

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4112

BY DELEGATES ATKINSON, J. KELLY, WESTFALL, D.
JEFFRIES, CRISS, MILLER, JENNINGS, HIGGINBOTHAM,
LAVENDER-BOWE, ELLINGTON AND COOPER

[Introduced January 13, 2020; Referred to the
Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-5-22e, relating to requiring county school boards to provide adequate
 3 mental health evaluations, services, and counseling services for pupils in the public
 4 schools; establishing minimum number of school psychologists by 2022-2023 school year;
 5 and authorizing alternative professional practitioners.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-22e. Mental health evaluations; mental health, counseling, and behavioral health services; school psychologists.

1 (a) County boards shall, upon concerned suspicions, provide adequate mental health
 2 evaluations for all pupils attending the schools of their county and may take any other action
 3 necessary to protect the pupils from harm to themselves or others. County boards shall,
 4 additionally, provide adequate mental health services and counseling services to pupils attending
 5 the schools of their county who are in need of those services arising as a result of issues stemming
 6 from drug abuse in the state.

7 (b) Beginning with the school year 2022-2023, each county board shall employ, full-time,
 8 at least one school psychologist certified by the State Superintendent of Schools under §18A-3-
 9 2a of this code, for every 1000 kindergarten through seventh grade pupils in net enrollment or
 10 major fraction thereof: *Provided*, That a county board may contract with school psychologists
 11 licensed under §30-21-8a of this code or psychiatrists licensed under §30-3-1 *et seq.* of this code
 12 for services considered equivalent to those required by this section in accordance with a plan to
 13 be approved by the state board if necessary to meet this ratio: *Provided, however*, That each
 14 county board shall employ at least one full-time school psychologist.

NOTE: The purpose of this bill is to require county school boards to provide adequate mental health evaluations, services and counseling services for pupils in the public schools; and to establish minimum number of school psychologists by 2022-2023 school year.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.