STATE OF NEW YORK

5024

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

Introduced by Sens. JACKSON, GALLIVAN, GONZALEZ, HARCKHAM, HINCHEY, RHOADS, WEBER -- read twice and ordered printed, and when printed to be committed 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:

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

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

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

§ 2. Section 305 of the education law is amended by adding a new subdivision 63 to read as follows:

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

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

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and mental health services. Such rules and regulations shall require school-based health and mental health services to be provided by each school district for all students attending a public school in this state.

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

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

§ 3. This act shall take effect immediately.