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SECOND SUBSTITUTE HOUSE BILL 1900

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State of Washington

64th Legislature

2016 Regular Session

By House Appropriations (originally sponsored by Representatives Ortiz-Self, Johnson, Orwall, Muri, Lytton, Tarleton, Pollet, and Bergquist)

READ FIRST TIME 01/28/16.

1 AN ACT Relating to defining the role of the school counselor,  
2 social worker, and psychologist; adding new sections to chapter  
3 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating  
4 new sections; and providing an expiration date.

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, social worker, and psychologist.

15 (2) The legislature further finds that in chapter 175, Laws of  
16 2007, appropriate acknowledgment was given to the fact that a  
17 professional school counselor is not just a course and career  
18 guidance professional, but a certificated educator with unique  
19 qualifications and skills to address all students' academic,  
20 personal, social, and career development needs, and that school  
21 counselors serve a vital role in maximizing student achievement by

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

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

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

3        A primary role of school counselors, social workers, and  
4    psychologists is to focus on student mental health, work with at-risk  
5    and marginalized students, perform risk assessments, and collaborate  
6    with mental health professionals to promote student achievement and  
7    create a safe learning environment. The majority of a school  
8    counselor's, social worker's, or psychologist's time should be spent  
9    in direct student contact, which should include: Identifying,  
10   collaborating, and intervening to meet the mental health needs of all  
11   students.

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

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

28        (1) A school psychologist is a professional educator who holds a  
29    valid school psychologist certification as defined by the  
30    professional educator standards board. Pursuant to the national  
31    association of school psychologists' model for comprehensive and  
32    integrated school psychological services, school psychologists  
33    deliver services across ten domains of practice. Two domains permeate  
34    all areas of service delivery: Data-based decision making; and  
35    consultation and collaboration. Five domains encompass direct and  
36    indirect services to children and their families: Student-level  
37    services, interventions, and instructional supports to develop  
38    academic skills; student-level interventions and mental health  
39    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 2017-18 school  
31 year, on a monthly basis throughout each school year, first-class  
32 school districts must provide a minimum of one hour of professional  
33 collaboration, preferably in person, for school counselors, social  
34 workers, and psychologists that focuses on the following: Recognizing  
35 signs of emotional or behavioral distress in students, including but  
36 not limited to indicators of possible substance abuse, violence, and  
37 youth suicide, screening, accessing current resources, and making  
38 appropriate referrals. School districts that have mental health  
39 centers in their area shall collaborate with local licensed mental

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

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

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

28 (2) The superintendent shall designate two school districts as  
29 lighthouse school districts to serve as resources and examples of  
30 best practices in designing and operating a professional  
31 collaboration program for school counselors, school social workers,  
32 school psychologists, and local licensed mental health service  
33 providers. The program shall focus on recognizing signs of emotional  
34 or behavioral distress in students, including, but not limited to  
35 indicators of possible substance abuse, violence, and youth suicide,  
36 screening, accessing current resources, and making appropriate  
37 referrals.

38 (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 2016-17 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 31, 2017.

17 NEW SECTION. **Sec. 6.** This act does not create any civil  
18 liability on the part of the state or any state agency, officer,  
19 employee, agent, political subdivision, or school district.

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