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3 HOUSE WAYS AND MEANS EDUCATION COMMITTEE SUBSTITUTE FOR SB92,  
4 AS ENGROSSED

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9 SYNOPSIS: This bill would require the State Department  
10 of Education, to the extent not previously  
11 developed, to develop a program to specifically  
12 address the mental health of that population of  
13 public K-12 students who are considered at-risk for  
14 developing inadequate social-behavioral skills,  
15 such as ADHD or anger management issues, in the  
16 classroom.

17 This bill would provide that the program  
18 include developing and providing professional  
19 development training, providing mental health  
20 consultations with students and behavioral  
21 specialists, and developing curricula for those  
22 at-risk students to learn appropriate  
23 social-behavioral skills.

24 This bill would require the department to  
25 provide guidance and best practices for each school  
26 district in establishing safe and supportive

1 schools, fostering a positive and healthy learning  
2 environment, and improving student outcomes.

3 This bill would require the department to  
4 provide support to each school district in adopting  
5 supportive school guidance and developing an action  
6 plan to improve the learning environment throughout  
7 the school system.

8 This bill would establish and provide for  
9 the qualifications and duties of a mental health  
10 service coordinator and would require each local  
11 board of education in the state, subject to  
12 appropriations by the Legislature, to employ a  
13 mental health service coordinator to serve those  
14 schools under the jurisdiction of the board.

15 This bill would provide for the  
16 responsibilities of the State Department of  
17 Education and the Alabama Department of Mental  
18 Health in providing continuing evaluation and  
19 support of mental health services provided to  
20 students through local boards of education.

21 This bill would also provide for the  
22 responsibilities of the State Department of  
23 Education, the State Board of Education, and the  
24 Alabama Department of Mental Health relating to the  
25 program.

26  
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3  
4 Relating to public K-12 education, to require the  
5 State Department of Education to develop a program to address  
6 the mental health of students who are considered at-risk for  
7 developing inadequate social-behavioral skills, such as ADHD  
8 or anger management issues, in the classroom; to require the  
9 department to provide guidance and best practices for school  
10 districts in establishing safe and supportive schools,  
11 fostering a positive and healthy learning environment, and  
12 improving student outcomes; to require the department to  
13 provide support to school districts in adopting supportive  
14 school guidance and developing an action plan to improve the  
15 learning, emotional, and socially appropriate environment in  
16 schools throughout the district; to require each local board  
17 of education in the state, subject to appropriations by the  
18 Legislature, to employ a mental health service coordinator; to  
19 provide for the qualifications and duties of the mental health  
20 service coordinator; to require each local board of education  
21 to complete and submit a needs assessment relating to the  
22 provision of mental health resources to students; and to  
23 provide for the responsibilities of the State Department of  
24 Education, the State Board of Education, and the Alabama  
25 Department of Mental Health.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. The Legislature finds all of the  
2 following:

3                   (1) The State Department of Education and the public  
4 K-12 schools of the state provide proactive strategies that  
5 promote the mental health of the general student population,  
6 with no specific intervention strategies for students  
7 considered at-risk for developing inadequate social-behavioral  
8 skills.

9                   (2) There is a prevalence of students in public K-12  
10 schools who lack age-appropriate social, emotional, and  
11 behavioral skills including, but not limited to, students with  
12 Attention Deficit and Hyperactivity Disorder (ADHD) and  
13 students who lack the ability to appropriately manage anger  
14 and other emotions, often causing chronic disability and  
15 disadvantage in children and directly interfering with the  
16 intellectual, social, and emotionally appropriate development  
17 of students.

18                   (3) Poverty increases the likelihood that children  
19 will be exposed to multiple adverse childhood experiences such  
20 as experiencing or witnessing violence, and children who have  
21 had adverse childhood experiences are more likely to have  
22 behavior problems.

23                   (4) When teachers are unable to manage disruptive  
24 behavior in the classroom, learning for all students is  
25 diminished because teachers spend more instructional time on  
26 behavior management.

1           (5) It is essential that students, teachers, and  
2 school staff receive consistent and continuing instruction on  
3 appropriate methods of addressing the root of perceived  
4 disruptive behavior and the means of correcting those  
5 behaviors in a manner that does not hinder the educational  
6 progress of the student or the social, emotional, or  
7 behavioral growth and development of the student.

8           (6) Outcomes for students who have inadequate or  
9 inappropriate social, emotional, or behavioral skills may  
10 include being retained in a grade, receiving services and  
11 support through Individual Education Plans or 504 Plans, being  
12 suspended or expelled from school, or the development of  
13 additional or worsening of social, emotional, or behavioral  
14 issues or challenges, all of which are costly to families,  
15 schools, and the larger community.

16           (7) Discipline policies that emphasize the  
17 exclusionary practices of suspension or expulsion from the  
18 classroom may negatively affect a student's academic success  
19 and behavioral health, increasing the likelihood of his or her  
20 involvement in the criminal justice system, and decreasing the  
21 student's likelihood of completing high school, which all come  
22 with substantial social and economic costs.

