

HOUSE BILL REPORT

2SHB 1900

As Passed House:
February 15, 2016

Title: An act relating to defining the role of the school counselor, social worker, and psychologist.

Brief Description: Concerning school counselors, social workers, and psychologists.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Johnson, Orwall, Muri, Lytton, Tarleton, Pollet and Bergquist).

Brief History:

Committee Activity:

Education: 2/9/15, 2/19/15 [DPS];

Appropriations: 1/20/16, 1/25/16 [DP2S].

Floor Activity:

Passed House: 2/15/16, 64-33.

Brief Summary of Second Substitute Bill

- Finds that K-12 students' unmet mental health needs pose barriers to learning development and success in school.
- Specifies that the primary role of school counselors, social workers, and psychologists is to focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals, in addition to the counselors' work developing and delivering guidance curriculum and psychologists' work delivering testing.
- Defines "school psychologist" and "school social worker."
- Provides, beginning in the 2017-18 school year, for monthly professional collaboration between school counselors, social workers, and psychologists and licensed mental health service providers.
- Establishes the Professional Collaboration Lighthouse Grant Program to assist school districts with early adoption and implementation of mental health professional collaboration time.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 19 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Cody, Fitzgibbon, Hansen, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, Magendanz, Pettigrew, Robinson, Sawyer, Senn, Springer, Sullivan, Tharinger and Walkinshaw.

Minority Report: Do not pass. Signed by 9 members: Representatives Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Haler, Schmick, Stokesbary, Taylor, Van Werven and G. Hunt.

Minority Report: Without recommendation. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Condotta and Dent.

Staff: Jessica Harrell (786-7349).

Background:

School counselors, social workers, and psychologists are certificated instructional staff (CIS), often collectively referred to as educational staff associates. As it does for other CIS, the Professional Educator Standards Board (PESB) establishes the policies and practices for the approval of programs of courses, requirements, and other activities leading to certification, establishes policies and practices for the approval of the character of work required to be performed as a condition of entrance to and graduation from any educational staff associate preparation program, and establishes a list of accredited institutions of higher education whose graduates may be awarded certificates as educational staff associates.

Neither the term "school social worker" nor "school psychologist" is defined in the school code. "School counselor" was defined in statute in 2007, as a professional educator who holds a valid school counselor certification, with a purpose and role to plan, organize, and deliver a comprehensive school guidance and counseling program that personalizes education and supports, promotes, and enhances the academic, personal, social, and career development of all students, based on the National Standards for School Counseling Programs of the American School Counselor Association.

With the passage of Engrossed Substitute House Bill (ESHB)1336 in 2013, mental health needs of students were highlighted and new certification and training requirements were put in place. School counselors, psychologists, social workers, and nurses must complete a training program of at least three hours in youth suicide screening and referral as a condition of certification by the PESB. Content standards for the training are adopted by the PESB in consultation with the Office of Superintendent of Public Instruction (OSPI) and the Department of Health (DOH). The PESB must consider training programs on the Best Practices Registry of the American Foundation for Suicide Prevention and the Suicide Prevention Resource Center. The training requirement applies to continuing or professional certificates if the certificates are first issued or renewed on or after July 1, 2015.

In addition:

- As part of the course on Issues of Abuse, the PESB was tasked with incorporating standards for recognition, initial screening, and response to emotional or behavioral distress in students, including indicators of possible substance abuse, violence, and youth suicide. To be initially certified after August 31, 2014, educators must complete the expanded course.
- Each Educational Service District was required to develop and maintain the capacity to offer training on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students. Training may be offered on a fee-for-service basis or at no cost if funds are available.
- Dependent upon funds appropriated for this purpose, the Department of Social and Health Services (DSHS) was directed to provide funds for mental health first-aid training targeted at teachers and educational staff. The DSHS must collaborate with the OSPI to identify methods of instruction that leverage local resources in order to make the training broadly available.
- Beginning in the 2014-15 school year, each school district was required to adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students (Plan), and annually provide the Plan to all district staff.
- The OSPI was directed to convene a task force to identify best practices, model programs, and successful strategies for school districts to develop partnerships with community agencies to coordinate and improve support for youth in need.

Summary of Second Substitute Bill:

Findings and Intent.

