

House Bill 963

By: Representatives Scott of the 76th, Davis of the 87th, and Schofield of the 63rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the health of elementary and secondary school students, so as to
3 provide for a pilot program involving students in grades kindergarten through five in up to
4 ten pilot schools during the 2025-2026, 2026-2027, and 2027-2028 school years; to provide
5 for certain school mental health professionals at pilot schools; to provide for services by
6 school mental health professionals; to provide for a pilot program coordinator and evaluator;
7 to provide for definitions; to provide for related matters; to provide for a short title; to
8 provide for legislative findings; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Georgia K-5 Social and Emotional Health
12 Act."

SECTION 2.

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The General Assembly finds that:

(1) School mental health professionals, including school counselors, school psychologists, and social workers, positively impact the school environment by working with students and their families to identify student issues such as safety net insecurities, social and emotional skills deficits, instances of abuse and neglect, and mental health challenges;

(2) Identifying such student issues as early as possible increases the likelihood that problems can be resolved successfully and in a manner that decreases long-term problems related to student learning and other barriers to student success in the future;

(3) A pilot program that ensures school mental health professionals are present in every pilot program school will allow the team of school mental health professionals, in partnership with school administrators, teachers, and other school personnel, to provide needed support for young students and their families at a critical time in their education;

(4) A significant goal of the pilot program is to ensure that elementary school students receive the right level of necessary services, in the right place, and at the right time;

(5) Receiving the right level of services, in the right place, and at the right time helps remove the burden placed on teachers to be everything to a student, from therapist to family counselor, and instead allows teachers to return to their primary task of teaching;

(6) The pilot program will enable parents, students, school administrators, teachers, and other school personnel, along with school mental health professionals, to create a safe, positive, and successful school; and

(7) The creation and successful implementation of a Georgia K-5 Social and Emotional Health Pilot Program could have a profound impact on the early educational and social experiences of kindergarten through fifth-grade students, resulting in those students advancing to middle and high school programs with fewer social, emotional, and

39 behavioral issues; adverse childhood experiences; disciplinary referrals and delinquent
40 conduct; school absences and truancy; and incidences of self-harm.

41 **SECTION 3.**

42 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
43 relating to the health of elementary and secondary school students, is amended by revising
44 Code Section 20-2-771.1, which is reserved, as follows:

45 "20-2-771.1.

46 (a) As used in this Code section, the term:

47 (1) 'Department' means the Department of Education.

48 (2) 'Pilot program' means the K-5 Social and Emotional Health Pilot Program created
49 pursuant to this Code section.

50 (3) 'Pilot school' means a school selected by the department to participate in the pilot
51 program.

52 (4) 'School counselor' means a school counselor who holds a certificate, permit, or other
53 certification document, including clearance certificates, issued by the Professional
54 Standards Commission.

55 (5) 'School system' means any county school system or independent school system in this
56 state.

57 (6) 'School mental health professional' means a school counselor, school psychologist,
58 or school social worker.

59 (7) 'School psychologist' means a school psychologist who holds a certificate, permit, or
60 other certification document, including clearance certificates, issued by the Professional
61 Standards Commission.

62 (8) 'School social worker' means a school social worker who holds a certificate, permit,
63 or other certification document, including clearance certificates, issued by the
64 Professional Standards Commission.

65 (b)(1) Subject to appropriations, the State Board of Education shall establish and
66 implement the K-5 Social and Emotional Health Pilot Program to determine the impact
67 of dedicated school mental health professionals in kindergarten through fifth grade that
68 have high-poverty, high-need students. The pilot program shall be implemented within
69 pilot schools and administered by the department. Operation of the pilot program shall
70 begin in the 2025-2026 school year and continue through the conclusion of the
71 2027-2028 school year unless the repeal of the pilot program is extended by the General
72 Assembly. Pursuant to subsection (e) of this Code section, the department shall employ
73 or contract with a pilot program coordinator and shall contract for preliminary and final
74 evaluations of the pilot program. The State Board of Education shall promulgate rules
75 and regulations for the implementation of this Code section.

76 (2) No later than January 1, 2025, the department shall select up to ten pilot schools to
77 participate in the pilot program. If available appropriations and gifts, grants, or donations
78 are insufficient to fully fund the pilot program, the department may select fewer than ten
79 pilot schools to participate in the pilot program. The department shall select pilot schools
80 that exhibit the characteristics set forth in paragraph (3) of this subsection and that are
81 appropriate test schools to evaluate the impact and effectiveness of the pilot program.
82 The pilot schools must demonstrate a willingness to participate in the pilot program and
83 to collect the data and information necessary for evaluation of the pilot program.

