
SECOND SUBSTITUTE HOUSE BILL 1377

State of Washington

65th Legislature

2018 Regular Session

By House Education (originally sponsored by Representatives Ortiz-Self, Stonier, Santos, Lovick, Gregerson, Peterson, Ryu, Appleton, Fitzgibbon, Goodman, Bergquist, and Doglio)

READ FIRST TIME 01/15/18.

1 AN ACT Relating to improving students' mental health by enhancing
2 nonacademic professional services; adding new sections to chapter
3 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating
4 new sections; and providing expiration dates.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that students'
7 unmet mental health needs pose barriers to learning and development,
8 and ultimately student success in school. The legislature further
9 finds that the need to identify and assist students struggling with
10 emotional and mental health needs has reached a serious level
11 statewide. In order to prioritize students' needs first, the
12 legislature finds that the persons most qualified in the school
13 setting to lead the effort in addressing this epidemic are the school
14 counselor, school social worker, and school psychologist. The
15 legislature further finds that the knowledge-levels and skill-levels
16 of these nonacademic professionals must be increased in order to
17 enhance mental health-related student support services.

18 (2) The legislature further finds that in chapter 175, Laws of
19 2007, appropriate acknowledgment was given to the fact that a
20 professional school counselor is not just a course and career
21 guidance professional, but a certificated educator with unique

1 qualifications and skills to address all students' academic,
2 personal, social, and career development needs, and that school
3 counselors serve a vital role in maximizing student achievement by
4 supporting a safe learning environment and addressing the needs of
5 all students through prevention and intervention programs that are
6 part of a comprehensive school counseling program. The legislature
7 finds, however, that despite the language in RCW 28A.410.043 that
8 appropriately recognizes that the role of the school counselor is
9 multifaceted, with a focus upon students' mental health needs as well
10 as career guidance needs, the reality in the schools is that
11 counselor staffing levels are well below the national recommendations
12 of one counselor to every two hundred fifty students. As a result,
13 there are not enough counselors in the schools and many school
14 counselors have been tasked primarily with course and career guidance
15 responsibilities at the expense of the mental health side of school
16 counseling. Similarly, school psychologist staffing levels are below
17 the national recommendations of one psychologist to every five
18 hundred to seven hundred students when providing comprehensive school
19 psychological services, and school social worker staffing levels are
20 below the national recommendations of one school social worker to
21 every two hundred fifty students, or one to every fifty students with
22 intensive needs.

23 (3) The legislature further finds that school counselors, social
24 workers, and psychologists interact with students on a daily basis,
25 thus putting them in a good position to recognize the signs of
26 emotional or behavioral distress and make appropriate referrals. The
27 legislature finds that individuals entering these professions need
28 proper preparation to respond to the mental health and safety needs
29 of students. The legislature further finds that they need ongoing
30 professional development to address students' mental health needs and
31 get students the help they need. The legislature further finds that
32 Engrossed Substitute House Bill No. 1336, which became chapter 197,
33 Laws of 2013, increased the capacity of school districts and their
34 personnel to recognize and respond to youth in need through
35 comprehensive planning and additional training, but that additional
36 opportunities for collaboration on a regular and ongoing basis are in
37 order. By providing professional collaboration opportunities with
38 local mental health service providers at the school district level to
39 school counselors, social workers, and psychologists, the legislature
40 intends to take the next step toward enabling these professionals to

1 recognize and respond with skill and confidence to the signs of
2 emotional or behavioral distress that they observe in students and
3 make the appropriate referrals to evidence-based behavioral health
4 services.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
6 RCW to read as follows:

