
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2311 Session of
2024

INTRODUCED BY SCHLOSSBERG, BOYD, CERRATO, CIRESI, CONKLIN,
DALEY, T. DAVIS, DEASY, DELLOSO, DONAHUE, FREEMAN, GREEN,
HADDOCK, HOHENSTEIN, KAZEEM, KHAN, KINSEY, NEILSON, PARKER,
PROBST, SANCHEZ AND STEELE, MAY 21, 2024

REFERRED TO COMMITTEE ON EDUCATION, MAY 21, 2024

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," establishing the School Mental Health
6 Screening Grant and Development Program; and making
7 appropriations.

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

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

13 ARTICLE XIV-C

14 SCHOOL MENTAL HEALTH SCREENING

15 GRANT AND DEVELOPMENT PROGRAM

16 Section 1401-C. Definitions.

17 The following words and phrases when used in this article
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

1 "Applicant." A school entity that submits an application
2 under section 1404-C to participate in the program.

3 "Department." The Department of Education of the
4 Commonwealth.

5 "Eligible school entity." A school entity that has been
6 determined by the department to be prepared for inclusion in the
7 program as determined under the assessment process under section
8 1407-C.

9 "IEP." An individualized education program established under
10 22 Pa. Code Ch. 14 (relating to special education services and
11 programs).

12 "Municipality." A county, city, borough, incorporated town
13 or township.

14 "Participating school entity." An eligible school entity
15 that has been selected by the department to participate in the
16 program.

17 "Program." The School Mental Health Screening Grant and
18 Development Program established under section 1402-C.

19 "School entity." A school district, intermediate unit or
20 area career and technical school located in this Commonwealth.

21 "Secretary." The Secretary of Education of the Commonwealth.
22 Section 1402-C. Establishment and purpose of program.

23 The School Mental Health Screening Grant and Development
24 Program is established within the department to provide grants
25 to participating school entities for annual evidence-based
26 mental health screening for students in grades six through
27 twelve.

28 Section 1403-C. Operation of program.

29 (a) Implementation.--Upon the effective date of this
30 subsection, the department shall take steps to implement the

1 program.

2 (b) Administration.--The department shall administer the
3 program beginning with the 2025-2026 school year.

4 Section 1404-C. Applications.

5 (a) Submittal.--A school entity that seeks to participate in
6 the program shall submit the application to the department, in
7 accordance with procedures and requirements prescribed by the
8 department, including deadlines for submitting an application,
9 procedures for submitting the application and eligibility
10 standards.

11 (b) Requirements.--The application under this section shall
12 include:

13 (1) A description of the mental health screenings to be
14 implemented by the school entity and an explanation of how
15 the school entity will make available to each student in
16 grades six through twelve an annual mental health screening,
17 including an indication of consent requirement for parents or
18 guardians, that meets the standards under this article.

19 (2) A description of the evidence-based mental health
20 screening tool implemented by the school entity or, if
21 applicable, the name of the vendor or health care provider
22 partnering with the school entity and specializing in youth
23 mental health to conduct the evidence-based mental health
24 screening and details of their screening tools.

25 (3) A description of how the grant awarded under the
26 program will be used to further the purposes of the program,
27 including:

28 (i) Hiring additional personnel, purchasing
29 materials or contracting with outside entities.

30 (ii) Implementing programs to develop supportive

1 learning environments.

2 (iii) Expanding school-based programs or referral
3 pathways with the purpose of counseling or treating
4 students presenting mental health conditions.

5 (4) A description of how the mental health screenings
6 will be conducted in a manner that permits real-time
7 evaluation or rapid review of the screening results and
8 intervention by a licensed mental health professional, school
9 program or other intervention if required by the results of
10 the screening.

11 (5) As applicable, the details of any partnership with a
12 vendor or provider specializing in youth mental health
13 services, which shall include:

14 (i) The name of the organization or provider.

15 (ii) The number of students being served by the
16 organization or provider.

