

2023 Regular Session

HOUSE BILL NO. 353

BY REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides relative to student behavior, discipline, and behavioral and mental health

1 AN ACT

2 To amend and reenact R.S. 17:226(A)(1), 271.1(B)(2), 282.4(C)(1)(d) and (F), and 404(A)
3 and to enact R.S. 17:271.1(B)(5) and 437.2(F) and R.S. 40:31.3(B)(6), relative to
4 student behavioral and mental health; to provide relative to exemptions from
5 compulsory attendance requirements for behavioral and mental health reasons; to
6 provide relative to required instruction on mental health; to provide relative to
7 programs on suicide prevention and substance abuse prevention; to require the state
8 Department of Education to develop and administer a pilot program for
9 implementing certain screenings; to require the registration of school health centers
10 with the office of public health; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:226(A)(1), 271.1(B)(2), 282.4(C)(1)(d) and (F), and 404(A) are
13 hereby amended and reenacted and R.S. 17:271.1(B)(5) and 437.2(F) are hereby enacted to
14 read as follows:

15 §226. Exemptions from compulsory attendance

16 A. The following classes of children provided for in this Section shall be
17 exempted from the provisions of this Subpart:

18 (1)(a) Children mentally, physically, or emotionally incapacitated to perform
19 school duties, and children unable to profit from further school experience, such
20 exemptions to be certified in writing by a psychiatrist, psychologist, recognized

1 evaluation center or clinic, or other professionally qualified person or agency
2 designated by the city, parish, or other local public school board.

3 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
4 a student may be absent for up to three days in any school year related to the
5 student's mental or behavioral health, and such absences shall be excused if
6 certification is provided in writing by the student's parent or doctor. The student
7 shall be given the opportunity to make up any school work missed during such
8 absences. Following the second day of absence in any school year, the student shall
9 be referred to the appropriate school support personnel for help addressing the
10 underlying issue, which may include referral to medical services outside of the
11 school setting.

12 * * *

13 §271.1. Mental health; required instruction

14 * * *

15 B. The instruction shall include, at minimum, information on the following:

16 * * *

17 (2) The relationship and the difference between mental health and physical
18 health.

19 * * *

20 (5) The management of stress and anxiety.

21 * * *

22 §282.4. Youth suicide prevention programs; student safety and violence and social
23 isolation prevention training; policies; intent; rules; services; funding

24 * * *

25 C. Any city, parish, or other local public school system offering a youth
26 suicide prevention program established pursuant to this Section shall do so in
27 accordance with such rules and regulations adopted by the state board and shall
28 report its participation to the state Department of Education. The department shall
29 designate such a school as a Suicide Prevention Certified School and maintain an

1 updated list of such schools on its website. A youth suicide prevention program may
2 include but shall not be limited to the following:

3 (1) Classroom instruction, via in-person, video, or a combination of in-
4 person and video training, integrated into the curricula designed to achieve any of the
5 following objectives:

6 * * *

7 (d) Inform students of the available community youth suicide prevention
8 services and post information about these services on the school system's website.

9 * * *

10 F.(1) ~~Beginning not later than the 2020-2021 school year, the governing~~
11 ~~authority of each~~ Each public and approved nonpublic secondary school ~~that issues~~
12 ~~student identification cards shall~~ may post on its website ~~have printed on the cards~~
13 the following information:

14 ~~(1)~~ (a) The National Suicide Prevention Lifeline hotline number.

15 ~~(2)~~ (b) A local suicide prevention hotline number, if available.

16 (2) The governing authority of each public and approved nonpublic
17 secondary school that issues student identification cards shall have printed on the
18 cards the information provided in Subparagraphs (1)(a) and (b) of this Subsection.

19 * * *

20 §404. Establishment of programs of substance abuse

21 A. Each city and parish school board shall establish and maintain in every
22 school such grade appropriate programs of alcohol, drug, and substance abuse
23 prevention, education, information, and counseling as are developed by the section
24 on drug free schools and communities, and approved by the State Board of
25 Elementary and Secondary Education for inclusion in the school program as required
26 in Subsection B of this Section. The programs may include providing the website
27 and phone number of at least one national organization specializing in substance

1 abuse for adolescents. Each school board may also post this contact information on
2 its website.

3 * * *

4 §437.2. Adverse childhood experience education; in-service training; pilot program

5 * * *

6 F.(1) The state Department of Education shall develop and administer a pilot
7 program for the purpose of screening students for adverse childhood experiences and
8 mental health and behavioral issues and providing related services with respect to
9 mental and behavioral health.

10 (2) The department shall select three school systems to participate in the
11 pilot program.

12 (3) In developing and administering the program, the department shall
13 consult with experts in the fields of mental health, behavioral health, and trauma-
14 informed restorative services.

15 Section 2. R.S. 40:31.3(B)(6) is hereby enacted to read as follows:

16 §31.3. Adolescent school health initiative; health centers in schools

17 * * *

18 B. The office of public health shall:

19 * * *

20 (6) Require that centers be registered with the office of public health.

21 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 353 Reengrossed

2023 Regular Session

Marcelle

Abstract: Provides relative to student behavioral and mental health.

Present law provides for exemptions from compulsory school attendance, including when children are mentally, physically, or emotionally incapacitated to perform school duties as certified in writing. Proposed law adds that a student may be absent for up to three days in any school year related to the student's mental or behavioral health, that such absences shall be excused if the parent or doctor provides written certification, that the child may make up

missed school work, and that the child shall be referred to school support personnel following the second day of absence.

Present law requires instruction on mental health and lists the minimum information to be included. Proposed law adds the difference between mental and physical health and the management of stress and anxiety to the list.

Present law authorizes youth suicide prevention programs to include certain components, one of which is informing students of available community youth suicide prevention services. Proposed law includes posting information on school system website in this component.

Present law requires the governing authority of each public and approved nonpublic secondary school that issues student identification cards to have printed on the cards the National Suicide Prevention Lifeline hotline number and, if available, a local suicide prevention hotline number. Proposed law additionally authorizes each such school to post this information on its website.

Present law requires school boards to establish substance abuse prevention programs. Proposed law adds that the programs may include providing the website and phone number of at least one national organization specializing in substance abuse for adolescents and that school boards may also post this contact information on their websites.

Present law provides for in-service training for school employees on adverse childhood experiences (known as ACEs). Proposed law requires the Dept. of Education to develop and administer a pilot program for the purpose of implementing ACEs and mental and behavioral health screenings, select three school systems to participate in the program, and consult with experts in developing and administering the program.

Present law requires the office of public health (OPH) to establish an adolescent school health initiative to facilitate and encourage development of comprehensive health centers in public middle and high schools and provides certain requirements for OPH with respect to this initiative. Proposed law additionally requires OPH to require such school health centers to register with OPH.

(Amends R.S. 17:226(A)(1), 271.1(B)(2), 282.4(C)(1)(d) and (F), and 404(A); Adds R.S. 17:271.1(B)(5) and 437.2(F) and R.S. 40:31.3(B)(6))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Remove proposed law relative to school absences, Advisory Council on Student Behavior and Discipline membership, willful disobedience, and eating disorder instruction.
2. Authorize rather than require information about suicide and substance abuse to be posted on websites.
3. Expand purpose of pilot program to include mental and behavioral health screening.

The House Floor Amendments to the engrossed bill:

1. Provide for up to three days of excused absences per school year related to a student's mental or behavioral health if certified in writing by his parent or doctor.