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HOUSE BILL NO. 1735

Offered January 9, 2019

Prefiled December 19, 2018

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-381, relating to the creation of the Commission on Student Behavioral Health.*

Patrons—Robinson, Davis, Austin, Bell, Richard P., Brewer, Byron, Cox, Fowler, Freitas, Garrett, Head, Helsel, Hodges, Hugo, Ingram, Jones, S.C., Kory, Landes, LaRock, Marshall, McGuire, McNamara, Miyares, Orrock, Peace, Poindexter, Stolle, Thomas, Tran, Webert, Wilt, Wright and Yancey

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-381, as follows:

CHAPTER 60.**COMMISSION ON STUDENT BEHAVIORAL HEALTH.**

§ 30-376. *Commission on Student Behavioral Health; purpose; membership; terms; quorum; expenses.*

A. The Commission on Student Behavioral Health (the Commission) is hereby established as a commission in the legislative branch of state government. The purpose of the Commission shall be to (i) assess the efficacy of developing and implementing a statewide behavioral health and suicide prevention hotline that students may use to report threats of violence or receive real-time counseling services; (ii) review the current school counselor-to-student ratio and determine whether the realignment of counseling responsibilities proposed by the House Select Committee on School Safety is improving schools' ability to provide counseling services to students; (iii) review the current roles and responsibilities of school nurses, psychologists, and social workers in schools and determine whether a realignment of responsibilities could improve or streamline services offered to students; (iv) evaluate the efficacy and costs of providing enhanced behavioral health services in schools delivered through partnerships established between school divisions and local departments of social services and community services boards; (v) assess the effectiveness of de-escalation and other alternative disciplinary policies when interacting with students suffering from behavioral health challenges; (vi) examine the value of additional teacher training requirements on student behavioral health, such as mental health first aid; and (vii) examine other topics related to student behavioral health identified by the Commission.

B. The Commission shall consist of 12 members as follows: seven members of the House of Delegates, of whom two shall be members of the House Committee on Health, Welfare and Institutions, two shall be members of the House Committee on Education, two shall be members of the House Committee on Appropriations, and one shall be a member at-large, to be appointed by the Speaker of the House of Delegates; and five members of the Senate, of whom two shall be members of the Senate Committee on Education and Health, two shall be members of the Senate Committee on Finance, and one shall be a member at-large, to be appointed by the Senate Committee on Rules.

C. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments. Members may be reappointed for successive terms.

D. The members of the Commission shall elect a chairman and vice chairman. A majority of the voting members of the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

E. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12.

§ 30-377. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. To study and gather information and data to accomplish its purposes as set forth in § 30-376;
2. To study the operations, management, jurisdiction, powers, and interrelationships of any department, board, bureau, commission, authority or other agency with any direct responsibility for the provision and delivery of student behavioral health services in the Commonwealth;
3. To examine matters relating to student behavioral health services in other states and to consult and exchange information with officers and agencies of other states with respect to student behavioral

57 *health service problems of mutual concern;*

58 *4. To maintain offices and hold meetings and functions at any place within the Commonwealth that it*
59 *deems necessary;*

60 *5. To invite other interested parties to sit with the Commission and participate in its deliberations;*

61 *6. To appoint a special task force from among the members of the Commission to study and make*
62 *recommendations on issues related to student behavioral health care services to the full Commission;*
63 *and*

64 *7. To report its recommendations to the General Assembly and the Governor annually and to make*
65 *such interim reports as it deems advisable or as may be required by the General Assembly and the*
66 *Governor.*

67 ***§ 30-378. Staffing.***

68 *The Commission may appoint, employ, and remove an executive director and such other persons as*
69 *it deems necessary, and determine their duties and fix their salaries or compensation within the amounts*
70 *appropriated therefor. The Commission may also employ experts who have special knowledge of the*
71 *issues before it. All agencies of the Commonwealth shall provide assistance to the Commission, upon*
72 *request.*

73 ***§ 30-379. Chairman's executive summary of activity and work of the Commission.***

74 *The chairman of the Commission shall submit to the General Assembly and the Governor an annual*
75 *executive summary of the interim activity and work of the Commission no later than the first day of*
76 *each regular session of the General Assembly. The executive summary shall be submitted as provided in*
77 *the procedures of the Division of Legislative Automated Systems for the processing of legislative*
78 *documents and reports and shall be posted on the General Assembly's website.*

79 ***§ 30-380. Cooperation of other state agencies and political subdivisions.***

80 *The Commission may request and shall receive from every department, division, board, bureau,*
81 *commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is*
82 *party, or from any political subdivision of the Commonwealth, cooperation and assistance in the*
83 *performance of its duties.*

84 ***§ 30-381. Sunset.***

85 *The provisions of this chapter shall expire on July 1, 2021.*