17 (iii) The expected time frame to screen the
18 students.

19 (iv) The costs associated with engaging in a
20 partnership with the organization or provider.

21 (v) The location where the screenings will occur.

22 (6) An emergency mental health intervention plan
23 describing how the participating school entity will notify
24 the student's parent or guardian of an immediate mental
25 health concern and provide the parent or guardian of the
26 student in need of immediate mental health intervention a
27 list of recommended evidence-based resources and
28 interventions, including emergency mental health services,
29 support services, mental health providers and professionals
30 and community organizations partnered with the school entity.

1 (7) A description of the design, current student
2 capacity and structure of student mental health supports,
3 including school counselors, school psychologists, school
4 psychiatrists, school social workers, the Pennsylvania
5 Student Assistance Program, the Safe2Say Something program
6 and external referral partners.

7 (c) Posting.--The application shall be posted on the
8 publicly accessible Internet website of the department.

9 Section 1405-C. Consultation.

10 In implementing, administering and evaluating the program,
11 the department shall consult with:

12 (1) The National Center for School Mental Health.

13 (2) The Mental Health Technology Transfer Center
14 Network.

15 (3) The National Alliance on Mental Illness.

16 (4) Other recognized organizations that specialize in
17 and have expertise with youth mental health screening and
18 intervention services.

19 Section 1406-C. Vendors.

20 (a) List.--In consultation with school entities and the
21 Department of Human Services, the department shall establish a
22 list of vendors that may provide mental health screenings, or
23 support services to provide mental health screenings, for
24 participating school entities.

25 (b) Eligibility criteria.--The department shall ensure that
26 each vendor described in subsection (a) meets the following
27 eligibility criteria:

28 (1) The vendor shall have the capacity to collect and
29 report data to the participating school entity and the
30 department.

1 (2) The vendor shall have experience delivering and
2 managing youth mental health screenings with reliable and
3 consistent performance.

4 (3) The vendor shall provide trauma-informed practices
5 and support.

6 (4) The vendor shall abide by the Federal Educational
7 Rights and Privacy Act (20 U.S.C. § 1232g) with all student
8 information accessed during a screening under the program.

9 (5) The vendor shall comply with any other requirement
10 that is deemed necessary by the department or participating
11 school entity.

12 (6) The vendor shall use an age-appropriate evidence-
13 based mental health screening tool approved by the department
14 under section 1410-C, unless the department grants a waiver
15 to this requirement.

16 Section 1407-C. Assessments.

17 (a) Authorization.--The department shall assess each school
18 entity to determine the ability of the school entity to
19 participate in the program.

20 (b) Components.--The assessment under this section shall
21 include a review of the following:

22 (1) The current status of each school entity toward
23 meeting the necessary criteria needed for inclusion in the
24 program.

25 (2) Any obstacle to participation in the program by a
26 school entity, including:

27 (i) Adequate qualified personnel necessary to
28 provide, oversee and assess student mental health
29 screenings, including vendors, if applicable.

30 (ii) Capacity of school programs, such as the

1 Student Assistance Program, to provide adequate quality
2 mental health or behavioral health student support.

3 (iii) Any contract or memorandum of understanding
4 with a municipality or local partner in providing
5 counseling services, including how to utilize resources
6 to provide necessary counseling services to students
7 identified as needing services by the program.

8 (iv) Any contract or memorandum of understanding
9 with emergency services or emergency mental health
10 services.

11 (v) Any contract or memorandum of understanding
12 signed with a vendor to provide or review mental health
13 screening services or other support services for mental
14 health screenings, as appropriate.

15 (vi) Any contract or memorandum of understanding
16 signed with another school entity for joint use of
17 resources and coordination.

18 (3) Any recommendation to help a nonparticipating school
19 entity meet the eligibility qualifications or selection
20 criteria for the program, including any model contract or
21 memorandum of understanding with another agency or facility.

