

STUDENT SUPPORT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill repeals and enacts provisions related to school-based mental health support.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ authorizes the State Board of Education (board) to distribute money to local education agencies (LEAs) for personnel who provide school-based mental health support;
- ▶ requires the board to establish a formula for distribution of money to LEAs;
- ▶ enacts requirements on LEAs to receive money;
- ▶ requires the board to make rules related to money for the personnel; and
- ▶ enacts other provisions related to student mental health support.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the State Board of Education - Minimum School Program - Related to Basic School Programs - Student Health and Counseling Support Program, as an ongoing appropriation:
 - from the Education Fund, \$32,100,000.

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 ENACTS:

30 **53F-2-415**, Utah Code Annotated 1953

31 REPEALS:

32 **53F-5-209**, as enacted by Laws of Utah 2018, Chapter 412



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

35 Section 1. Section **53F-2-415** is enacted to read:

36 **53F-2-415. Student health and counseling support -- Qualifying personnel --**

37 **Distribution formula -- Rulemaking.**

38 (1) As used in this section:

39 (a) "Intergenerational poverty" means the same as that term is defined in Section
40 35A-9-102.

41 (b) "Qualifying personnel" means a school counselor or other counselor, school
42 psychologist or other psychologist, school social worker or other social worker, or school nurse
43 who:

44 (i) is licensed; and

45 (ii) collaborates with educators and a student's parent on:

46 (A) early identification and intervention of the student's academic and mental health
47 needs; and

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

50 (2) (a) Subject to legislative appropriations, and in accordance with Subsection (2)(b),
51 the state board shall distribute money appropriated under this section to LEAs to provide in a
52 school targeted school-based mental health support, including trauma-informed care, through
53 employing or entering into contracts for services provided by qualifying personnel.

54 (b) (i) The state board shall, after consulting with LEA governing boards, develop a
55 formula to distribute money appropriated under this section to LEAs.

56 (ii) The formula shall take into consideration:

57 (A) LEAs with one or more schools with a high percentage of students who have
58 experienced a risk factor for childhood trauma;

59 (B) LEAs with one or more schools with a high percentage of students experiencing
60 intergenerational poverty; and

61 (C) LEAs with one or more elementary schools with a low percentage of qualifying
62 personnel.

63 (3) To qualify for money under this section, an LEA shall submit to the state board an
64 application that includes:

65 (a) measurable goals on improving student safety, student engagement, school culture,
66 and academic achievement;

67 (b) how the LEA intends to meet the goals described in Subsection (3)(a) through the
68 use of the money; and

69 (c) how the LEA is meeting the requirements related to parent education described in
70 Section [53G-9-703](#).

71 (4) The state board shall distribute money appropriated under this section to an LEA
72 that qualifies under Subsection (3):

73 (a) based on the formula described in Subsection (2)(b); and

74 (b) in an amount of money that the LEA equally matches using local or unrestricted
75 state money.

76 (5) An LEA may not use money distributed by the state board under this section to
77 supplant federal, state, or local money previously allocated to employ or enter into contracts for
78 services provided by qualified personnel.

79 (6) The state board shall make rules that establish:

80 (a) procedures for applying for and distributing money under this section, including
81 definitions of risk factors for childhood trauma;

82 (b) the formula the state board will use to distribute money to LEAs described in
83 Subsection (2)(b); and

84 (c) in accordance with Subsection (7), annual reporting requirements for an LEA that
85 receives money under this section.

86 (7) An LEA that receives money under this section shall submit an annual report to the
87 state board, including:

88 (a) progress toward achieving the goals submitted under Subsection (3)(a); and

89 (b) if the LEA discontinues a qualifying personnel position, the LEA's reason for

90 discontinuing the position.

91 (8) Beginning on or before July 1, 2019, the state board shall provide training that
92 instructs school personnel on the impact of childhood trauma on student learning, including
93 information advising educators against practicing medicine, giving a diagnosis, or providing
94 treatment.

95 (9) The state board may use up to 3% of an appropriation under this section for costs
96 related to the administration of the provisions of this section.

97 (10) Notwithstanding the provisions of this section, money appropriated under this
98 section may be used, as determined by the state board, for:

99 (a) the School Safety and Crisis Line described in Section [53E-10-502](#); or

100 (b) youth suicide prevention programs described in Section [53G-9-702](#).

101 **Section 2. Repealer.**

102 This bill repeals:

103 Section **[53F-5-209](#)**, **Grants for school-based mental health supports.**

104 **Section 3. Appropriation.**

105 The following sums of money are appropriated for the fiscal year beginning July 1,
106 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
107 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
108 Act, the Legislature appropriates the following sums of money from the funds or accounts
109 indicated for the use and support of the government of the state of Utah.

110 ITEM 1

111 To State Board of Education - Minimum School Program - Related to Basic School Programs

112 From Education Fund \$32,100,000

113 Schedule of Programs:

114 Student Health and Counseling Support Program \$32,100,000

115 The Legislature intends that in each of fiscal years 2020 and 2021, the State Board of
116 Education use \$2,100,000 of the appropriation provided under this item to support the
117 elementary school counseling program created in Laws of Utah 2018, Chapter 412, Section 1.