STATE OF NEW YORK

6804

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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 improving student mental health and mental health literacy in institutions of higher education in the state, and requiring the adoption of related protocols, policies and programs

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

Section 1. The education law is amended by adding a new section 362 to read as follows:

§ 362. Student mental health. 1. All full-time faculty and staff, as well as adjunct professors of the state university shall be required on an annual basis to undergo mental health training with a focus on identifying or recognizing signs of mental distress among students. The chancellor of the state university, in conjunction with the commissioner, shall prescribe the form and manner in which such training shall be provided.

2. The state university shall also take the following actions regarding student mental health:

(a) (i) review and amend various protocols and policies to establish parity between physical and mental health, including reasonable accommodations whenever possible and appropriate;

(ii) review, amend and publish enrollment, re-enrollment, voluntary and involuntary leave and termination policies of the state university and create specific provisions for students experiencing mental health issues or crises, that are intended to improve responses to mental health crises, improve suicide prevention and intervention, provide flexible voluntary leave opportunities, provide individualized student assessments with consideration of reasonable requests by students and with appropriate deference to their treating providers, and provide

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

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reasonable accommodations intended to avoid extended involuntary leave or termination, whenever possible;

(b) require a mental health seminar to be included in all orientation programs for newly enrolled students intended to enhance mental health literacy among students with a goal of increasing knowledge about mental health, increasing help-seeking behavior, and reducing stigma;

(c) provide appropriate staff training to all personnel to implement the above-referenced protocols and policies, to reduce stigma, and to enhance mental health literacy; and

(d) institute other programs to address and improve student mental health.

3. The state university and the department shall research, review, and publish or adopt model protocols and policies, that may be adopted and implemented by colleges and universities under their jurisdiction, to implement the provisions of subdivision two of this section.

§ 2. The education law is amended by adding a new section 6235 to read as follows:

§ 6235. Student mental health. 1. All full-time faculty and staff, as well as adjunct professors, of the city university shall be required on an annual basis to undergo mental health training with a focus on identifying or recognizing signs of mental distress among students and increasing mental health literacy and reducing stigma among college employees. The chancellor of the city university, in conjunction with the commissioner, shall prescribe the form and manner in which such training shall be provided.

2. The city university shall also take the following actions regarding student mental health:

(a) (i) review and amend various protocols and policies to establish parity between physical and mental health, including reasonable accommodations whenever possible and appropriate;

(ii) review, amend and publish enrollment, re-enrollment, voluntary and involuntary leave and termination policies of the city university and create specific provisions for students experiencing mental health issues or crises, that are intended to improve responses to mental health crises, improve suicide prevention and intervention, provide flexible voluntary leave opportunities, provide individualized student assessments with consideration of reasonable requests by students and with appropriate deference to their treating providers, and provide reasonable accommodations intended to avoid extended involuntary leave or termination, whenever possible;

(b) require a mental health seminar to be included in all orientation programs for newly enrolled students intended to enhance mental health literacy among students with a goal of increasing knowledge about mental health, increasing help-seeking behavior, and reducing stigma;

(c) provide appropriate staff training to all personnel to implement the above-referenced protocols and policies, to reduce stigma, and to enhance mental health literacy; and

(d) institute other programs to address and improve student mental health.

3. The city university and the department shall research, review, and publish or adopt model protocols and policies, that may be adopted and implemented by colleges and universities under their jurisdiction, to implement the provisions of subdivision two of this section.

§ 3. The education law is amended by adding a new section 237-a to read as follows:

§ 237-a. Student mental health, mental health literacy and training in master plans of independent institutions of higher education. 1. The regents plan for higher education, required to be developed and transmitted pursuant to section two hundred thirty-seven of this part, and approved master plans of independent institutions of higher education shall include protocols, policies and programs intended to improve the mental health of students, improve mental health literacy among students, faculty and support staff, and establish parity between physical and mental health, including reasonable accommodations, whenever possible and appropriate. The regents plan shall also require such institutions to review, amend and publish enrollment, re-enrollment, voluntary and involuntary leave, and termination policies for students experiencing mental health issues or crises; improve responses to mental health crises; review and improve suicide prevention and intervention policies; and provide appropriate staff training to all full-time faculty and staff, as well as adjunct professors, to implement the above-referenced protocols, policies, and programs.

2. Independent institutions of higher education, shall review model protocols and policies that may be developed or adopted by the university, the city university, or the state education department and consider whether to modify or adopt for inclusion in their master plans, for purposes of improving student mental health and mental health literacy in such institutions.

§ 4. This act shall take effect immediately; provided, however, that the provisions relating to the regents plan and university master plans pursuant to section three of this act, shall be effective on the first date, following the effective date of this act, when such plans are required to be completed under section 237 of the education law.