

# SENATE BILL REPORT

## 2SHB 1377

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As Passed Senate - Amended, February 28, 2018

**Title:** An act relating to improving students' mental health by enhancing nonacademic professional services.

**Brief Description:** Improving students' mental health by enhancing nonacademic professional services.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist and Doglio).

**Brief History:** Passed House: 2/09/18, 64-34.

**Committee Activity:** Early Learning & K-12 Education: 2/19/18, 2/20/18 [DP-WM, w/oRec].

Ways & Means: 2/24/18, 2/26/18 [DPA(WM), w/oRec].

**Floor Activity:**

Passed Senate - Amended: 2/28/18, 43-3.

### Brief Summary of Bill (As Amended by Senate)

- Defines and describes the roles of school counselors, psychologists, and social workers.
- Requires school districts with 2000 or more students to provide a minimum of six hours per year, within existing resources, for these school professionals to collaborate with mental health service providers beginning in the 2019-20 school year.
- Establishes a grant program to assist school districts with implementing the mental health professional collaboration time.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hunt, Mullet, Pedersen and Rivers.

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*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.*

**Minority Report:** That it be referred without recommendation.

Signed by Senators Hawkins and Padden.

**Staff:** Ailey Kato (786-7434)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended by Committee on Ways & Means.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Bailey, Becker, Billig, Brown, Carlyle, Conway, Darneille, Fain, Hasegawa, Hunt, Keiser, Mullet, Palumbo, Pedersen, Ranker, Rivers, Schoesler, Van De Wege, Wagoner and Warnick.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Honeyford, Assistant Ranking Member.

**Staff:** Sarian Scott (786-7729)

**Background:** School Counselors, Psychologists, and Social Workers. Certificated instructional staff in public schools include both teachers and other professionals, called educational staff associates, who meet certification requirements adopted by the Professional Educator Standards Board (PESB). Educational staff associates include school counselors, psychologists, and social workers.

State law defines a school counselor as a professional educator who holds a valid school counselor certification as defined by PESB. The purpose and role of the school counselor is 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. State law does not currently define school psychologist or social worker.

Youth Suicide Screening and Referral. School counselors, psychologists, and social workers must complete a training program on youth suicide screening and referral as a condition of certification. PESB must adopt standards for the minimum content of the training in consultation with the Office of the Superintendent of Public Instruction (OSPI) and the Department of Health.

First-Class and Second-Class Districts. OSPI is responsible for the classification and numbering system of school districts. Any school district that has a student enrollment in its public schools of 2000 or more students is a school district of the first class. School districts with fewer than 2000 students are school districts of the second class. In the 2016-17 school year, 105 of Washington's 295 districts were classified as districts of the first class.

**Summary of Amended Bill:** Roles and Duties of School Counselors, Psychologists, and Social Workers. These professionals focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals to promote student achievement and create a safe learning environment. To prioritize these functions, responsibilities such as data input and data tracking should be handled by nonlicensed, noncertified staff, where possible.

*School Psychologist.* A school psychologist is a professional educator who holds a valid school psychologist certification as defined by PESB. Pursuant to the National Association of School Psychologists' model for comprehensive and integrated school psychological services, school psychologists deliver services across ten domains of practice. School psychologists carry out special education evaluation duties, among other things.

*School Social Worker.* A school social worker is a professional in the fields of social work and education who holds a valid school social worker certification as defined by PESB. The purpose and role of the school social worker is to provide an integral link between school, home, and community in helping students achieve academic and social success. School social workers promote and support students' health, academic, and social success with counseling and support, and by providing and coordinating specialized services and resources.

Professional Collaboration. Within existing resources, beginning in the 2019-20 school year, first-class school districts must provide a minimum of six hours of professional collaboration per year, preferably in person, for school counselors, social workers, and psychologists that focuses on the following:

- recognizing signs of emotional or behavioral distress in students including, but not limited to, indicators of possible substance abuse, violence, and youth suicide;
- screening;
- accessing current resources; and
- making appropriate referrals.

Teachers may also participate in this professional collaboration, as deemed appropriate and allowed by their building administrators.

School districts that have mental health centers in their area must collaborate with them. Those districts without a mental health center in their area must collaborate via telephone or other remote means that allow for dialogue and discussion.

Second-class districts are encouraged, but not required, to collaborate and provide professional collaboration.

Professional Collaboration Lighthouse Grant Program. Subject to appropriation, a grant program is established to assist school districts with early adoption and implementation of mental health professional collaboration. OSPI must designate at least two school districts as lighthouse districts to serve as resources and examples of best practices. OSPI must award grants to the lighthouse school districts and at least four districts wishing to implement the collaboration time in the 2018-19 school year. OSPI must prioritize an even mix of rural school districts and urban or suburban school districts.

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

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Substitute House Bill (Early Learning & K-12 Education):** PRO: Schools must pay attention to students' mental health to avoid tragedies and prevent youth suicide. Early intervention is the most effective and less expensive method. Students who are experiencing distress have a difficult time learning. Mental health professionals can address these needs and allow teachers to focus on academics. School psychologists and social workers are not defined in statute, and they provide critical services. Professional collaboration is important to be able to quickly provide services and resources to students and will help provide a structured and cohesive focus on mental health. The task force will help understand workforce needs and preparation of these professionals. This bill will help professionals spend more time with students and less time on paperwork. School nurses are a critical part of the mental health team to help meet students' needs. Funding for mental health professionals is part of the prototypical school model, and many of these professional have high caseloads.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Representative Lillian Ortiz-Self, Prime Sponsor; Seth Dawson, Washington State Psychiatric Association; Washington Association for Substance Abuse & Violence Prevention; Bob Cooper, National Association of Social Workers, Washington Chapter; Lucinda Young, Washington Education Association; Melanie Smith, National Alliance on Mental Issues (NAMI) Washington; Peggy Dolane, Washington State PTA; Elizabeth Nelson, Washington Association of School Social Workers; Jill Davidson, Washington State Association of School Psychologists; Danise Ackelson, Office of Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** No one.

**Staff Summary of Public Testimony on Second Engrossed Substitute House Bill (Ways & Means):** *The committee recommended a different version of the bill than what was heard.* PRO: The task force will help mental health professionals. The fiscal note is scalable. The use of lighthouse school districts will show the way to other districts. There is a shortage area on mental health professionals. I appreciate the focus on social and emotional learning.

**Persons Testifying (Ways & Means):** PRO: Bob Cooper, National Association of Social Workers, Washington Chapter; Lucinda Young, Washington Education Association; Marie Sullivan, Washington State PTA.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.