7 The school counselor works with developing and leading a
8 comprehensive guidance and counseling program to focus on the
9 academic, career, personal, and social needs of all students. School
10 psychologists carry out special education evaluation duties, among
11 other things. School social workers promote and support students'
12 health, academic, and social success with counseling and support, and
13 by providing and coordinating specialized services and resources. All
14 of these professionals are also involved in multitiered systems of
15 support for academic and behavioral skills. These professionals focus
16 on student mental health, work with at-risk and marginalized
17 students, perform risk assessments, and collaborate with mental
18 health professionals to promote student achievement and create a safe
19 learning environment. In order that school counselors, social
20 workers, and psychologists have the time available to prioritize
21 these functions, in addition to other activities requiring direct
22 student contact, responsibilities such as data input and data
23 tracking should be handled by nonlicensed, noncertified staff, where
24 possible.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.410
26 RCW to read as follows:

27 (1) A school psychologist is a professional educator who holds a
28 valid school psychologist certification as defined by the
29 professional educator standards board. Pursuant to the national
30 association of school psychologists' model for comprehensive and
31 integrated school psychological services, school psychologists
32 deliver services across ten domains of practice. Two domains permeate
33 all areas of service delivery: Data-based decision making; and
34 consultation and collaboration. Five domains encompass direct and
35 indirect services to children and their families: Student-level
36 services, interventions, and instructional supports to develop
37 academic skills; student-level interventions and mental health
38 services to develop social and life skills; systems-level school-wide

1 practices to promote learning; systems-level preventive and
2 responsive services; and systems-level family school collaboration
3 services. The three foundational domains include: Knowledge and
4 skills related to diversity in development and learning; research and
5 program evaluation; and legal and ethical practice.

6 (2) A school social worker is a professional in the fields of
7 social work and education who holds a valid school social worker
8 certification as defined by the professional educator standards
9 board. The purpose and role of the school social worker is to provide
10 an integral link between school, home, and community in helping
11 students achieve academic and social success. This is accomplished by
12 removing barriers and providing services that include: Mental health
13 and academic counseling, support for students and parents, crisis
14 prevention and intervention, professional case management,
15 collaboration with other professionals, organizations, and community
16 agencies, and advocacy for students and parents. School social
17 workers work directly with school administrators as well as students
18 and families, at various levels and as part of an interdisciplinary
19 team in the educational system, including at the building, district,
20 and state level. School social workers provide leadership and
21 professional expertise regarding the formation of school discipline
22 policies and procedures, and through school-based mental health
23 services, crisis management, the implementation of social-emotional
24 learning, and other support services that impact student academic and
25 social-emotional success. School social workers also facilitate
26 community involvement in the schools while advocating for student
27 success.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.320
29 RCW to read as follows:

30 (1) Within existing resources, beginning in the 2019-20 school
31 year, first-class school districts must provide a minimum of six
32 hours of professional collaboration per year, preferably in person,
33 for school counselors, social workers, and psychologists that focuses
34 on the following: Recognizing signs of emotional or behavioral
35 distress in students, including but not limited to indicators of
36 possible substance abuse, violence, and youth suicide, screening,
37 accessing current resources, and making appropriate referrals.
38 Teachers may also participate in this professional collaboration, as
39 deemed appropriate and allowed by their building administrators.

1 School districts that have mental health centers in their area shall
2 collaborate with local licensed mental health service providers under
3 chapter 71.24 RCW. Those districts without a mental health center in
4 their area shall collaborate via telephone or other remote means that
5 allow for dialogue and discussion. By collaborating with local
6 providers in this manner, educational staff associates get to
7 collaborate in short but regular segments, in their own schools or
8 near school district facilities, and school districts are not put in
9 a position that they must obtain substitutes or otherwise expend
10 additional funds. This local connection will also help foster a
11 connection between school personnel and the mental health
12 professionals in the community to whom school personnel may make
13 referrals, in line with the legislative intent expressed throughout
14 Engrossed Substitute House Bill No. 1336, chapter 197, Laws of 2013,
15 to form partnerships with qualified health, mental health, and social
16 services agencies in the community to coordinate and improve support
17 for youth in need and the directive to the department of social and
18 health services with respect to the provision of funds for mental
19 health first-aid training targeted at teachers and educational staff.

