

2
3 SENATE EDUCATION POLICY COMMITTEE SUBSTITUTE FOR SB40
4

5
6
7
8 SYNOPSIS: This bill would require the State Department
9 of Education to develop a program to specifically
10 address the mental health of that population of
11 public K-12 students who are considered at-risk for
12 developing inadequate social-behavioral skills,
13 such as ADHD or anger management issues, in the
14 classroom.

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

22 This bill would require the department to
23 provide guidance for each school district in
24 establishing a safe and supportive school framework
25 to support schools in fostering a positive and
26 healthy learning environment and improve student
27 outcomes.

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

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

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

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

24
25 A BILL
26 TO BE ENTITLED
27 AN ACT

1
2 Relating to public K-12 education, to require the
3 State Department of Education to develop a program to address
4 the mental health of students who are considered at-risk for
5 developing inadequate social-behavioral skills, such as ADHD
6 or anger management issues, in the classroom; to require the
7 department to provide guidance for school districts in
8 establishing safe and supportive school frameworks to support
9 schools in fostering a positive and healthy learning
10 environment and improve student outcomes; to require the
11 department to provide support to school districts in adopting
12 supportive school frameworks and developing an action plan to
13 improve the learning, emotional, and socially appropriate
14 environment in schools throughout the district; to require
15 each local board of education in the state, subject to
16 appropriations by the Legislature, to employ a mental health
17 service coordinator; to provide for the qualifications and
18 duties of the mental health service coordinator; to require
19 each local board of education to complete and submit a needs
20 assessment relating to the provision of mental health
21 resources to students; and to provide for the responsibilities
22 of the State Department of Education, the State Board of
23 Education, and the Alabama Department of Mental Health.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The Legislature finds all of the
26 following:

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

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

17 (3) Students living in poverty are more likely to
18 have social, emotional, and behavioral difficulties.

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

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

1 (6) 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 (7) 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 supports through Individual Education Plans or 504 Plans,
12 being 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 (8) 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 (9) 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 (10) 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 (11) 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 shall develop a
10 comprehensive program to address the mental health of
11 social-behavioral or social-emotional at risk students. The
12 program shall provide for all of the following:

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

24 (2) Providing for one-on-one or small group mental
25 health consultations for students, including consultation with
26 counselors, mental health specialists, behavior specialists,
27 or family focused interventions.

1 (3) Developing curricula on age-appropriate social
2 skills provided directly to students in the classroom.

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

8 (b) The program shall be designed in a manner that
9 allows flexibility among schools and school districts to
10 tailor the elements of the program that best works for the
11 school and community and reflects current best practices in
12 addressing behavioral problems in the classroom.

13 (c) The department shall create a self-assessment
14 tool for schools and school districts to determine whether the
15 program is effectively helping social-behavioral or
16 social-emotional at risk students learn age-appropriate
17 social-behavioral skills, to assist teachers and other
18 professionals in managing social-behavioral or
19 social-emotional at risk students' behavioral problems in a
20 classroom setting, and to prevent or minimize class
21 disruptions.

22 Section 4. (a) In order to improve educational
23 outcomes for all students, the department shall develop a safe
24 and supportive schools framework. The framework shall provide
25 guidance and support to schools to assist with the fostering
26 of a safe, positive, healthy, and inclusive whole-school
27 learning environment that does both of the following:

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

5 (2) Integrates services and aligns initiatives that
6 promote the behavioral health of students, including social
7 and emotional learning, bullying prevention, trauma
8 sensitivity, dropout prevention, truancy reduction, nutrition,
9 mental health, foster care and homeless youth education,
10 inclusion of students with disabilities, positive behavioral
11 approaches that reduce suspensions and expulsions, and other
12 similar initiatives.

13 (b) (1) Subject to appropriations by the Legislature,
14 each local board of education shall implement the safe and
15 supportive schools framework developed under subsection (a) in
16 order to organize, integrate, and sustain school and
17 district-wide efforts to create safe and supportive school
18 environments and coordinate and align student prevention and
19 support initiatives.

20 (2) Each school system implementing the safe and
21 supportive schools framework shall also develop an action plan
22 as further provided in subsection (d). The local
23 superintendent of education may appoint a team to make
24 recommendations concerning the development of this action
25 plan, provided a team shall include a broad representation of
26 the school and local community, and the superintendent shall
27 include teachers and other school personnel, parents,

1 students, and representatives from community-based agencies
2 and providers.

3 (c) The department may create a separate
4 self-assessment tool organized according to the elements of
5 the framework established under subsection (a) for schools to
6 use when developing their action plan. The self-assessment
7 tool shall be used by school systems to do all of the
8 following:

9 (1) Assess the capacity of the school system to
10 create and sustain safe and supportive school environments for
11 all students.

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

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

18 (d) School action plans shall be designed to address
19 the areas of need identified through the use of the
20 self-assessment tool described in subsection (c), shall be
21 published on the website of the school district, and shall
22 include all of the following:

23 (1) Strategies and initiatives for addressing the
24 areas of need.

25 (2) A timeline for implementing the plan.

26 (3) Outcome goals and indicators for evaluating the
27 effectiveness of the action plan.

1 (4) A process and schedule for reviewing the plan
2 annually or biannually and updating it at least once every
3 three years.

4 (e) The department shall facilitate the
5 implementation of the safe and supportive schools framework in
6 school systems developing and implementing an action plan by
7 providing technical assistance to school systems and
8 developing and disseminating model protocols and best
9 practices.

10 (f) Nothing in this section shall be construed as
11 limiting the ability of the department to contract with
12 individuals, external partners, or other entities to support
13 the functions established under this section. The department
14 shall consider opportunities for education collaboratives or
15 other regional service organizations to provide technical
16 assistance and information to school districts on the
17 implementation of the framework and action plans.

18 Section 5. (a) Commencing with the 2023-2024 school
19 year, each local board of education in the state shall employ
20 a mental health service coordinator. The coordinator shall be
21 responsible for coordinating student mental health services
22 throughout the local school system.

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

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

26 (2) Satisfy department qualifications for a school
27 counselor.

1 (3) Satisfy department qualifications for a school
2 nurse.

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

7 (5) Other qualifications as determined by the
8 department and the Alabama Department of Mental Health.

9 (c) Within one year after being hired as a mental
10 health service coordinator, an individual shall earn a
11 school-based mental health certificate by successfully
12 completing a certification program developed by the Alabama
13 Department of Mental Health.

14 (d) On or before the last day of the 2023 fiscal
15 year, and as requested thereafter, each local board of
16 education shall complete and submit to the Alabama Department
17 of Mental Health a needs assessment and resource map for the
18 schools under the jurisdiction of the board. The assessment
19 shall document the status of mental health for the entire
20 school system and allow the local board of education to engage
21 in a quality improvement process to improve the provision of
22 mental health resources within the school system.

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

25 Section 6. The State Board of Education and the
26 Alabama Department of Mental Health shall adopt rules and

1 policies as applicable, appropriate, and necessary to
2 implement this act.

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