22 (4) The ability of the school entity to participate in
23 the program and, as a participating school entity, implement
24 annual mental health screenings.

25 (5) The financial and technical needs of each school
26 entity to provide a mental health screening to each student
27 of the school entity in grades six through twelve.

28 (c) Other assistance.--The department may enter into a
29 contract with external partners for the purpose of providing
30 additional capability and oversight necessary for assessing

1 school entities under the program.

2 (d) Designation.--Following the assessment process in this
3 section, the department shall designate school entities which
4 the department has determined to have demonstrated the capacity
5 and procedures to adequately provide mental health supports to
6 students identified under the program through the assessment
7 process under this section. The designated school entities shall
8 be considered eligible school entities.

9 (e) Report.--

10 (1) Within three years after the effective date of this
11 paragraph, the department shall issue a report on the
12 assessment of all school entities and their ability to
13 provide ongoing mental health support to students identified
14 through mental health screenings as needing additional mental
15 health services.

16 (2) The department shall submit the report under this
17 subparagraph to the following:

18 (i) The Governor.

19 (ii) The secretary.

20 (iii) The President pro tempore of the Senate.

21 (iv) The Speaker of the House of Representatives.

22 (v) The Majority Leader and Minority Leader of the
23 Senate.

24 (vi) The Majority Leader and Minority Leader of the
25 House of Representatives.

26 Section 1408-C. Determination.

27 (a) Authorization.--If a school entity has submitted an
28 application to participate in the program and the department has
29 determined that the school entity is an eligible school entity,
30 the department shall select the school entity to participate in

1 the program.

2 (b) Notice.--The department shall provide notice to each
3 applicant of the determination under subsection (a). The
4 following apply:

5 (1) If the application is approved, the department shall
6 provide the applicant with the amount of the grant awarded
7 and any conditions on the grant.

8 (2) If the application is denied, the department shall
9 provide the applicant with the reasons for the denial and an
10 opportunity to resubmit an application.

11 Section 1409-C. Grants and funding.

12 (a) Award of grants.--The department shall provide grants
13 for financial and technical purposes to school entities for the
14 purpose of participating in the program or meeting the
15 requirements to participate in the program, including meeting
16 the staffing or programmatic needs to address the mental health
17 needs of students identified by the program.

18 (b) Funding sources.--The department shall apply for
19 Federal, private and other non-State money and shall use money
20 appropriated or otherwise made available to the department for
21 the program.

22 (c) Administrative and other costs.--The department may use
23 up to 5% of the funds appropriated for the program for
24 administrative costs associated with the program or contract
25 costs of the assessments under section 1407-C.

26 (d) Pre-application grants.--The department may provide a
27 grant to a school entity prior to the submittal of an
28 application by the school entity if the grant is used for the
29 purpose of meeting the eligibility requirements for the school
30 entity to participate in the program. The department shall

1 develop procedures and a review process to implement and
2 administer this subsection.

3 (e) Distribution.--

4 (1) In the first three years of operation, the
5 department shall determine how to make program grants
6 available to school entities in accordance with this article.

7 (2) For funding after the first three years of
8 operation, the department shall identify a methodology for
9 grant distribution based on the goals and obstacles
10 identified during the assessments under section 1407-C.

11 (f) Reporting information.--The department shall annually
12 report the geographic distribution of grants provided under the
13 program.

14 Section 1410-C. Evidence-based mental health screening tools.

15 (a) Development.--

16 (1) In conjunction with the National Center for School
17 Mental Health and the Mental Health Technology and Transfer
18 Center, the department shall recommend or develop evidence-
19 based trauma-informed mental health screening tools necessary
20 to assess the mental health and well-being of students.

21 (2) The department may work with school entities to
22 tailor screening tools to the population of the school
23 entities. The tools shall include measures that assess mental
24 health symptoms and measures that consider social
25 determinants of health and indicators of academic success,
26 well-being and distress. The tools indicated by the
27 department shall be able to assess whether a student is
28 experiencing or at risk of experiencing social, emotional and
29 behavioral difficulties.

