
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2022 Session of
2022

INTRODUCED BY KAUFER, SCHLOSSBERG, HENNESSEY, HILL-EVANS,
PICKETT, GUENST AND FARRY, MARCH 9, 2022

REFERRED TO COMMITTEE ON EDUCATION, MARCH 9, 2022

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in preliminary provisions, providing
6 for school-based behavioral health assistance.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 130. School-Based Behavioral Health Assistance.--(a)
13 A school entity may place a behavioral health representative
14 under the supervision of the superintendent or other chief
15 administrative officer of the school entity or a designee, who
16 may communicate and interact with students at the school entity
17 to provide social and mental health support assistance. The
18 behavioral health representative may utilize any of the
19 following:

20 (1) Evidence-based programs for students that provide:

1 (i) a positive school climate;
2 (ii) crisis management;
3 (iii) suicide prevention strategies; or
4 (iv) skills to communicate with peers and adults, manage
5 emotions, setting goals, establishing and maintaining positive
6 relationships and making responsible decisions that support
7 success in school and life.

8 (2) Early intervention services for students to deal with
9 grief, trauma, anger, anxiety or sadness.

10 (b) A school entity may have one or more behavioral health
11 representatives who:

12 (1) May be stationed at more than one school in the school
13 entity.

14 (2) Have met the requirements under sections 111, 111.1 and
15 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and
16 duties of department).

17 (3) Are not employees of the school entity.

18 (c) A school entity shall develop a policy and plan to
19 provide social and mental support services for all students.

20 (d) A school entity shall enter into a memorandum of
21 understanding with the behavioral health assistance entity with
22 which the behavioral health representative is affiliated or
23 employed. The memorandum of understanding shall outline space,
24 supplies, equipment, cost responsibilities and student privacy
25 requirements. The memorandum of understanding shall be
26 supplemented or updated as necessary and shall specify the
27 following:

28 (1) The name of the school entity and each school in which
29 the student communication and interaction will occur.

30 (2) The name of the point of contact within the behavioral

1 health assistance entity that shall receive updates on the
2 activities of the behavioral health representative.

3 (3) The name of and schedule for the behavioral health
4 representative.

5 (4) The nature and extent of the ongoing communications
6 between the school entity and behavioral health assistance
7 entity.

8 (5) Necessary procedures to address confidentiality, school
9 security and the safety of each student, behavioral health
10 representative and school superintendent or other chief
11 administrative officer of a school entity or their designee.

12 (6) Any other provisions deemed necessary by the school
13 entity or behavioral health assistance entity.

14 (e) The name of the behavioral health representative shall
15 be noted in the school record of each student who interacts with
16 the behavioral health representative.

17 (f) Except as otherwise provided by court order, notice and
18 the information under subsection (e) shall be provided to the
19 student's parent, legal guardian, foster parent or other
20 education decision maker.

21 (g) Within ninety (90) days of the effective date of this
22 section, the Department of Education, in conjunction with the
23 Department of Human Services, shall develop guidelines to
24 implement the provisions of this section. Upon development of
25 the guidelines, the Department of Education shall post the
26 guidelines on its publicly accessible Internet website.

27 (h) The Department of Education may solicit and accept
28 Federal, State and private money to assist a school entity with
29 implementing this section.

30 (i) As used in this section, the following words and phrases

1 shall have the meanings given to them in this subsection unless
2 the context clearly indicates otherwise:

3 "Behavioral health assistance entity." An entity that is a:

4 (1) county behavior and mental health service;

5 (2) county social service; or

6 (3) community partner for social or mental health

7 organization or agency.

8 "Behavioral health representative." An individual who is a

9 volunteer with a behavioral health background or is employed by

10 a behavioral health assistance entity.

11 "School entity." A school district, area career and

12 technical school, intermediate unit, charter school, regional

13 charter school and cyber charter school.

14 Section 2. This act shall take effect immediately.