

# STATE OF NEW YORK

9923

## IN ASSEMBLY

April 26, 2024

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

AN ACT to amend the education law, in relation to enacting the college student suicide prevention act

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "college student suicide prevention act".

3 § 2. The education law is amended by adding a new article 4 to read as  
4 follows:

### ARTICLE 4

#### COLLEGE STUDENT SUICIDE PREVENTION

##### Section 190. Legislative intent.

###### 191. Definitions.

###### 192. Policies, procedures, and guidelines for colleges and universities.

###### 193. Application.

###### 194. Severability and construction.

13 § 190. Legislative intent. The legislature finds and declares the  
14 following:

15 1. According to data from the federal Centers for Disease Control and  
16 Prevention as reported in the year two thousand twenty, suicide is the  
17 second leading cause of death for youth and young adults ten to twenty-  
18 four years of age, inclusive, across both the state of New York and the  
19 United States and suicide rates nearly doubled among New York state  
20 youth in this age range from the year two thousand seven to the year two  
21 thousand eighteen. One in four surveyed young adults eighteen to twen-  
22 ty-four years of age, the largest age demographic on college campuses,  
23 reported having seriously considered suicide in the prior thirty days  
24 nationally.

25 2. In the year two thousand twenty-three, separate reports from the  
26 Healthy Minds Network's national Healthy Minds Survey, the Gallup and

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

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1 Lumina Foundation's national State of Higher Education Survey, and the  
2 American College Health Association's National College Health Assessment  
3 declared that United States college students were experiencing historic  
4 levels of depression, anxiety, suicidal ideation, frequent emotional  
5 stress, overall moderate to severe psychological distress, and loneli-  
6 ness.

7 3. According to the American Foundation for Suicide Prevention, New  
8 York state is not among the twenty-one states that uniformly require  
9 institutions of higher education to adopt specific, evidence-based  
10 suicide prevention policies by law. Such policies include the regular  
11 dissemination of information on available mental health resources and  
12 services to students, as well as the internal development of guidelines  
13 and protocols to inform staff on how to respond to a student in suicidal  
14 crisis, in order to most effectively support those at risk and empower  
15 students to proactively seek help.

16 4. According to data from Healthy CUNY, as reported in the year two  
17 thousand twenty-one, more than half of all city university of New York  
18 students report experiencing depression or anxiety. While nearly every  
19 city university of New York institution houses its own counseling  
20 center, data reported by the city university of New York board of trus-  
21 tees in the board's four-year financial plan released in the year two  
22 thousand nineteen stated that the average student-to-counselor ratio  
23 across the city university of New York system is at least two thousand  
24 four hundred-to-one. Until adequate staffing levels of mental health  
25 professionals can be sustainably funded, uniformly requiring higher  
26 education institutions to develop partnerships with community providers  
27 is imperative to meet the needs of students at such institutions with  
28 large student-to-counselor ratios or whose student populations primarily  
29 live off-campus.

30 5. Establishing gatekeeper suicide prevention or mental health aid  
31 training requirements and opportunities for college residential staff  
32 and other student-facing positions has been recommended by the state  
33 university of New York Student Mental Health and Wellness Task Force and  
34 adopted by dozens of state university of New York institutions. However,  
35 these requirements have not been modeled by many colleges and universi-  
36 ties outside of the state university of New York system, weakening  
37 preparedness frameworks for students attending other public and private  
38 institutions of higher education alike. As students most often seek  
39 emotional support from peers and those in close proximity, institutions  
40 must compel residential assistants and staff to utilize the free Ques-  
41 tion, Persuade, and Refer suicide prevention training already fully  
42 funded by state university of New York for all New York state college  
43 students in order to bolster their preparedness for such emergency  
44 scenarios.

45 6. New York state colleges and universities are facing a deepening  
46 mental health crisis among students, marked by increases in the preva-  
47 lence of thoughts of suicide and attempts. All levels of collegiate  
48 staff must be equipped by their respective institutions' policies,  
49 guidelines and training opportunities to effectively and appropriately  
50 prevent student suicide, intervene in crisis situations, and support  
51 their college communities in postvention.

52 § 191. Definitions. For the purposes of this article, the following  
53 terms shall have the following meanings:

54 1. "Crisis situation" means a situation where a teacher or other  
55 employee of an educational institution believes a student or other indi-  
56 vidual is in imminent danger of a suicide attempt.

1 2. "LGBTQ" means individuals who identify, with regards to gender, as  
2 being lesbian, gay, bisexual, transgender, queer or questioning.

