

HOUSE BILL REPORT

ESHB 1336

As Passed Legislature

Title: An act relating to increasing the capacity of school districts to recognize and respond to troubled youth.

Brief Description: Increasing the capacity of school districts to recognize and respond to troubled youth.

Sponsors: House Committee on Education (originally sponsored by Representatives Orwall, Dahlquist, Pettigrew, Cody, Walsh, Green, Appleton, Freeman, Fitzgibbon, Hunt, Stonier, Kagi, Maxwell, Goodman, Moscoso, Roberts, Reykdal, Lytton, Santos, Fagan, O'Ban, Van De Wege, Jinkins, Bergquist, Pollet, McCoy, Ryu, Upthegrove, Tarleton and Fey).

Brief History:

Committee Activity:

Education: 2/7/13, 2/14/13 [DPS];

Appropriations Subcommittee on Education: 2/20/13 [DPS(ED)].

Floor Activity:

Passed House: 3/4/13, 90-8.

Senate Amended.

Passed Senate: 4/15/13, 46-1.

House Concurred.

Passed House: 4/22/13, 89-6.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Requires school counselors, psychologists, social workers, and nurses to complete a training program in youth suicide screening and referral as a condition of certification.
- Directs that recognition, initial screening, and response to emotional or behavioral distress in students be included in an Issues of Abuse course required of all educators.
- Requires each school district to adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students, beginning in the 2014-15 school year.

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.

- Establishes a temporary task force to identify best practices for school districts to develop partnerships with community agencies to support youth in need.
- Directs the Department of Social and Health Services to provide funds for mental health first-aid training targeted at teachers and educational staff, if funds are appropriated for this purpose.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist, Fagan, Haigh, Hargrove, Hawkins, Hayes, Hunt, Klippert, Lytton, Maxwell, McCoy, Orwall, Pike, Pollet, Seaquist and Warnick.

Staff: Barbara McLain (786-7383).

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Majority Report: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle, Dahlquist, Haler, Maxwell, Pettigrew, Seaquist, Sullivan and Wilcox.

Staff: Jessica Harrell (786-7349).

Background:

Certification and Training.

Legislation enacted in 2012 requires certain health professionals, including counselors, therapists, and social workers, to complete an approved training program of three to six hours in suicide assessment, treatment, and management every six years. The training applies toward continuing education requirements for certificate renewal. The Department of Health (DOH) is writing rules to implement these provisions, including considering training programs listed on the Best Practices Registry of the American Foundation for Suicide Prevention and the Suicide Prevention Resource Center. The training requirement takes effect January 1, 2014.

School counselors, psychologists, and social workers are certified by the Professional Educator Standards Board (PESB) rather than by the DOH. School nurses are certified by both agencies, but are not included under the 2012 legislation regarding suicide assessment training. Educators are certified under a two-tier system. They receive an initial certificate, and then a professional certificate or continuing certificate based on completion of an additional program or requirement. The second certificate may then be renewed based on 150 clock hours of continuing education every five years.

All educators must complete a course on Issues of Abuse to receive an initial certificate. The required content of the course is outlined in statute and includes identification of physical, emotional, sexual, and substance abuse; impacts on student learning; reporting; and methods for teaching students about prevention.

Safe School Plans.

School districts are required to adopt comprehensive safe school plans. At a minimum, the plans must address school safety policies and procedures; emergency preparedness and response; school mapping for emergency first responders; and communication with parents. The Office of the Superintendent of Public Instruction (OSPI) has developed a model safe school plan that school districts are encouraged to consider when developing their own plans. There is a School Safety Advisory Committee and a School Safety Center within the OSPI to provide updated information and serve as a resource for school districts. The focus of the model safe school plan is on preventing and responding to natural disasters and external threats.

Summary of Engrossed Substitute Bill:

Certification and Training.

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 OSPI and the 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 if the certificates are first issued or renewed on or after July 1, 2015.

As part of the course on Issues of Abuse, the PESB must incorporate 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 must 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.

If funds are appropriated for this purpose, the Department of Social and Health Services (DSHS) must provide funds for mental health first-aid training targeted at teachers and educational staff. The training must follow a model developed by the Department of Psychology in Melbourne, Australia, and include descriptions of common mental disorders in youth, possible causes and risk factors, availability of various treatments, processes for making referrals, and methods for rendering assistance in initial intervention and crisis situations. The DSHS must collaborate with the OSPI to identify methods of instruction that leverage local resources in order to make the training broadly available.

