

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

House Bill 2397

BY DELEGATES ATKINSON, J. KELLY, MILLER, COOPER,

ROHRBACH, MANDT AND HOLLEN

[Originating in the Committee on Education.

February 23, 2019.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-5-22e, relating to requiring county school boards to provide adequate
3 mental health evaluations, services and counseling services for pupils in the public
4 schools; establishing minimum number of school psychologists by 2021-2022 school year;
5 and authorizing alternative professional practitioners.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

**§18-5-22e. Mental health evaluations; mental health, counseling and behavioral health
services; school psychologists.**

1 (a) County boards shall, upon concerned suspicions, provide adequate mental health
2 evaluations for all pupils attending the schools of their county and have the authority to take any
3 other action necessary to protect the pupils from harm to themselves or others. County boards
4 shall, additionally, provide adequate mental health services and counseling services to pupils
5 attending the schools of their county who are in need of those services arising as a result of issues
6 stemming from drug abuse in the state.

7 (b) Beginning with the school year 2021-2022, each county board shall employ full time at
8 least one school psychologist certified by the State Superintendent of Schools under §18A-3-2a
9 of this code, for every 1000 kindergarten through seventh grade pupils in net enrollment or major
10 fraction thereof: *Provided*, That a county board may contract with school psychologists licensed
11 under §30-21-8a of this code or psychiatrists licensed under §30-3-1 *et seq.* of this code for
12 services considered equivalent to those required by this section in accordance with a plan to be
13 approved by the state board if necessary to meet this ratio: *Provided however*, That each county
14 board shall employ at least one full-time school psychologist.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.