3 3. "Higher education institution" means a college university, or  
4 professional or technical school, whether public or private, that has  
5 been authorized by the legislature or by the regents of the university  
6 of the state of New York to confer academic degrees in this state.

7 4. "QPR" means suicide prevention training based on the Question,  
8 Persuade, and Refer emergency response model.

9 5. "Suicide intervention" means specific actions colleges can take in  
10 response to suicidal behavior by a student, including, but not limited  
11 to:

12 (a) student supervision;

13 (b) notification of parents or guardians;

14 (c) crisis situation response protocols;

15 (d) when and how to request an immediate mental health assessment or  
16 emergency services; and

17 (e) college re-entry procedures following a student mental health  
18 crisis.

19 6. "Suicide postvention" means planned support and interventions  
20 colleges can implement after a suicide attempt or suicide death of a  
21 member of the college community that are designed to:

22 (a) reduce the risk of suicide contagion, or the spread of suicidal  
23 thoughts or intentions;

24 (b) provide support for affected students and college-based personnel;

25 (c) address the social stigma associated with suicide; and

26 (d) disseminate factual information about suicide and its prevention.

27 7. "Suicide prevention" means specific actions colleges can take to  
28 recognize and reduce suicidal behavior, including, but not limited to:

29 (a) identifying risk and protective factors for suicide and suicide  
30 warning signs;

31 (b) establishing a process by which students are referred to a mental  
32 and behavioral health provider for help;

33 (c) making available college-based and community-based mental health  
34 supports;

35 (d) providing the location of available online and community suicide  
36 prevention resources, including local crisis centers and hotlines;

37 (e) adopting policies and protocols regarding suicide prevention,  
38 intervention, and postvention, campus safety, and response to crisis  
39 situations;

40 (f) training for college personnel who interact directly with students  
41 in recognizing suicide risk factors and warning signs and how to refer  
42 students for further assessment and evaluation; and

43 (g) instruction to students in problem-solving and coping skills to  
44 promote students' mental, emotional, and social health and well-being,  
45 and instruction in recognizing and appropriately responding to signs of  
46 suicidal intent in others.

47 § 192. Policies, procedures, and guidelines for colleges and universi-  
48 ties. 1. The governing board or body of every higher education institu-  
49 tion shall, before the first day of August, two thousand twenty-four,  
50 adopt policies, procedures, and guidelines on student suicide  
51 prevention, intervention, and postvention for said students. Such poli-  
52 cies, procedures, and guidelines shall be developed in consultation with  
53 collegiate and community stakeholders, campus-employed mental health  
54 professionals, and suicide prevention experts, and shall include, but  
55 not be limited to:

1 (a) methods to increase awareness of the relationship between suicide  
2 and suicide warning signs, risk factors and protective factors, includ-  
3 ing but not limited to:

- 4 i. mental health and substance use conditions;  
5 ii. childhood abuse, neglect, or trauma;  
6 iii. prolonged stress, including individual experiences such as bully-  
7 ing, harassment, family or relationship stress, or other stressful life  
8 events as well as collective stressors such as systemic bias and  
9 discrimination;  
10 iv. exposure to another person's suicide, or sensationalized or graph-  
11 ic accounts of suicide; and  
12 v. previous suicide attempts or history of suicide within a student's  
13 family;

14 (b) adoption of a requirement for residential assistants and staff of  
15 student housing facilities, students' academic and professional advi-  
16 sors, and campus security personnel to participate in either a national  
17 QPR gatekeeper suicide prevention training course, a national mental  
18 health first aid training course, or a similar program prior to the  
19 commencement of their duties or before the beginning of the next full  
20 academic year. Such training shall include, but not be limited to:

- 21 i. methods for early identification of suicide risk factors and inclu-  
22 sion of expertise from college employees who have previously been  
23 trained in recognizing suicide risks;  
24 ii. information on how college employees should respond to suspicion,  
25 concerns, or warning signs of suicide in students, and the appropriate  
26 referral and reporting procedures available to college employees;  
27 iii. information on how college employees should respond within their  
28 means to a crisis situation where a student is in imminent danger to  
29 such student;  
30 iv. policies and protocols to respond to a student or staff suicide or  
31 suicide attempt and provide support to survivors and affected peers and  
32 families;

33 (c) counseling services available within the college or university for  
34 students and their families that are related to suicide prevention;

35 (d) availability of information about depression and other mental  
36 health conditions associated with an increased risk of suicide, includ-  
37 ing development of an annual live orientation session for newly matricu-  
38 lated students aimed at raising awareness of said conditions;

39 (e) implementation of specialized mental health awareness curricula  
40 into existing courses and seminars if opportunities for integration  
41 exist;

