



New York State YMCA
Youth And Government

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FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 5

Bill #: AL-35

Sponsors: : Isabella LaFreniere, Katherine Happy

An Act To: Amend New York State Education Law Article 19 Section 904 to add a provision that mandates mental and emotional health screenings for public school students in grades 7 through 12.

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The People of the State of New York, represented in the Senate and Assembly, do enact as follows:

Purpose: Amend New York State Education Law Article 19 Section 904 to mandate mental and emotional health screenings for public school students in grades 7 through 12.

Summary of Provisions

Section 1: Definitions:

1. "Psychiatrist" shall mean a licensed medical practitioner whose license allows for the diagnosis and treatment of mental illness.
2. "Psychologist" shall mean a professional who studies mental processes and behaviors.
3. "Trained professional" shall mean a trained guidance counselor, psychiatrist or psychologist employed by a school district within New York State.
4. "Deficiencies" shall mean any mental or emotional health condition that presents a risk to a student or to others in a school setting.

Section 2: The New York State Education Law is amended by adding the following language:

If it should be ascertained, upon such test or examination, that any of such students have defective sight or hearing, or other physical disability, including sickle cell anemia, as above described, the principal or his or her designee shall notify the parents of, or other persons in parental relation to, the child as to the existence of such disability. Additionally, every academic year between grades 7 and 12, public school students will be screened for mental and emotional health deficiencies and illnesses. The examination will be non-invasive and conducted by psychiatrist or psychologist outside of school, or a trained professional employed by the school district. No medication will be prescribed or provided by the school, and no formal diagnosis will be given to the student via the school unless a trained professional is licensed to do so. If the parents or other persons in parental relation are unable or unwilling to provide the necessary relief and treatment for such students, such fact shall be reported by the principal or his or her designee to the director of school health services, whose duty it shall be to provide relief for such students.



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34 **Justification:**

35 According to the Association for Children’s Mental Health, 1 in 5 students have a
36 diagnosable emotional or mental health disorder, and as many as 80% of them do not
37 receive the care that they need. Disorders such as these are treatable, and early
38 intervention is key to improving the opportunity for success in school and throughout
39 a child’s life. Passing this bill would work towards dissolving the stigma around mental
40 illness and the subsequent lack of treatment of children who often do not have the
41 means to understand the issues that they are having. In lower-income environments,
42 parents do not have the economic advantages that are needed to treat their children.
43 The yearly screenings can also be used as a deterrent to school-related violence
44 incidents, especially since such incidents often involve a person with illnesses that
45 have not been diagnosed. Additionally, teen suicide rates have climbed 70% in the
46 last decade. Depression that is untreated or undiagnosed is the primary cause of
47 suicide, and one in 65,000 children die by suicide every year. Through yearly
48 screenings, schools can ensure that students are safe and healthy, and districts will be
49 able to help children through their school careers and their lives by helping them
50 towards access to care that they need. Although no states currently mandate mental
51 and emotional health screenings, New York can lead the way for mandatory mental
52 health evaluation and ultimately create a safer, more enjoyable environment for
53 students and faculty throughout public schools.

54 **Fiscal Implications:**

55 We believe in the long term, this will save Americans money. If we educate an entire
56 generation how to properly look after their mental health and give them healthy
57 coping mechanisms, American businesses can be expected to save an immense
58 amount of money each year. According to the APA, American businesses lose \$225.8
59 billion each year due to mental health and substance abuse issues.

60 **Effective Date:**

61 The law will go into effect one calendar year after this bill is passed.

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