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

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

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