District Plans.

Beginning in the 2014-15 school year, each school district must 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 Plan must include:

- identification of training opportunities for staff;
- how to use the expertise of trained staff;
- how staff should respond to concerns or warning signs of emotional or behavioral distress;
- identification and development of partnerships with community organizations and agencies for referral of students to health and social services, including development of at least one Memorandum of Understanding with such an entity in the community or region;
- protocols and procedures for communication with parents;
- how staff should respond to a crisis situation of imminent danger; and
- how the district will provide support to students and staff after an incident.

The Plan may be a separate plan or a component of another required plan, such as the harassment, intimidation, and bullying prevention plan or the comprehensive safe school plan.

The OSPI and the School Safety Advisory Committee must develop a model Plan and post it on the School Safety Center website by February 1, 2014.

Nothing in the bill creates civil liability on the part of the state or any state agency, political subdivision, or school district.

Task Force.

The OSPI must 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. Resource documents must be posted on the School Safety Center website, and a report with recommendations is due to the Education Committees of the Legislature by December 1, 2013. The task force must also explore the potential use of advanced online emotional health and crisis and response systems developed for use in other countries.

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 (Education):

(In support) What the bill will do is assure there are key educators in schools trained to identify the early signs of students in trouble and refer them to get help. It also ensures that schools have plans for how to respond to suicide or other indicators of students in trouble. This bill will save lives by ensuring that schools have established partnerships to keep kids safe. A 16-year-old passed a note in class saying he would commit suicide if his friend did.

A counselor was notified and did not tell the family. There was no opportunity for the family to intervene. The school failed in so many ways by not properly assessing the risk of suicide or by providing help.

There are students who exhibit many of the classic warning signs of suicide, but the teachers do not ask. They ignore these students' cries for help. Someone has to tell young people that this is not the answer. It is critical to have a well-trained counselor. This is not to say that the school is to blame for youth suicides, but the way that schools handle situations leaves much to be desired. The schools' lack of response leaves many students in emotional turmoil. Schools should have a responsibility to follow a protocol in dealing with youth, parents, and other students.

Youth suicide is epidemic. We need to have courage to address the situation with training that deals with crisis intervention. The bill would help train school personnel to respond in an appropriate manner and refer students to existing services. Most people just want to turn away. Suicide does not stop with the death of loved ones. It ripples through communities in ways that are incalculable.

Teachers feel helpless; they don't know how to identify risk or what to do once youth are identified. Some say the schools are already overburdened, but these issues and situations already exist. They must be given the proper tools. There are continuing challenges between the two systems of mental health and public schools. There is concern about adding continuing education requirements for educators, even though providing this training is the right thing to do.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations Subcommittee on Education):

(In support) Many young people do not present open indications that they may try to harm themselves. The indicators are sometimes very subtle. If school professionals are trained to look for the signs, lives will be saved. Training for school staff and volunteers will not only help to prevent tragedy, it will help schools deal with the aftermath of a suicide. A school, a family, and a community are never the same after a suicide. The cost of the training and contact time is a precious investment in our youth. The implementation costs of this bill could be much smaller than is indicated in the school district fiscal note. This is a good use of state funds.

(Opposed) None.

Persons Testifying (Education): Representative Orwall, prime sponsor; Debbie Reisert; Lauren Davis, King County Suicide Prevention Coalition; Mari Earl; Danal Berguran; Kristen Spexarth; James Mazza, University of Washington–Seattle; Jessica Scruggs, American Foundation for Suicide Prevention; and David Brenna, Professional Educator Standards Board.

Persons Testifying (Appropriations Subcommittee on Education): Representative Orwall, prime sponsor; Jerry Bender, Association of Washington School Principals; and Sue Eastgard, King County Coalition Against Suicide.

Persons Signed In To Testify But Not Testifying (Education): Lonnie Johns-Brown, School Nurse Organization of Washington; Karyn Brownson, Youth Suicide Prevention Program; Kris Butler, University of Washington; and Kim Reykdal, Washington School Counselor Association, and Washington State School Directors Association.

Persons Signed In To Testify But Not Testifying (Appropriations Subcommittee on Education): None.