23           (8) Discipline policies are among the factors that  
24 set the school culture and climate for all students. Research  
25 indicates that the implementation of alternative, restorative  
26 disciplinary practices can positively affect school climate

1 and individual connectedness, thus affecting school quality,  
2 especially among lower-performing schools.

3 (9) Teachers often lack the training and resources  
4 needed to appropriately address, assist, and effectively teach  
5 disruptive students who lack age-appropriate social,  
6 emotional, and behavioral skills.

7 (10) There is evidence that providing teachers  
8 training on positive classroom management strategies,  
9 integrating a student's social and emotional skills training  
10 into instruction, and providing mental health consultations,  
11 healthy expression and processing emotions and conflict  
12 resolution skills, increased healthy physical movement,  
13 effective communication between students, teachers, and staff,  
14 and independent and small group learning experiences, and  
15 implementing policies emphasizing restorative approaches to  
16 school discipline may reduce disruptive behaviors and improve  
17 academic achievement.

18 Section 2. For the purposes of this act, the  
19 following terms shall have the following meanings:

20 (1) DEPARTMENT. The State Department of Education.

21 (2) SOCIAL-BEHAVIORAL OR SOCIAL EMOTIONAL AT-RISK  
22 STUDENTS. That population of public K-12 students who are  
23 considered at-risk for developing inadequate social-behavioral  
24 skills, such as ADHD or anger management issues, or inadequate  
25 social emotional skills in the classroom.

26 (3) SOCIAL-BEHAVIORAL SKILLS. Non-cognitive skills  
27 and executive functioning including, but not limited to, the

1 ability to attend to tasks; shift attention in response to  
2 expectations; inhibit socially inappropriate responses;  
3 process, remember, and use information; and manage emotions  
4 such as frustration, anger, and stress. Examples of inadequate  
5 social-behavioral skills may include the inability to  
6 self-identify emotions, express thoughts and emotions, perform  
7 healthy conflict resolution, manage anger, or a diagnosis of  
8 Attention Deficit and Hyperactivity Disorder (ADHD).

9 Section 3. (a) The department, to the extent not  
10 previously developed, shall develop a comprehensive program to  
11 address the mental health of social-behavioral or  
12 social-emotional at-risk students. The program shall provide  
13 for all of the following:

14 (1) Ongoing support for teachers to positively and  
15 effectively manage the behavioral problems of the student in  
16 the classroom through formal professional development and  
17 inservice training available to all public K-12 teachers that  
18 includes, but is not limited to, recognizing signs of  
19 inadequate social-behavioral skills in a student and best  
20 practices for schools and classrooms in managing inadequate  
21 social-behavioral skills, including using multi-tiered systems  
22 of support. The department may allow teachers to receive  
23 credit in continuing professional education for participation  
24 in a training course.

25 (2) Providing for mental health consultations for  
26 students including, but not limited to, consultation with  
27 counselors, mental health specialists, behavior specialists,

1 family focused interventions, or referrals to the local  
2 community mental health center.

3 (3) Developing curricula on age-appropriate social  
4 skills that may be provided directly to students in the  
5 classroom.

6 (4) Strengthening parenting capacities through  
7 parenting programs to support a student's social-behavioral  
8 competence and pursue parent, school, student partnerships  
9 that promote the development of the whole student and family  
10 structure.

11 (5) For students who are identified as higher risk  
12 than the general population or who need more intensive  
13 intervention strategies, the department, to the extent  
14 reasonably possible, shall coordinate programming or efforts  
15 with the Alabama Department of Mental Health to deliver or  
16 coordinate assistance. A mental health service coordinator may  
17 refer the student to the local community mental health center  
18 as part of the school-based mental health collaboration.

19 (b) The program shall be designed in a manner that  
20 allows flexibility among schools and school districts to  
21 tailor the elements of the program that best works for the  
22 school and community, reflects current best practices in  
23 addressing behavioral problems in the classroom, and for which  
24 funding is available.

25 (c) The department shall create a self-assessment  
26 tool for schools and school districts to determine whether the  
27 programming contemplated under this act is effectively helping



1 social-behavioral or social-emotional at-risk students learn  
2 age-appropriate social-behavioral skills, is assisting  
3 teachers and other professionals in managing social-behavioral  
4 or social-emotional at-risk students' behavioral problems in a  
5 classroom setting, and is preventing or reducing class  
6 disruptions.

7 Section 4. (a) In order to improve educational  
8 outcomes for all students, the department shall develop  
9 guidance to enhance safe and supportive schools. The guidance  
10 shall provide best practices to assist with the fostering of a  
11 safe, positive, healthy, and inclusive whole-school learning  
12 environment that does both of the following:

13 (1) Enables students to develop positive  
14 relationships with adults and peers, to self regulate emotions  
15 and behaviors, achieve academic and non-academic success in  
16 school, and to maintain health and well-being.