Findings are made that students' unmet mental health needs pose barriers to learning, development, and success in school and that the need to identify and assist students struggling with emotional and mental health needs has reached a serious level statewide. It is further found that the persons most qualified in the school setting to lead the effort in addressing this issue are the school counselor, social worker, and psychologist.

School Counselors, Social Workers, and Psychologists.

A primary role of school counselors, social workers, and psychologists is to focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals. The majority of the time spent by these school professionals should be in direct student contact, specifically identifying, collaborating, and intervening to meet the mental health needs of all students.

A school psychologist is a professional educator who holds a valid school psychologist certification as defined by the PESB. Pursuant to the National Association of School Psychologists Model for Comprehensive and Integrated School Psychological Services, school psychologists deliver services across 10 domains of practice:

- Two domains permeate all areas of service delivery: data-based decision making and consultation and collaboration.
- Five domains encompass direct and indirect services: student level services, interventions, and instructional supports to develop academic skills; student level interventions and mental health services to develop social and life skills; systems level schoolwide practices to promote learning; systems level preventive and responsive services; and systems level family school collaboration services.

- Three foundational domains include: knowledge and skills related to diversity in development and learning; research and program evaluation; and legal and ethical practice.

A school social worker is also a professional educator, certificated by the PESB. The purpose and role of a school social worker is to provide an integral link between school, home, and community in helping students achieve academic and social success. This is accomplished by providing services that include counseling, support, crisis prevention, and case management. They work directly with school administrators, students, and families, and as part of an interdisciplinary team to help students succeed.

Professional Collaboration.

Within existing resources, beginning in the 2017-18 school year, on a monthly basis, first-class school districts must provide a minimum of one hour of professional collaboration between school counselors, psychologists, social workers, and local licensed mental health service providers. By collaborating with local providers, in short but regular segments, in their own schools or near school district facilities, there is no need to obtain substitutes. This local connection will help foster a connection between school personnel and the mental health professionals in the community to whom school personnel may make referrals. It is in line with the intent expressed in ESHB 1336 to form partnerships with qualified health, mental health, and social service agencies in the community to coordinate and improve support for youth in need and the directive to the Department of Social and Health Services with respect to the provision of funds for mental health first aid training targeted at teachers and educational staff. Second-class districts are encouraged, but not required, to provide professional collaboration.

Professional Collaboration Lighthouse Grant Program.

Beginning in the 2016-17 school year, the Professional Collaboration Lighthouse Grant Program is established to assist school districts with early adoption and implementation of mental health professional collaboration time. The OSPI must designate two school districts as lighthouse school districts to serve as resources and examples of best practices in designing and operating a professional collaboration program. Grants are awarded to each of the designated lighthouse districts and at least four school districts wishing to implement mental health professional collaboration time. The implementing schools must be an even mix of rural and urban or suburban school districts. The grant program expires August 31, 2017.

Immunity.

The act does not create any civil liability on the part of the state, state agency, officer, employee, agent, political subdivision, or school district.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The intent of this bill is to eliminate the work that is currently done in silos. Mental health work was being done by school counselors 10 years ago until they had to move away from it as the result of the recession and increased workload due to high stakes tests. The goal of this bill is to reprioritize one hour of a school counselor's time to work with partner agencies. Regional Support Networks and others are saying that they cannot get in to the schools to do this type of collaborative work. This bill gives four sites a minimum of \$25,000. The total cost of the grant program should not exceed \$150,000. Mental health issues are increasing in society. It is more effective to address these concerns early. There is a need to define the role of counselors in law and shift the priorities back to where they used to be. This bill is part of the effort to address mental health upstream rather than waiting for a crisis situation. It is the intent of this legislation that the work would happen within the school day so that schools would not have to spend any additional resources.

(Opposed) The state does not fund professional development work and, with that being the case, the fiscal impact to schools is too great. There are concerning references to "primary role" and "majority of time." Mental health is a concern of counselors, but it is not the primary concern or the only concern. Counselors' jobs include academics and college counseling. It would be good to see counselors promote mental health by teaching lessons on managing emotions.

Persons Testifying: (In support) Representative Ortiz-Self, prime sponsor; Bob Cooper, National Association of Social Workers-Washington Chapter; and Lucinda Young, Washington Education Association.

(Opposed) Dixie Grunenfelder, Office of Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.