LEA that qualifies under Subsection (3),
based on the formula described in Subsection (2)(b).
- 84 (5) An LEA may not use money distributed by the state board under this section to supplant federal,
state, or local money previously allocated to:
- 86 (a) employ qualifying personnel;
- 87 (b) employ behavioral health support personnel; or
- 88 (c) enter into contracts for services provided by qualified personnel, including telehealth services.
- 90 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall
make rules that establish:
- 92 (a) procedures for submitting a plan for and distributing money under this section;
- 93 (b) the formula the state board will use to distribute money to LEAs described in Subsection (2)(b); and
- 95 (c) in accordance with Subsection (7), annual reporting requirements for an LEA that receives money
under this section.
- 97 (7) An LEA that receives money under this section shall submit an annual report to the state board,
including:

SB0297 compared with SB0297S01

- 99 (a) progress toward achieving the goals submitted under Subsection (3)(a);
- 100 (b) if the LEA discontinues a qualifying personnel position or a behavioral health support personnel
position, the LEA's reason for discontinuing the positions; and
- 102 (c) how the LEA, in providing school-based mental health support, complies with the provisions of
Section 53E-9-203.
- 104 (8) Beginning on or before July 1, 2019, the state board shall provide training that instructs school
personnel on the impact of childhood trauma on student learning, including information advising
educators against practicing medicine, giving a diagnosis, or providing treatment.
- 108 (9) The state board may use up to:
- 109 (a) 2% of an appropriation under this section for costs related to the administration of the provisions of
this section; and
- 111 (b) \$1,500,000 in nonlapsing balances from fiscal year 2022 for the purposes described in this section
to provide scholarships for up to four years to certain LEA employees, as defined by the state board,
for education and training to become a school social worker, a school psychologist, or other school-
based mental health worker.
- 115 (10) Notwithstanding the provisions of this section, money appropriated under this section may be used,
as determined by the state board, for:
- 117 (a) the SafeUT Crisis Line described in Section 53H-4-210;
- 118 (b)
- (i) youth suicide prevention programs described in Section 53G-9-702 ; or
- 119 (ii) a comprehensive prevention plan, as that term is defined in Section 53F-2-525; or
- 120 (c) providing grants to LEAs as provided in Subsection 53F-2-522(5).

143 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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