

HOUSE BILL REPORT

HB 2373

As Reported by House Committee On: Education

Title: An act relating to evaluating student mental health services and providing students with skills that promote mental health and well-being and increase academic performance.

Brief Description: Making provisions to evaluate student mental health services and provide students with skills that promote mental health and well-being and increase academic performance.

Sponsors: Representatives Senn, Kagi, Stambaugh, Kuderer, Jinkins, Reykdal, Robinson, Frame, Kilduff, Sawyer, Orwall, Sells, McBride, Bergquist and Pollet.

Brief History:

Committee Activity:

Education: 2/1/16, 2/4/16 [DPS].

Brief Summary of Substitute Bill

- Requires each Educational Service District (ESD) to develop and maintain the capacity to serve as a convener, trainer, and mentor for school district staff on social and emotional learning.
- Requires each ESD to offer training on social and emotional learning, beginning in the 2017-18 school year, at no cost if funds are appropriated specifically for this purpose or made available through grants or other sources.
- Directs the Joint Legislative Audit and Review Committee to conduct an inventory of the mental health service models available to students in schools, school districts, and ESDs and report its findings to the Legislature by October 31, 2016.
- Provides that the inventory be performed using data that are already collected and that student-level data not be collected, reviewed, or reported.

HOUSE COMMITTEE ON EDUCATION

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.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Griffey, Harris, S. Hunt, Kilduff, Klippert, Kuderer, Orwall, Pollet, Rossetti and Springer.

Minority Report: Do not pass. Signed by 3 members: Representatives Hargrove, Hayes and McCaslin.

Staff: Megan Wargacki (786-7194).

Background:

Social and Emotional Learning.

In 2010 the Department of Early Learning, the Office of the Superintendent of Public Instruction (OSPI), and Thrive by Five Washington reviewed and revised the early learning and development benchmarks, which they published as the Washington State Early Learning and Development Guidelines. These guidelines include information about social and emotional learning (SEL) and development for parents, teachers, and other adults who support children in grades K–3.

In 2013 legislation was enacted (i.e., Engrossed Substitute House Bill 1336, enacted as Chapter 197, Laws of 2013) that highlighted the mental health needs of students:

- School counselors, social workers, psychologists, and nurses were required to complete a training in youth suicide screening and referral as a condition of certification.
- Each Educational Service District (ESD) 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. The training may be offered on a fee-for-service basis or at no cost if funds are available.
- School districts were required to adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students and provide the plan to all staff annually.

The 2015 operating budget (i.e., Engrossed Substitute Senate Bill 6052, enacted as Chapter 4 Laws of 2015, 3rd Special Session) directed the OSPI to convene a work group to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of SEL for grades kindergarten through high school that build upon what is being done in early learning. The work group is required to report on its recommendations by October 1, 2016.

Children's Mental Health Services.

Schools must respond to a broad range of behavioral and emotional needs that compromise students' and schools' successes. Publicly funded mental health services are often available only to the neediest children, as defined by income and severity of need.

The organizational structure for the delivery of publicly funded mental health services in Washington is similar to the structure of the larger public educational system. Under contract

with the Department of Social and Health Services (DSHS), Regional Support Networks (RSNs) oversee the delivery of mental health services through community-based mental health agencies, often nonprofit entities, for individuals who meet access-to-care standards. During the 2015 fiscal year, the DSHS provided mental health services to approximately 48,000 children through contracts with 11 RSNs.

Apple Health for Kids, part of the state-federal Medicaid program, provides low cost, community-based, out-patient mental health services to children in families with an income below 210 percent of the federal poverty level. Families with children above that level may also be eligible for the same coverage at a low cost.

Joint Legislative Audit and Review Committee.

The Joint Legislative Audit and Review Committee (JLARC) is composed of an equal number of House of Representatives and Senate members, Democrats and Republicans. The nonpartisan staff of the JLARC conduct performance audits, program evaluations, sunset reviews, and other analyses assigned by the Legislature and the committee itself.

Summary of Substitute Bill:

Social and Emotional Learning.

Each ESD must develop and maintain the capacity to serve as a convener, trainer, and mentor for educators, administrators, and other school district staff on SEL. An ESD may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training.

Beginning in the 2017-18 school year, each ESD must offer training on SEL at no cost to school districts or educators, if funds are appropriated specifically for this purpose or made available through grants or other sources. The training model and curricula must be based on the recommendations of OSPI's 2016 report on SEL. An ESD may work with school districts to create a training model that works best for each district and the ESD.

Children's Mental Health Services.

The JLARC must conduct an inventory of the mental health service models available to students in schools, districts, and ESDs, and report its findings to the Legislature by October 31, 2016. The JLARC must perform the inventory using data that are already collected by schools, districts, and ESDs. The JLARC must not collect or review student-level data and must not include student-level data in the report.

The inventory and report must include information on the following:

- how many students are served by mental health services funded with nonbasic education appropriations in each school, district, or ESD;
- how many of these students are participating in Medicaid programs;
- how the mental health services are funded, including federal, state, local, and private sources;
- information on who provides the mental health services, including district employees and contractors; and

- any other available information related to student access and outcomes.

Substitute Bill Compared to Original Bill:

The substitute bill specifies that the mental health services that the JLARC must report on are those services that are funded with non-basic education appropriations, it adds that the JLARC must report on whether mental health services are funded with local sources, in addition to other sources, and it makes a technical change.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 4, 2016.

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

Staff Summary of Public Testimony:

(In support) This legislation builds on legislation introduced last year that established a workgroup to create benchmarks for SEL. This bill builds on that work group's results. It is important to pass this legislation now, even before the work group's recommendations have been made, so that another year does not go by before teachers begin being trained on SEL. This bill requires each ESD to train districts on the outcomes of that work group. The state cannot rely on counselors or social workers to provide this type of training in schools as part of their duties. This bill is about making sure that all administrators and educators know about SEL, and know how to use this knowledge to de-escalate and support students, to reduce behavioral issues, and increase academic performance. It is good to build in flexibility to allow an ESD to customize the SEL trainings to what is best for each district. Benchmarks without training on how to teach and measure SEL skills are not useful to educators.

The purpose of SEL is to allow schools and classrooms to become places where students are empowered and equipped with the skills to navigate the complexities of their social, emotional, and academic world. Many parents and teachers think this is a very important issue because they see the need for this work every day. Children need a baseline of mental well-being and SEL provides that foundational support for children to self-regulate. It helps students learn sharing, healthy relationships, teamwork, critical decision-making skills and self-regulation. Some of the most important skills that can be taught are SEL skills. These skills improve academic performance and mental health and lead to lifelong success and better paying jobs as adults. Teachers need the training and resources to teach these skills in the classroom. It is important to have a good curriculum and make sure that teachers know how to use the curriculum.

It might be good to define the terms: mental health and SEL. These terms are sometimes used interchangeably. Many people associate the term mental health with therapy, but mental

health should include the spectrum of services from prevention to individualized services, which might include therapy.

The mental health services study will help reveal best practices so that the Legislature can build on them. It is important to do an inventory to learn what mental health services are available now. It is important to ensure a coordinated and responsive system of mental health in our schools. Currently the services are piecemeal at best. Supporting mental health services in schools with local dollars creates vast inequities and allows too many student to slip through the cracks.

(Opposed) None.

Persons Testifying: Representative Senn, prime sponsor; Sarah Butcher, Washington State PTA; Bridgid Normand, Committee for Children; Amy Brackenbury, Washington School Counselors Association; and Alexandra Franks, Washington State Association of School Psychologists.

Persons Signed In To Testify But Not Testifying: None.