42 (f) availability of information concerning crisis situation inter-  
43 vention, suicide prevention, and mental health services in the community  
44 for students and their families and college employees, and inclusion of  
45 said information on dedicated pages of the student handbook and college  
46 website or primary mobile application;

47 (g) periodic assessments of elements of the campus environment that  
48 may be used in a suicide attempt, including but not limited to access to  
49 building rooftops, balconies, windows, and bridges, or access to drugs,  
50 alcohol, and toxic or controlled dangerous substances, and ways to  
51 secure these locations and substances to minimize threats posed to  
52 students' health and safety;

53 (h) revision of medical leave and withdrawal policies to no longer  
54 compel a student to involuntarily withdraw from enrollment solely on the  
55 grounds of having considered or attempted suicide, without first allow-  
56 ing said student to take a temporary leave of absence to seek support

1 for their mental health and providing a guarantee of readmission or  
2 reinstatement following completion of such a leave of absence;

3 (i) identification and development of off-campus peer support programs  
4 and partnerships with community providers, organizations, and agencies  
5 for referral of commuter students and other students who may not  
6 substantially benefit from on-campus services to mental health,  
7 substance use, and social support services, including the development of  
8 at least one memorandum of understanding between the educational insti-  
9 tution and a supporting provider, organization or agency in the communi-  
10 ty or region;

11 (j) development of a culturally competent plan to promote sensitivity  
12 in outreach to diverse and traditionally underserved populations, to  
13 assist survivors of attempted suicide, and to assist students and  
14 college employees in coping with an attempted suicide or suicide death  
15 within the college community; and

16 (k) development of any other related program or activity for students  
17 or college employees.

18 2. The policies, procedures, and guidelines adopted pursuant to subdi-  
19 vision one of this section shall specifically outline sensitive and  
20 competent responses to address the needs of high-risk groups, including  
21 but not limited to the following:

22 (a) youth who have lost a friend or family member to suicide;

23 (b) youth with disabilities or with chronic health conditions, includ-  
24 ing mental health and substance use conditions;

25 (c) youth experiencing homelessness or in out-of-home settings, such  
26 as foster care;

27 (d) youth belonging to racial and ethnic minority groups and interna-  
28 tional students;

29 (e) LGBTQ youth;

30 (f) first-year, transfer, or otherwise newly matriculated students;

31 (g) youth participating in demanding or high-performance programs,  
32 including student athletes and academic honors or accelerated students;  
33 and

34 (h) youth reporting significant financial or academic challenges as  
35 barriers to their ability to fully participate in college activities.

36 3. The policies, procedures, and guidelines adopted pursuant to subdi-  
37 vision one of this section shall be written to ensure that a college  
38 employee acts only within the authorization and scope of such employee's  
39 credential or license. Nothing in this section shall be construed as  
40 authorizing or encouraging a college employee to diagnose or treat  
41 mental health conditions unless such employee is specifically licensed  
42 and employed to do so.

43 4. Notwithstanding any other provision of law to the contrary, no  
44 cause of action may be brought for any loss or damage caused by any act  
45 or omission resulting from the implementation of the provisions of this  
46 article, or resulting from any training, or lack of training, required  
47 by this article. Nothing in this article shall be construed to impose  
48 any specific duty of care.

49 5. To assist higher education institutions in developing policies for  
50 student suicide prevention, intervention, and postvention, the universi-  
51 ty of the state of New York shall develop and maintain model policies,  
52 procedures, and guidelines in accordance with this section to serve as a  
53 guide for higher education institutions. Such model policies, proce-  
54 dures, and guidelines shall be posted within thirty days of their  
55 completion on the university's internet website, along with relevant  
56 resources and information to support colleges in developing and imple-

1 menting the policies, procedures, and guidelines required under subdivi-  
2 sion one of this section.

3 6. The governing board or body of a higher education institution shall  
4 review, at minimum every fifth year following the effective date of this  
5 article, its policies, procedures, and guidelines on student suicide  
6 prevention and, if necessary, update such policies, procedures, and  
7 guidelines.

8 § 193. Application. The provisions of this article shall apply to all  
9 private and public higher education institutions in New York state.

10 § 194. Severability and construction. The provisions of this article  
11 shall be severable, and if any court of competent jurisdiction declares  
12 any phrase, clause, sentence or provision of this article to be invalid,  
13 or its applicability to any government agency, person or circumstance is  
14 declared invalid, the remainder of this article and its relevant appli-  
15 cability shall not be affected. The provisions of this article shall be  
16 liberally construed to give effect to the purposes thereof.

17 § 3. This act shall take effect immediately.