

STATE OF NEW YORK

6636

2021-2022 Regular Sessions

IN ASSEMBLY

March 23, 2021

Introduced by M. of A. FRONTUS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to including mental health services to be provided by schools to students

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 901 of the education law, as amended by chapter 477
2 of the laws of 2004, subdivision 1 as amended by section 57 of part A1
3 of chapter 58 of the laws of 2006, is amended to read as follows:

4 § 901. School health services to be provided. 1. School health
5 services, as defined in subdivision two of this section, shall be
6 provided by each school district for all students attending the public
7 schools in this state, except in the city school district of the city of
8 New York, as provided in this article. School health services shall
9 include the services of a registered professional nurse, if one is
10 employed, and shall also include such services as may be rendered as
11 provided in this article in examining students for the existence of
12 disease or disability, emotional and mental health conditions and in
13 testing the eyes and ears of such students.

14 2. School health services for the purposes of this article shall mean
15 the several procedures, including, but not limited to, medical examina-
16 tions, dental inspection and/or screening, emotional and mental health
17 screening, scoliosis screening, vision screening and audiometer tests,
18 designed to determine the health status of the child; to inform parents
19 or other persons in parental relation to the child, pupils and teachers
20 of the individual child's health condition subject to federal and state
21 confidentiality laws; to guide parents, children and teachers in proce-
22 dures for preventing and correcting defects and diseases; to instruct
23 the school personnel in procedures to take in case of accident or
24 illness; to survey and make necessary recommendations concerning the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 health and safety aspects of school facilities and the provision of
2 health information.

3 3. Directors of school health services at each school shall work in
4 conjunction with licensed mental health practitioners in order to deter-
5 mine if a student is experiencing emotional or mental health issues that
6 may prevent such student from receiving the full benefit of school work
7 and shall modify such school work given to such student if necessary, in
8 order to achieve the best educational results.

9 § 2. Section 904 of the education law is amended by adding a new
10 subdivision 3 to read as follows:

11 3. Each school and school district chosen as part of an appropriate
12 sampling methodology shall participate in surveys directed by the
13 commissioner of health pursuant to the public health law in relation to
14 student mental health, consistent with federal and state confidentiality
15 requirements. Data collection for such surveys shall commence on a
16 voluntary basis at the beginning of the two thousand twenty-one academic
17 school year, and by all schools chosen as part of the sampling methodol-
18 ogy at the beginning of the two thousand twenty-two academic school
19 year. The department shall also utilize the collected data to develop
20 annual reports and recommendations regarding student mental health.

21 § 3. This act shall take effect January 1, 2022.