30 (b) Components.--The tools shall include measures that

1 assess a student's mental health symptoms and measures that
2 consider social determinants of health and indicators of
3 academic success, well-being and distress. The tools indicated
4 by the department shall have the capability of assessing whether
5 a student is experiencing or is at risk of experiencing social,
6 emotional and behavioral difficulties. This may include a
7 student's:

8 (1) Community integration or isolation with factors such
9 as:

10 (i) The number of close friends in which the student
11 feels the ability to confide.

12 (ii) The number of adults that the student feels the
13 ability to approach for help.

14 (iii) Whether the student feels safe in the school
15 entity environment.

16 (iv) The number of people with whom the student
17 feels the ability to discuss hobbies or interests.

18 (2) Health and well-being in relation to the mental
19 health of the student, such as:

20 (i) The average number of hours of sleep per night.

21 (ii) The average number of hours per day spent on
22 social media.

23 (iii) Whether the student has ever had episodes of
24 depersonalization or bodily dissociation.

25 (iv) The number of times that the student has
26 thought about self-harm in the last month.

27 (v) How often the student feels anxious, has low
28 moods or has another emotional symptom of a mental health
29 disorder.

30 (3) Subjective experience of mood consistent with

1 experiencing mental health symptoms related to:

2 (i) Depression.

3 (ii) Anxiety.

4 (iii) Disruptive behavior indicative of a mental
5 health condition.

6 (iv) Trauma exposure and behaviors.

7 Section 1411-C. Information sharing.

8 (a) By department.--The department shall share guidance,
9 best practices and program experience with participating and
10 nonparticipating school entities at the conclusion of the first
11 full school year in which the program is implemented.

12 (b) Forms.--The department shall develop forms necessary for
13 school entities to comply with reporting responsibilities under
14 section 1413-C.

15 (c) By Department of Human Services.--In consultation with
16 the department, the Department of Human Services shall provide
17 materials to each participating school entity that:

18 (1) At a minimum explain the following:

19 (i) The importance of early diagnosis and
20 intervention for student mental health and common
21 challenges for students with undiagnosed or untreated
22 mental health disorders.

23 (ii) Related Federal and State privacy protections
24 and parental rights in relation to the health
25 requirements of school-age children.

26 (2) Are made available to school entities in print
27 format and posted on the publicly accessible Internet
28 websites of the department and the Department of Human
29 Services.

30 Section 1412-C. Opting out of mental health screening.

1 (a) Form.--The department shall develop a form for the
2 parent or guardian of a school-age student who is subject to the
3 mental health screening under the program to opt out of the
4 mental health screening.

5 (b) Decision.--Each participating school entity shall
6 provide sufficient time, which shall not be fewer than 30 days,
7 for the parent or guardian of each school-age student who is
8 subject to the mental health screening under the program to
9 inform the participating school entity of the decision to opt
10 out of the mental health screening, using the form developed by
11 the department under subsection (a).

12 (c) Procedures.--If the parent or guardian of a student opts
13 out of the mental health screening under the program, the
14 student shall be excused from participation in the program,
15 including mental health screenings under the program. The
16 following apply:

17 (1) The participating school entity shall keep a record
18 in the student's comprehensive medical record that the
19 student is not to take part in the mental health screening.

20 (2) The participating school entity may choose to notify
21 the parent or guardian that the student may participate in
22 future mental health screenings, but the notification may not
23 occur more than once each year.

24 Section 1413-C. Duties of participating school entities.

25 (a) Information to be reported.--A school entity that is
26 selected by the department for participation in the program and
27 that implements the program shall annually report by the end of
28 the school year in which a screening under this program was
29 administered to the department the following:

30 (1) Compliance with the criteria of the program.

1 (2) The total number of students who have been screened
2 through the evidence-based mental health screening tools
3 under section 1410-C.

