S T A T E O F N E W Y O R K

4217

2009-2010 Regular Sessions

I N S E N A T E

April 17, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to requiring public and private colleges and universities to provide all incoming and current students with information about depression and suicide prevention and resources available to them on campus

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature hereby finds and declares that there is a need to address the growing number of students at the collegiate level who are suffering from psychiatric stressors that may lead to suicide. The legislature further recognizes that such psychiatric stressors also contribute to difficulties in learning and success on the collegiate level. Early detection and identification of at-risk individuals may not only prevent suicide, but may also allow such other students suffering from psychiatric stressors to get the support needed to be successful in their academic endeavors. The support necessary to achieve these goals may often require collaboration between college officials and parents and/or guardians in such a manner as to be consistent with the needs of each student.

Therefore, to achieve the above-stated goals, the legislature hereby finds and declares that every college within the state shall establish a suicide prevention program.

S 2. The education law is amended by adding a new section 6438 to read as follows:

S 6438. THE COLLEGIATE SUICIDE PREVENTION PROGRAM. 1. THE TRUSTEES OR GOVERNING BOARD OF EACH COLLEGE SHALL INFORM INCOMING STUDENTS ABOUT SUICIDE PREVENTION MEASURES THROUGH PROGRAMS WHICH MAY INCLUDE WORKSHOPS, SEMINARS, DISCUSSION GROUPS, AND FILM PRESENTATIONS, IN ORDER TO DISSEMINATE INFORMATION ABOUT PRESSURES AND MATTERS THAT MAY PLACE A PERSON AT RISK OF SUICIDE, PROMOTE DISCUSSION, ENCOURAGE REPORTING OF PERSONS AT RISK OF SUICIDE, AND FACILITATE PREVENTION OF SUCH INCIDENTS. SUCH INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO:

A. THE MENTAL HEALTH SERVICES AVAILABLE TO STUDENTS,

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

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B. HOW TO IDENTIFY AN AT RISK PERSON,
C. THE PROCEDURES IN EFFECT AT THE COLLEGE FOR DEALING WITH ATTEMPTED SUICIDE,
D. THE AVAILABILITY OF COUNSELING AND OTHER SUPPORT SERVICES FOR PERSONS AT RISK AND THOSE AFFECTED BY SUICIDE,
E. THE NATURE OF AND COMMON CIRCUMSTANCES RELATING TO SUICIDE ON COLLEGE CAMPUSES, AND
F. THE METHODS THE COLLEGE EMPLOYS TO SUPPORT AT RISK STUDENTS.
2. PURSUANT TO THE REQUIREMENTS SET FORTH IN SUBDIVISION ONE OF THIS SECTION, EACH COLLEGE SHALL FILE A REPORT ANNUALLY ON ITS COMPLIANCE OF SUCH PROGRAM WITH THE COMMISSIONER.
3. IF THE TRUSTEES OR OTHER GOVERNING BOARD OF A COLLEGE FAILS TO FILE THE RULES AND REGULATIONS WITHIN THE TIME REQUIRED BY THIS SECTION SUCH COLLEGE SHALL NOT BE ELIGIBLE TO RECEIVE ANY STATE AID OR ASSISTANCE UNTIL SUCH RULES AND REGULATIONS ARE DULY FILED.
4. A. THE PRESIDENT OR CHIEF ADMINISTRATIVE OFFICER OF EACH COLLEGE, EXCEPT THOSE INDEPENDENT COLLEGES INELIGIBLE TO RECEIVE STATE AID UNDER SECTION SIXTY-FOUR HUNDRED ONE OF THIS TITLE, WHICH MAINTAINS A CAMPUS AND IS CHARTERED BY THE REGENTS OR INCORPORATED BY SPECIAL ACT OF THE LEGISLATURE SHALL APPOINT AN ADVISORY COMMITTEE ON MENTAL HEALTH.
B. SUCH COMMITTEE SHALL CONSIST OF A MINIMUM OF SIX MEMBERS, ONE INDIVIDUAL SHALL BE A PROFESSIONAL IN THE AREA OF MENTAL HEALTH, AT LEAST ONE MEMBER SHALL BE AN EMPLOYEE OF THE CAMPUS BASED MEDICAL FACILITY, TWO MEMBERS OF THE COMMITTEE SHALL BE APPOINTED FROM A LIST OF STUDENTS THAT ARE PARTICIPANTS IN THE STUDENT GOVERNANCE ORGANIZATION ON SUCH CAMPUS, AND AT LEAST TWO MEMBERS SHALL BE APPOINTED FROM A LIST OF FACULTY MEMBERS. ALL APPOINTMENTS SHALL BE MADE BY THE PRESIDENT OR CHIEF ADMINISTRATIVE OFFICER OF THE COLLEGE.
C. THE COMMITTEE SHALL REVIEW CURRENT CAMPUS MENTAL HEALTH POLICIES AND PROCEDURES AND MAKE RECOMMENDATIONS FOR THEIR IMPROVEMENT. IT SHALL SPECIFICALLY REVIEW CURRENT POLICIES AND PROCEDURES (1) FOR EDUCATING THE CAMPUS COMMUNITY, INCLUDING MENTAL HEALTH AND MEDICAL PERSONNEL AND THOSE PERSONS WHO ADVISE OR SUPERVISE STUDENTS, ABOUT MENTAL HEALTH ISSUES PURSUANT TO SUBDIVISION ONE OF THIS SECTION, (2) FOR EDUCATING THE CAMPUS COMMUNITY ABOUT MENTAL HEALTH ISSUES AND SUICIDE PREVENTION, (3) FOR REPORTING PERSONS IN CRISIS AND DEALING WITH PERSONS IN NEED, (4) FOR REFERRING INDIVIDUALS IN CRISIS TO APPROPRIATE PROFESSIONALS, (5) FOR COUNSELING INDIVIDUALS, AND (6) FOR RESPONDING TO INQUIRIES FROM CONCERNED PERSONS.
D. THE COMMITTEE SHALL REPORT, IN WRITING, TO THE COLLEGE PRESIDENT OR CHIEF ADMINISTRATIVE OFFICER ON ITS FINDINGS AND RECOMMENDATIONS AT LEAST ONCE EACH ACADEMIC YEAR, AND SUCH REPORT SHALL BE AVAILABLE UPON REQUEST.
5. ANY HEALTH CARE PROFESSIONAL WHO IS EMPLOYED BY, OR AFFILIATED WITH THE COLLEGE, AND WHO THROUGH THEIR EMPLOYMENT IS IN A POSITION TO IDENTIFY A STUDENT WHO IS POTENTIALLY AT RISK FOR SUICIDE, IS HEREBY REQUIRED TO REPORT SUCH BELIEF TO THE COLLEGE PRESIDENT OR CHIEF ADMINISTRATIVE OFFICER. THE COLLEGE PRESIDENT OR CHIEF ADMINISTRATIVE OFFICER OF THE COLLEGE MAY, AFTER CONSULTATION WITH MENTAL HEALTH PROFESSIONALS, NOTIFY THE PARENTS OR GUARDIANS OF SUCH STUDENT AS TO THE CONCERN OF SUCH STUDENT'S MENTAL WELL BEING.
S 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law; provided that the commissioner of education is authorized to promulgate any and all rules and regulations necessary for the timely implementation of this act on its effective date on or before such date.