84 (3) The department shall select pilot schools that are geographically diverse, including
85 schools from rural and small communities, which schools shall be located in a school
86 system that has a higher rate of youth suicide, attempted suicide, or suicidal ideation;
87 have a high-poverty student population and a high percentage of students who experience
88 or may experience food insecurity, as evidenced by the number or percentage of students
89 in the school who are eligible for free and reduced priced meals; and may include
90 schools:

91 (A) In large, metropolitan school systems;

- 92 (B) That have significant ethnic, cultural, and language diversity within their student
93 populations, which may include students from refugee populations;
- 94 (C) That have a high number or density of youth who are placed in a foster family
95 home, child care institution, or another substitute care setting approved by the
96 Department of Human Services;
- 97 (D) That are in a school system that has a high percentage of students who are
98 adjudicated delinquent; and
- 99 (E) That are in a school system that has a plan in place to recruit, hire, and retain a
100 diverse workforce that reflects the race, ethnicity, and other characteristics of the
101 student body.
- 102 (4) Prior to a selected school implementing the pilot program pursuant to this Code
103 section, the school shall notify parents of students at the school of the school's selection
104 as a pilot school.
- 105 (c)(1) In the first and subsequent years of operation of the pilot program, each pilot
106 school shall employ or contract with additional school mental health professionals so that
107 each grade kindergarten through five in each pilot school has a school mental health
108 professional dedicated to that grade. If a single grade has more than 250 students,
109 additional school mental health professionals must be added to the grade to maintain a
110 ratio of approximately one school mental health professional per 250 students, as
111 determined by the pilot school. A pilot school with fewer than 250 students in a single
112 grade may combine multiple grades, provided that the school maintains a ratio of
113 approximately one school mental health professional per 250 students, as determined by
114 the pilot school. At least one of the school mental health professionals at each pilot
115 school shall be a school social worker.
- 116 (2) The goals of the pilot program are for a school mental health professional to develop
117 an ongoing relationship with pilot school students; to follow those students, to the extent
118 possible, as they advance through the grades at the pilot school; and to understand the

119 needs of the students and their families over time and to help address those needs, if
120 necessary. To achieve these goals, school mental health professionals may be assigned
121 to a cohort of students by grade or, in a smaller school, by multiple grades. School
122 mental health professionals in each pilot school shall work as a team to address the
123 academic, social, and emotional needs of their students and to create a safe and positive
124 school learning environment through appropriate behavioral health supports.

125 (3) For purposes of implementing this pilot program, the General Assembly shall
126 appropriate to the department for distribution to the pilot schools, or to the governing
127 body for a pilot school, the amount necessary for the pilot schools to employ or contract
128 with the additional school mental health professionals necessary to implement the pilot
129 program, as described in paragraph (1) of this subsection. Throughout the duration of the
130 pilot program, the pilot school must employ or contract with, at the pilot school's
131 expense, the same number of school mental health professionals employed by or
132 contracted with the pilot school during the 2024-2025 school year so that the
133 appropriation to the pilot school for the pilot program supplements, but does not supplant,
134 the pilot school's existing expenditures for school mental health professional positions
135 prior to the operation of the pilot program.

136 (d)(1) In implementing the pilot program, school mental health professionals shall work
137 as a team, with each professional providing services to students and offering training and
138 resources to school administrators, teachers, and other school personnel as appropriate.

139 (2) School mental health professionals shall, consistent with the school mental health
140 professional's job duties, professional license, and certificate from the Professional
141 Standards Commission:

142 (A) Provide the pilot school with resources to develop and improve the social and
143 emotional health of students, including resources translated into the primary languages
144 of the student population to the extent possible, and create a safe and positive learning
145 environment through appropriate behavioral health supports; and

146 (B) Provide social and emotional skills training in the pilot school and with students
147 in the classroom.

148 (3) School mental health professionals may, consistent with the school mental health
149 professional's job duties, professional license, and certificate from the Professional
150 Standards Commission:

151 (A) Assist students and their families with applying for and obtaining necessary public
152 benefits for which they are or may be eligible;

153 (B) Provide services and supports to students who have an individualized education
154 program, as provided in Code Section 20-2-152;

155 (C) Consult and coordinate with school administrators, teachers, and other school
156 personnel on behalf of students and support families accessing community based
157 resources as appropriate; and

158 (D) Identify food insecurity, homelessness, and other issues affecting students and
159 make referrals to services within the community, bringing the services into the school
160 setting where possible.

161 (4) As appropriate and to the extent possible, school mental health professionals shall
162 provide services or arrange for services to be provided for students at the pilot school
163 during school hours or when student transportation is available.

164 (5) Services provided by a school mental health professional to a student must include
165 the student's family and household, where appropriate. The school mental health
166 professional is specifically authorized to make home visits, when appropriate under the
167 circumstances and consistent with the school mental health professional's job duties,
168 professional license, and certificate from the Professional Standards Commission.

169 (6) Each pilot school's team of school mental health professionals shall participate in the
170 school's or school system's multi-tiered system of support process to develop appropriate
171 plans for the mental health and behavioral needs of individual students.

