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:

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

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

2. School health services for the purposes of this article shall mean the several procedures, including, but not limited to, medical examinations, dental inspection and/or screening, **emotional and mental health screening,** scoliosis screening, vision screening and audiometer tests, designed to determine the health status of the child; to inform parents or other persons in parental relation to the child, pupils and teachers of the individual child's health condition subject to federal and state confidentiality laws; to guide parents, children and teachers in procedures for preventing and correcting defects and diseases; to instruct the school personnel in procedures to take in case of accident or 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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health and safety aspects of school facilities and the provision of health information.

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

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

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

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