4 (b) Mental health screening.--

5 (1) Each school-age student shall receive a mental
6 health screening no later than the student's entrance into
7 sixth grade and thereafter annually through grade twelve.

8 (2) The comprehensive health record for each school-age
9 student shall include written confirmation that the mental
10 health screening was completed for each year that the student
11 completes a screening.

12 (3) Schools shall develop a confidential method of
13 recording data that indicates students who have been elevated
14 for additional support without retaining the screening
15 results as part of the student's comprehensive record.

16 (c) Notification.--The following apply to notice to the
17 parent or guardian of each school-age student who is subject to
18 the mental health screening under the program:

19 (1) Within three months of the beginning of the school
20 year in each year that a school entity participates in the
21 program, the participating school entity shall send written
22 notice to the parent or guardian of the mental health
23 screening.

24 (2) The notice shall include:

25 (i) The purpose of the mental health screening.

26 (ii) The position title of the staff member or
27 vendor conducting the mental health screening.

28 (iii) The date and time that the mental health
29 screening is scheduled.

30 (iv) A statement that the parent or guardian will be

1 notified following the mental health screening if
2 additional resources or service referrals are necessary
3 to address a student's mental health concern.

4 (v) A statement that the parent or guardian has the
5 right to opt the student out of participation in the
6 mental health screening, along with information on how
7 the parent or guardian may opt out, in accordance with
8 section 1412-C.

9 (vi) Any other information as required by the
10 department.

11 (d) Posting.--Each participating school entity shall post
12 the following on the publicly accessible Internet website of the
13 participating school entity:

14 (1) The mental health screening information,
15 questionnaire and other documents provided to students for
16 the purpose of conducting the mental health screening.

17 (2) The opt-out form developed under section 1412-C(a).

18 (3) Policies and procedures related to performing the
19 mental health screening.

20 (4) Any other materials related to the mental health
21 screening as determined by the department or the
22 participating school entity.

23 Section 1414-C. Procedures following mental health screening.

24 (a) Review.--A participating school entity shall ensure
25 that:

26 (1) Except as provided under paragraph (2), the
27 participating school entity or selected vendor that conducted
28 a mental health screening reviews the mental health screening
29 to determine whether the student has been indicated for
30 additional mental health services, support or referrals

1 within 24 hours after the student completes the mental health
2 screening under the program.

3 (2) If questions related to self-harm or suicidality are
4 asked during the mental health screening, each participating
5 school entity or its selected vendor determines which
6 students have been indicated for additional mental health
7 services, support or referrals immediately.

8 (b) Imminent risk.--If, after the review of the mental
9 health screening of a student, the staff of the participating
10 school entity or selected vendor that conducted the mental
11 health screening believes that the student is at imminent risk
12 of attempting suicide, physical self-harm or harming others, or
13 is in need of the immediate attention of a health care or mental
14 health professional, the staff of the participating school
15 entity or selected vendor shall immediately notify the parent or
16 guardian of the student and the administration of the
17 participating school entity. After receiving the notification,
18 the participating school entity shall notify its security
19 coordinator and school psychologist who shall follow the
20 indicated crisis response policy.

21 (c) Referral.--If, after the review of the mental health
22 screening of a student, the staff of the participating school
23 entity or selected vendor that conducted the mental health
24 screening believes that the student has a mental health concern
25 and is in need of additional mental health services, the staff
26 of the participating school entity or selected vendor shall
27 notify the parent or guardian of the student within 48 hours
28 after the student completes the mental health screening and
29 provide the parent or guardian of the student with information
30 on the behavioral health resources and services available

1 through the school entity, municipality or other organization
2 assessed during consultations with the department under section
3 1407-C. The information shall include information on how to
4 refer to the school entity's Student Assistance Program.

5 (d) Ongoing care and interventions.--Each participating
6 school entity shall coordinate ongoing care and interventions,
7 such as in school counseling, IEP services or school mental
8 health and behavioral health programs, with any referred
9 services arising from the program. If additional follow-up is
10 needed for students who have an IEP, coordination should include
11 the IEP case manager.

