

# STATE OF NEW YORK

7743

2023-2024 Regular Sessions

## IN ASSEMBLY

June 6, 2023

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

AN ACT to amend the education law, in relation to requiring the department of education to develop school health and mental health professionals to student ratios in public schools

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

1 Section 1. Legislative findings and intent. The legislature hereby  
2 finds and declares that the toll the COVID-19 pandemic had and continues  
3 to have on our school communities warrants the immediate hiring of addi-  
4 tional school counselors, nurses, psychologists, and social workers to  
5 establish effective ratios with students in each school to ensure that  
6 their socio-emotional needs are being met.

7 Students with unmet mental health needs often struggle in school.  
8 Mental health problems among students are also linked to an increased  
9 risk of depression, drug use, eating disorders, and becoming victims of  
10 abuse.

11 The health and mental health needs of our students far outweigh the  
12 number of trained professionals who can adequately provide for them. To  
13 address this unmet need, the state education department must establish  
14 proper health and mental health professionals to student ratios for  
15 public schools, taking into account such existing standards established  
16 by national health and mental health associations.

17 § 2. Section 305 of the education law is amended by adding a new  
18 subdivision 60 to read as follows:

19 60. a. The commissioner shall promulgate rules and regulations to  
20 establish statewide school-based health and mental health professional  
21 to student ratios in public schools for students who do not receive  
22 services pursuant to the Individuals with Disabilities Education Act, to  
23 provide students with timely, in-person access to school-based health  
24 and mental health services. Such rules and regulations shall require

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

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1 school-based health and mental health services to be provided by each  
2 school district for all students attending a public school in this  
3 state.

4 b. For the purposes of this subdivision, "school-based health and  
5 mental health services" shall include the services of a school nurse,  
6 certified or licensed school psychologist, school counselor, and social  
7 worker, each of which shall be employed by the district and in each  
8 school building in proportion to the ratios established by the commis-  
9 sioner.

10 c. For the purposes of this subdivision, a "public school" shall  
11 include but not be limited to a school district, public school, board of  
12 cooperative educational services, special act school district as defined  
13 in section four thousand one of this chapter, approved preschool special  
14 education program pursuant to section forty-four hundred ten of this  
15 chapter, approved private residential or non-residential school for the  
16 education of students with disabilities including private schools estab-  
17 lished under chapter eight hundred fifty-three of the laws of nineteen  
18 hundred seventy-six, or state-supported school in accordance with arti-  
19 cle eighty-five of this chapter.

20 § 3. This act shall take effect immediately.