17 (2) Integrates services and aligns initiatives that  
18 promote the behavioral health of students, including social  
19 and emotional learning, bullying prevention, trauma  
20 sensitivity, dropout prevention, truancy reduction, nutrition,  
21 mental health, foster care and homeless youth education,  
22 inclusion of students with disabilities, positive behavioral  
23 approaches that reduce suspensions and expulsions, and other  
24 similar initiatives.

25 (b) (1) Subject to appropriations by the Legislature,  
26 each local board of education shall implement the safe and  
27 supportive schools guidance developed under subsection (a) in

1 order to organize, integrate, and sustain school and  
2 district-wide efforts to create safe and supportive school  
3 environments and coordinate and align student prevention and  
4 support initiatives.

5 (2) Each school system implementing the safe and  
6 supportive schools guidance shall also develop an action plan  
7 as further provided in subsection (d). The local  
8 superintendent of education may appoint a team to make  
9 recommendations concerning the development of this action  
10 plan, provided a team shall include representatives of the  
11 school and local community, and the superintendent shall  
12 include teachers and other school personnel, parents,  
13 students, and representatives from community-based agencies  
14 and providers, including the local community mental health  
15 center.

16 (c) The department may create a separate  
17 self-assessment tool organized according to the elements of  
18 the guidance established under subsection (a) that schools may  
19 use when developing their action plan. The self-assessment  
20 tool may be used by school systems to do all of the following:

21 (1) Assess the capacity of the school system to  
22 create and sustain safe and supportive school environments for  
23 all students.

24 (2) Identify areas where additional school-based  
25 action, efforts, guidance, and support are needed to create  
26 and maintain safe and supportive school environments.

1           (3) Create action plans to address the areas of need  
2 identified by the assessment with timed, specific, realistic,  
3 and measurable goals.

4           (d) School action plans shall address the areas of  
5 need identified through the use of the self-assessment tool  
6 described in subsection (c), shall be published on the website  
7 of the school district, and shall include all of the  
8 following:

9           (1) Strategies and initiatives for addressing the  
10 areas of need.

11           (2) A timeline for implementing the plan.

12           (3) Outcome goals and indicators for evaluating the  
13 effectiveness of the action plan.

14           (4) A process and schedule for reviewing the plan  
15 annually or biannually and updating it at least once every  
16 four years.

17           (e) The department shall facilitate the  
18 implementation of the safe and supportive schools guidance in  
19 school systems developing and implementing an action plan by  
20 providing technical assistance to school systems and  
21 developing and disseminating model protocols and best  
22 practices.

23           (f) Nothing in this section shall be construed as  
24 limiting the ability of the department to contract with  
25 individuals, external partners, or other entities to support  
26 the functions established under this section. The department  
27 shall consider opportunities for partnership with the Alabama

1 Department of Mental Health or local community mental health  
2 centers, education collaboratives, or other regional service  
3 organizations to provide technical assistance and information  
4 to school districts on the implementation of the guidance and  
5 action plans.

6 Section 5. (a) Commencing with the 2022-2023 school  
7 year, each local board of education in the state shall employ  
8 a mental health service coordinator. The coordinator shall be  
9 responsible for coordinating student mental health services  
10 throughout the local school system.

11 (b) An individual hired as a coordinator shall  
12 possess at least one of the following qualifications:

13 (1) Have a bachelor's degree in social work.

14 (2) Satisfy department qualifications for a school  
15 psychologist.

16 (3) Satisfy department qualifications for a school  
17 counselor.

18 (4) Satisfy department qualifications for a school  
19 nurse.

20 (5) Have professional mental health experience, or  
21 have been licensed in a mental health occupation including,  
22 but not limited to, licensure as a licensed professional  
23 counselor or marriage and family therapist.

24 (6) Other qualifications as determined by the  
25 department and the Alabama Department of Mental Health.

26 (c) Within one year after being hired as a mental  
27 health service coordinator, an individual shall earn a

1 school-based mental health certificate by successfully  
2 completing a certification program developed by the Alabama  
3 Department of Mental Health.

4 (d) On or before the last day of the 2022 fiscal  
5 year, and as requested thereafter, each local board of  
6 education shall complete and submit to the Alabama Department  
7 of Mental Health a needs assessment and resource map for the  
8 schools under the jurisdiction of the board. The assessment  
9 shall document the status of mental health for the entire  
10 school system and allow the local board of education to engage  
11 in a quality improvement process to improve the provision of  
12 mental health resources within the school system.

13 (e) The administration of this section shall be  
14 subject to appropriations made by the Legislature.

15 Section 6. The State Board of Education and the  
16 Alabama Department of Mental Health shall adopt rules and  
17 policies as applicable, appropriate, and necessary to  
18 implement this act.

19 Section 7. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.