HOUSE BILL NO. 365

INTRODUCED BY W. JONES

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A VOLUNTARY MENTAL HEALTH SCREENING AND REFERRAL PROGRAM TO BE ADMINISTERED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION; PROVIDING AN APPROPRIATION; AMENDING SECTION 20-3-106, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, untreated mental health problems in children have serious consequences for the families and the state because they affect the children's ability to learn and increase the propensity for violence, alcohol and substance abuse, delinquent behaviors, and suicide; and

WHEREAS, suicide is the second leading cause of preventable death among youth and young adults in Montana, after accidents, and 132 Montanans between 10 and 24 years of age took their own lives between 1999 and 2003, the latest year for which statistics are available; and

WHEREAS, the social and emotional development of children are essential underpinnings to school readiness and academic success and many mental health problems are largely preventable or can be minimized with simple screening, early intervention, and treatment services that have been shown to be effective and reduce the need for more costly interventions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Voluntary mental health screening and referral program.** There is a voluntary mental health screening and referral program. The superintendent of public instruction shall:

(1) develop, administer, and supervise a voluntary program of mental health screening and referral for students, including voluntary training for school administrators and licensed and support staff;

(2) establish procedures to allow schools to volunteer to participate in a program of mental health screening and referral for students;

(3) establish the position of coordinator of volunteer school-based mental health screening and referral in the office of the superintendent of public instruction;

(4) establish procedures to assist a child and the child's family in volunteering for and obtaining necessary services relating to mental health screening and referral and the treatment of social, emotional, and

mental health issues; and

(5) assist school districts with the voluntary conduct of mental health screening and referral for students.

Section 2. Section 20-3-106, MCA, is amended to read:

"20-3-106. Supervision of schools -- powers and duties. The superintendent of public instruction has the general supervision of the public schools and districts of the state and shall perform the following duties or acts in implementing and enforcing the provisions of this title:

(1) resolve any controversy resulting from the proration of costs by a joint board of trustees under the provisions of 20-3-362;

(2) issue, renew, or deny teacher certification and emergency authorizations of employment;

(3) negotiate reciprocal tuition agreements with other states in accordance with the provisions of 20-5-314;

(4) approve or disapprove the opening or reopening of a school in accordance with the provisions of 20-6-502, 20-6-503, 20-6-504, or 20-6-505;

(5) approve or disapprove school isolation within the limitations prescribed by 20-9-302;

(6) generally supervise the school budgeting procedures prescribed by law in accordance with the provisions of 20-9-102 and prescribe the school budget format in accordance with the provisions of 20-9-103 and 20-9-506;

(7) establish a system of communication for calculating joint district revenue in accordance with the provisions of 20-9-151;

(8) approve or disapprove the adoption of a district's budget amendment resolution under the conditions prescribed in 20-9-163 and adopt rules for an application for additional direct state aid for a budget amendment in accordance with the approval and disbursement provisions of 20-9-166;

(9) generally supervise the school financial administration provisions as prescribed by 20-9-201(2);

(10) prescribe and furnish the annual report forms to enable the districts to report to the county superintendent in accordance with the provisions of 20-9-213(6) and the annual report forms to enable the county superintendents to report to the superintendent of public instruction in accordance with the provisions of 20-3-209;

(11) approve, disapprove, or adjust an increase of the average number belonging (ANB) in accordance with the provisions of 20-9-313 and 20-9-314;

(12) distribute BASE aid and special education allowable cost payments in support of the BASE funding program in accordance with the provisions of 20-9-331, 20-9-333, 20-9-342, 20-9-346, 20-9-347, and 20-9-366

through 20-9-369;

(13) provide for the uniform and equal provision of transportation by performing the duties prescribed by the provisions of 20-10-112;

(14) request, accept, deposit, and expend federal money in accordance with the provisions of 20-9-603;

(15) authorize the use of federal money for the support of an interlocal cooperative agreement in accordance with the provisions of 20-9-703 and 20-9-704;

(16) prescribe the form and contents of and approve or disapprove interstate contracts in accordance with the provisions of 20-9-705;

(17) recommend standards of accreditation for all schools to the board of public education and evaluate compliance with the standards and recommend accreditation status of every school to the board of public education in accordance with the provisions of 20-7-101 and 20-7-102;

(18) collect and maintain a file of curriculum guides and assist schools with instructional programs in accordance with the provisions of 20-7-113 and 20-7-114;

(19) establish and maintain a library of visual, aural, and other educational media in accordance with the provisions of 20-7-201;

(20) license textbook dealers and initiate prosecution of textbook dealers violating the law in accordance with the provisions of the textbooks part of this title;

(21) as the governing agent and executive officer of the state of Montana for K-12 career and vocational/technical education, adopt the policies prescribed by and in accordance with the provisions of 20-7-301;

(22) supervise and coordinate the conduct of special education in the state in accordance with the provisions of 20-7-403;

(23) administer the traffic education program in accordance with the provisions of 20-7-502;

(24) administer the voluntary mental health screening and referral program in accordance with the provisions of [section 1];

(24)(25) administer the school food services program in accordance with the provisions of 20-10-201 through 20-10-203;

(25)(26) review school building plans and specifications in accordance with the provisions of 20-6-622;

(26)(27) provide schools with information and technical assistance for compliance with the student assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment for the board of public education and the legislature;

(27)(28) upon request and in compliance with confidentiality requirements of state and federal law, disclose to interested parties all school district student assessment data for a test required by the board of public education;

(28)(29) administer the distribution of guaranteed tax base aid in accordance with 20-9-366 through 20-9-369; and

(29)(30) perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education."

NEW SECTION. **Section 3. Appropriation.** There is an appropriation from the general fund to the superintendent of public instruction to fund a coordinator of voluntary school-based mental health screening and referral to coordinate the voluntary mental health screening program provided for in [section 1] and to fund related activities in the following amounts:

FY 2008	$112,583
FY 2009	$106,713

NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 7, and the provisions of Title 20, chapter 7, apply to [section 1].

NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2007.

- END -