172 (7) Each pilot school, or each pilot school's governing body where appropriate, shall
173 collect, transmit, and retain any data and information necessary for the evaluations of the
174 pilot program pursuant to this Code section. Each pilot school shall record a unique
175 student identifier for all students enrolled in that school.

176 (8) A student who participates in a home study program as provided in subsection (c) of
177 Code Section 20-2-690 and who participates in extracurricular activities or athletic
178 programs at a pilot school is excluded from any data collection or reporting requirements
179 pursuant to this Code section.

180 (e)(1) The department shall employ or contract with a pilot program coordinator to
181 oversee the implementation of the pilot program across the pilot schools. The pilot
182 program coordinator shall be a school social worker who shall work with each pilot
183 school's team of school mental health professionals. The duties of the pilot program
184 coordinator shall include, at a minimum, the following:

185 (A) Coordinating data collection and program evaluation requirements with a
186 professional program evaluator retained pursuant to this subsection;

187 (B) Serving as a contact person and resource the school mental health professional
188 teams in the pilot schools;

189 (C) Helping pilot schools identify successful practices for recruiting and retaining
190 school mental health professionals;

191 (D) Sharing best practices relating to the pilot program and its implementation at the
192 pilot schools; and

193 (E) Ensuring fidelity to the goals of the pilot program across the pilot schools.

194 (2) The department shall select a professional program evaluator to perform a
195 preliminary evaluation of the pilot program to be completed on or before September 1,
196 2025, and a final evaluation of the pilot program to be completed on or before
197 September 1, 2028. The department shall select an evaluator who has the knowledge and
198 skills necessary to evaluate the effectiveness of services provided by the pilot program

199 and the resulting impacts and outcomes on the student cohorts participating in the pilot
200 program. The department shall contract with the evaluator prior to the implementation
201 of the pilot program in the pilot schools during the 2024-2025 school year to create a
202 process for the collection and transmission of data and information to the evaluator to
203 ensure that the evaluator has the data and information necessary to complete the
204 preliminary and final evaluation reports concerning the impacts and outcomes of the pilot
205 program. The pilot program evaluator, in conjunction with the department, shall select
206 a group of schools that have characteristics and student demographics similar to those of
207 the pilot schools to serve as a control group for purposes of evaluating the impacts and
208 outcomes of the pilot program on participating students in the pilot schools. Data
209 collected for pilot schools and control group schools must include data from school
210 climate surveys for any grade in which such surveys have been taken.

211 (3) The pilot program evaluator shall determine the impact of the pilot program on
212 students' academic, mental, social, emotional, and physical health and well-being. The
213 evaluator shall collect and analyze data relating to student and school outcomes, which
214 outcomes may include:

215 (A) The increase or decrease in students' disciplinary referrals, either within the pilot
216 school or the pilot school's system if relevant, or with law enforcement, and the increase
217 or decrease in students being adjudicated delinquent within the pilot school's system;

218 (B) The increase or decrease in students' lost instruction time due to disciplinary action
219 or visits to the school nurse or school counselor;

220 (C) The increase or decrease in excused and unexcused absences and truancy;

221 (D) The increase or decrease in overall student performance on state-wide assessments,
222 by grade;

223 (E) The increase or decrease in each student's grade point average, by grade;

224 (F) The impact on the school's learning environment and changes to the school climate
225 during the operation of the pilot program;

- 226 (G) The reduction in adverse childhood experiences or the positive resolution of
227 adverse childhood experiences, if available;
- 228 (H) The reduction in youth suicides and attempted suicides;
- 229 (I) The increase or decrease in the pilot schools' awareness of or involvement with
230 domestic violence or child abuse issues affecting students;
- 231 (J) The increase or decrease in access to supportive services for students and their
232 families, as evidenced by:
- 233 (i) The increase or decrease in the number or percentage of students identified as
234 eligible for free or reduced price meals, by grade;
- 235 (ii) The increase or decrease in employment outcomes for students' families;
- 236 (iii) The increase or decrease in students' food security as demonstrated by an
237 increase or decrease in the number or percentage of students participating in the
238 federal Supplemental Nutrition Assistance Program; and
- 239 (iv) The increase or decrease in the number or percentage of eligible students
240 accessing public benefits; and
- 241 (K) Any other relevant data and information relating to the pilot program's impacts and
242 outcomes as determined by the pilot program evaluator.
- 243 (4) The department and the pilot schools shall cooperate fully with the pilot program
244 evaluator's collection and analysis of data and information relating to the pilot program's
245 impacts and outcomes. The department, pilot schools, pilot program coordinator, and
246 pilot program evaluator shall comply with all state and federal laws relating to the
247 confidentiality of students' academic and medical records and shall provide aggregated
248 data where appropriate.
- 249 (f) The department may seek, accept, and expand gifts, grants, or donations from private
250 or public sources for the purposes of this Code section. Reserved."

251

SECTION 4.

252 All laws and parts of laws in conflict with this Act are repealed.