12 Section 1415-C. Student privacy.

13 (a) Privacy standards.--Each participating school entity
14 shall ensure that individually identifiable information
15 collected for, during or after the mental health screening
16 process is subject to the privacy standards in accordance with
17 Federal and State privacy laws.

18 (b) Disclosure prohibited.--The staff of a participating
19 school entity or selected vendor, or any person involved in the
20 mental health screening process or with access to records or
21 information involving the mental health screening process, may
22 not disclose records or information regarding the mental health
23 screening process, without the written consent of the student or
24 the parent or guardian of the student, except as otherwise
25 provided by law.

26 Section 1416-C. Reports regarding mental health screening
27 results.

28 (a) Requirement.--The department shall issue an annual
29 report by September 1 after the school year in which a screening
30 under this program was administered of the total number of

1 students in each county who have been identified through the
2 mental health screening as needing additional mental health
3 services described in section 1414-C.

4 (b) Confidentiality.--Reports under this section shall not
5 include any student identification information and may make
6 amalgamate county data if necessary to guarantee student
7 anonymity.

8 (c) Posting.--The department shall annually post each report
9 under this section on the publicly accessible Internet website
10 of the department.

11 (d) Submittal.--The department shall submit copies of each
12 report under this section to:

13 (1) The Governor.

14 (2) The secretary.

15 (3) The President pro tempore of the Senate.

16 (4) The Speaker of the House of Representatives.

17 (5) The Majority Leader and Minority Leader of the
18 Senate.

19 (6) The Majority Leader and Minority Leader of the House
20 of Representatives.

21 Section 1417-C. Other schools.

22 (a) Participation.--A school in this Commonwealth that is
23 not a school entity may petition the department to participate
24 in the program. The following apply:

25 (1) The requirements under this article to become a
26 participating school entity shall apply to the school seeking
27 to participate in the program.

28 (2) If selected to participate in the program, the
29 school shall be considered a participating school entity for
30 the purposes of this article and shall have the same rights

1 and duties as other participating school entities, including
2 access to financial and technical grants as described in
3 section 1409-C.

4 (b) Opt out.--A school in this Commonwealth that is not a
5 school entity but is participating in the program may opt out of
6 participating in the program. The school shall:

7 (1) Inform the department in writing of the decision to
8 no longer participate in the program no later than the May 1
9 prior to the ensuing school year.

10 (2) Either of the following:

11 (i) Post notice of the decision not to participate
12 in the program in future school years on the publicly
13 accessible Internet website of the school.

14 (ii) Directly notify all impacted students and their
15 parents or guardians.

16 Section 1418-C. Mental health screening for other students.

17 (a) Construction.--Nothing in this section shall be
18 construed to prohibit a participating school entity from
19 providing mental health screening to any student in kindergarten
20 through the fifth grade within the participating school entity.

21 (b) Funding and materials.--A participating school entity
22 may use program funding or materials to include any student who
23 is not in grades six through twelve.

24 Section 1419-C. Liability.

25 Nothing in this article shall be construed to create,
26 establish or expand civil or criminal liability on the part of a
27 school entity or school employee.

28 Section 1420-C. Rules and regulations.

29 The department shall adopt or promulgate any necessary rules
30 and regulations to implement, administer and enforce the

1 provisions of this article.

2 Section 1421-C. Appropriations.

3 The following amounts are appropriated from the General Fund
4 to the department for the program:

5 (1) Upon the effective date of this paragraph, for the
6 implementation of the program, \$10,000,000.

7 (2) No later than January 1, 2025, for the
8 administration of the program during the 2025-2026 school
9 year, \$15,000,000.

10 (3) No later than January 1, 2026, for the
11 administration of the program during the 2026-2027 school
12 year, \$20,000,000.

13 Section 2. This act shall take effect in 60 days.