

1 **SCHOOL MENTAL HEALTH AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Steve Eliason**

5 Senate Sponsor: Ann Millner

7 **LONG TITLE**

8 **General Description:**

9 This bill requires a mental health screening tool to be administered to public school
10 students annually.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ requires the State Board of Education and the Division of Substance Abuse and
15 Mental Health to develop or select a mental health screening tool to be administered
16 annually to students in public schools;
- 17 ▶ requires the Division of Substance Abuse and Mental Health to collect, store, and
18 analyze data from the screening tool;
- 19 ▶ requires the Division of Substance Abuse and Mental Health to make
20 recommendations for interventions for students based on the results of the screening
21 tool;
- 22 ▶ requires an LEA to work with the school mental health professional to provide
23 recommended interventions in the school setting; and
- 24 ▶ allows the State Board of Education to use surplus funds appropriated for the
25 screening to assist parents to pay for recommended mental health interventions that
26 cannot be provided by a school mental health professional in the school setting.

27 **Money Appropriated in this Bill:**



28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 ENACTS:

33 **53G-9-405**, Utah Code Annotated 1953



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

36 Section 1. Section **53G-9-405** is enacted to read:

37 **53G-9-405. Public education mental health screening.**

38 (1) As used in this section:

39 (a) "Division" means the Division of Substance Abuse and Mental Health.

40 (b) "Qualifying parent" means a parent of a student for whom mental health
41 intervention is recommended by the division and who qualifies for financial assistance to pay
42 for the intervention under rules adopted by the state board under this section.

43 (c) "Screening tool" means the online student mental health screening tool selected or
44 developed by the state board and the division.

45 (2) Within appropriations specified by the Legislature for this purpose, the state board
46 shall distribute money to the division to carry out the provisions of this section.

47 (3) The state board shall, in conjunction with the division, develop or select a student
48 mental health screening tool that:

49 (a) is age appropriate for each grade in which the screening tool is administered;

50 (b) is administered and completed online unless other accommodations are requested
51 by a parent or student;

52 (c) screens for the mental health conditions determined by the state board and division;
53 and

54 (d) is an effective tool for identifying whether a student has a mental health condition
55 that requires intervention.

56 (4) (a) Except as provided in Subsection (4)(c), an LEA shall cooperate with the
57 division to administer the screening tool to the LEA's students on or before September 30 of
58 each school year.

59 (b) An LEA shall obtain prior written consent from a student's parent that complies
60 with Section 53E-9-203 before the LEA administers the screening tool to a student.

61 (c) An LEA may decline to participate in the screening if:

62 (i) the LEA sends a letter to the state board and the division explaining why the LEA
63 declines to participate that school year; and

64 (ii) the state board and the division receive the letter no later than August 1 of any year
65 in which an LEA declines to participate in the screening.

66 (5) (a) The division shall collect and store data from the screening tool in a database
67 that:

68 (i) complies with Title 53E, Chapter 9, Student Privacy and Data Protection;

69 (ii) excludes a student's name; and

70 (iii) organizes the data by the school district, school, gender, age, grade, and student
71 identification number of each participating student.

72 (b) The database described in Subsection (5)(a) and its contents are private records
73 under Title 63G, Chapter 2, Government Records Access and Management Act.

74 (c) The division shall:

75 (i) analyze the data described in Subsection (5)(a);

76 (ii) provide to an LEA the following information identified only by student
77 identification number:

78 (A) results of the screening; and

79 (B) a list of students whose screening results indicate a need for intervention based on
80 the division's analysis; and

81 (iii) submit a report of the division's analysis to the state board and the State Suicide
82 Prevention Coalition created under Subsection 62A-15-1101(2) on or before November 30 of
83 each year in which the screening is administered.

84 (6) (a) An LEA shall notify the parent of each participating student of the results the
85 student's screening.

86 (b) If the division recommends intervention based on a student's screening results, an
87 LEA shall:

88 (i) notify the student's parent; and

89 (ii) if a parent provides written consent that complies with Section 53E-9-203, work

90 with the school mental health professional to provide any recommended interventions that can
91 be provided by the school mental health professional in the school setting.

92 (7) (a) The state board shall distribute any surplus funds appropriated under this section
93 to assist a qualifying parent to pay for an intervention recommended by the division that cannot
94 be provided by a school mental health professional in the school setting.

95 (b) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah
96 Administrative Rulemaking Act, for:

97 (i) determining whether a parent is eligible to receive the financial support described in
98 Subsection (7)(a); and

99 (ii) applying for and distributing the financial support described in Subsection (7)(a).