20 (2) Second-class districts are encouraged, but not required, to
21 collaborate and provide the professional collaboration as provided in
22 subsection (1) of this section.

23 NEW SECTION. **Sec. 5.** (1) Subject to the availability of amounts
24 appropriated for this specific purpose, the professional
25 collaboration lighthouse grant program is established to assist
26 school districts with early adoption and implementation of mental
27 health professional collaboration time specified under section 4 of
28 this act.

29 (2) The superintendent of public instruction shall designate two
30 school districts as lighthouse school districts to serve as resources
31 and examples of best practices in designing and operating a
32 professional collaboration program for school counselors, school
33 social workers, school psychologists, and local licensed mental
34 health service providers. The program must focus on recognizing signs
35 of emotional or behavioral distress in students, for example
36 indicators of possible substance abuse, violence, and youth suicide,
37 screening, accessing current resources, and making appropriate
38 referrals.

39 (3) The superintendent shall award grants to:

1 (a) Each school district designated as a lighthouse district
2 under subsection (2) of this section; and

3 (b) At least four school districts wishing to implement mental
4 health professional collaboration time, as specified under section 4
5 of this act, in the 2018-19 school year. In awarding the grants, the
6 superintendent must prioritize an even mix of rural school districts
7 and urban or suburban school districts.

8 (4) Grant funds may be used for: Providing technical assistance
9 to school districts implementing a professional collaboration
10 program; designing and implementing a professional collaboration
11 program; developing approaches for accessing resources external to a
12 school district; collaborating with local licensed mental health
13 service providers; identifying successful methods of communicating
14 with students and parents; conducting site visits; and providing
15 supplemental materials.

16 (5) This section expires August 1, 2020.

17 NEW SECTION. **Sec. 6.** (1)(a) The Washington professional
18 educator standards board shall convene a task force on school
19 counselors, psychologists, and social workers, with members as
20 provided in this subsection.

21 (i) The president of the senate shall appoint one member from the
22 early learning and K-12 education committee.

23 (ii) The speaker of the house of representatives shall appoint
24 one member from the education committee.

25 (iii) The governor shall appoint one member representing school
26 counselor, psychologist, and social worker preparation programs.

27 (iv) The superintendent of public instruction shall appoint one
28 member representing the office of the superintendent of public
29 instruction.

30 (v) The professional educator standards board shall appoint one
31 member representing the professional educator standards board.

32 (vi) The professional educator standards board shall appoint one
33 member each from associations representing: School counselors; school
34 psychologists; school social workers; educators; and principals.
35 Appointments made under this subsection (1)(a)(vi) must be from lists
36 of candidates provided by the associations.

37 (b) The professional educator standards board must provide staff
38 support for the task force.

1 (c) Appointments made under this section by the president of the
2 senate and the speaker of the house of representatives must be from
3 different political parties.

4 (2) The task force shall review the following issues:

5 (a) The projected need of school districts for school counselors,
6 psychologists, and social workers;

7 (b) The current capacity of the state for meeting this need;

8 (c) Alternative certification routes for school counselors and
9 social workers; and

10 (d) School counselor, psychologist, and social worker preparation
11 programs to determine whether professionals completing these programs
12 have the proper preparation to respond to the mental health and
13 safety needs of students, and to provide students with necessary
14 social and emotional supports.

15 (3) The task force must, in accordance with RCW 43.01.036, report
16 its findings and recommendations to the appropriate committees of the
17 legislature, the professional educator standards board, the
18 superintendent of public instruction, and the governor by December 1,
19 2018.

20 (4) This section expires July 1, 2019.

21 NEW SECTION. **Sec. 7.** This act does not create any civil
22 liability on the part of the state or any state agency, officer,
23 employee, agent, political subdivision, or school district.

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