SPONSOR: Rep. Longhurst & Rep. Baumbach & Rep. Dorsey Walker & Rep. Heffernan & Rep. Minor-Brown & Rep. S. Moore & Rep. Michael Smith & Sen. S. McBride
Reps. Bolden, Bush, Griffith, K. Johnson, Kowalko, Lynn, Mitchell, Morrison, Osienski, K. Williams; Sens. Bonini, Brown, Ennis, Gay, Hansen, Hocker, Lawson, Lockman, Lopez, Mantzavinos, Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sokola, Sturgeon, Townsend, Walsh, Wilson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 301
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH EDUCATIONAL PROGRAMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Subchapter I, Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4116A. Mental health educational programs.

(a) For purposes of this section:

(1) "Charter school" means as defined under § 4161 of this title.

(2) "Contracted school year" means the period defined under § 1305(e) of this title.

(3) "Grade" means kindergarten through grade 12.

(4) "School district" means as defined under § 4161 of this title.

(b) The Department of Education, with the approval of the State Board of Education, shall establish and implement statewide mental health educational programs for each grade in each school district and charter school in this State.

(c) The statewide mental health education programs established and implemented under this section must meet all of the following:

(1) Recognize the multiple dimensions of health by including instruction in mental health and the relationship between physical and mental health to enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity.

(2) Taught by appropriately certified teachers or appropriately certified community mental health providers.

(3) Be comprehensive, developmentally appropriate, and sequential in nature.

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(d) In establishing and implementing statewide mental health programs under this section, the Department of Education shall consult with mental health experts, including individuals with the Department of Health and Social Services, Department of Services for Children, Youth, and Their Families, Mental Health Association of Delaware, Delaware Guidance Services, National Alliance of Mental Illness Delaware, and National Council for Behavioral Health.

(e) A school district or charter school shall provide in-service training required under this section within the contracted school year.

(f) The Department of Education may, with the approval of the State Board of Education, adopt regulations to implement and enforce this section.

(g) The Department of Education shall submit a written report to the Governor, the members of the General Assembly, the Director and the Librarian of the Division of Research of Legislative Council, and the Public Archives no later than January 15 of each year. The report must include a description of the educational programing provided under subsection (b) of this section, how the programming complies with subsection (c) of this section, and how the programming has been implemented by each school district and charter school.

Section 2. Amend § 122, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 122. Rules and regulations.

(b) The Department shall prescribe rules and regulations:

(29) Establishing mandatory instruction in age- and developmentally-appropriate social emotional learning and mental health content in all public schools no later than the 2023-2024 school year. Recommended high quality evidence-based or evidence-informed educational programming resources to be identified by the Department of Education in collaboration with, but not limited to, district and charter school educators, Department of Health and Social Services, Department of Services for Children, Youth and their Families, and National Alliance on Mental Illness Delaware (NAMI Delaware).

Section 3. Amend § 4165, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4165. Suicide awareness and prevention.

(b) *Suicide prevention policy*. — Each school district and charter school shall establish a policy which shall require, at a minimum, all of the following:

(2) The development of a suicide prevention ~~program.~~ program that is consistent with § 122(b)(29) of this title.

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