COMMONWEALTH OF VIRGINIA

JOINT SUBCOMMITTEE TO STUDY PANDEMIC RESPONSE AND PREPAREDNESS

Education Subcommittee

Agenda

November 19, 2024
Virtual Meeting
1:00 p.m.

(Livestream http://virginia-senate.granicus.com/ViewPublisher.php?view_id=3)

1. Call to order. Delegate Candi Mundon King, Chair

2. Review of policy options; discussion.

3. Next steps.

4. Public Comment.

5. Adjourn.

Members

Delegate Candi Mundon King, Chair
Senator Ghazala F. Hashmi
Senator David R. Suetterlein
Delegate Irene Shin
Katelyn Deel
Tara Dickerson-Anderson
Aimee Rogstad Guidera, Secretary of Education

Subcommittee #3 Policy Options Worksheet 10/29/24

Education Subcommittee

3.1.1 Enhance mental health support systems available for students and educational professionals.

(a) Expand the availability of mental health counselors and social workers, both physically in schools and having telehealth options

Policy Options

Section 22.1-272.2 of the Code of Virginia provides for the Department of Education to develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and either a public or private community mental health services provider or a nationally recognized school-based telehealth provider that sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider. This section could be amended to include a provision requiring each school board to (i) adopt a memorandum of understanding with a telehealth provider or develop policies and procedures for providing the option for students to receive counseling from school counselors via telehealth and (ii) provide mental health teletherapy to any student that may request it, either in lieu of or in addition to in-person teletherapy.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

(b) Provide training for teachers and staff on recognizing mental health concerns in students and themselves, including trauma-informed care and psychological first aid.

Policy Options

1) Section 22.1-298.6 of the Code of Virginia requires each school board to adopt and implement policies that require each teacher and other relevant personnel employed on a full-time basis to complete a mental health awareness training or similar program "at least once." This section could be amended to include specifications as to the type of mental health awareness training or the subjects and topics that such training must cover, such as signs and symptoms that a student may be struggling or special mental health concerns during emergencies, etc.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

2) Section 22.1-272.1 of the Code of Virginia requires the Board of Education, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, to develop guidelines relating to any person licensed as administrative or instructional personnel by the Board and employed by a local school board contacting the parents of any student believed to be at imminent risk of suicide. This section could be amended to also require the implementation of a training module or the provision of certain resources for all teachers and staff relating to identifying and addressing these particularly high-risk mental health issues.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

c) Create school-based peer-to-peer support networks for students and educators to create a sense of community and shared resilience.

Policy Options

1) Section 22.1-16.6 of the Code of Virginia permits the Board of Education to include in its guidelines for alternatives to suspension peer-to-peer counseling that could serve as a model for expanding the option of peer-to-peer counseling beyond the disciplinary context. This section could be amended or a new section could be added immediately after it in the Code directing the Board to establish model policies providing for the provision of peer-to-peer mental health counseling and requiring each school board to adopt and implement policies in accordance with such model policies.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

2) Section 22.1-305.1 of the Code of Virginia requires the Board of Education to establish mentor teacher programs to utilize "specially trained public school teachers as mentors to provide assistance and professional support to teachers entering the profession." This section could be amended in a manner that, similar to the above recommendation, expands the mentor teacher program to include an ongoing mental health support program or system for teachers.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

3.1.2 Establish community advisory boards and engage local leaders.

Policy Options

1) Any of the following sections of the Code of Virginia could be used as a basis to expand collaboration, consultation, and cooperation between various stakeholders in order to expand the accessibility and availability of mental health information, supports, and resources in education.

Section 22.1-298.6 permits each school board, in providing the mental health awareness training required of all teachers and other relevant personnel pursuant to the section, to "contract with other entities to provide such training."

Section 22.1-199.7, which relates to community schools, requires the Department of Education to establish a task force for the purpose of "developing a program for the establishment of community schools whereby public elementary and secondary schools serve as centers for the provision of such community programs and services to students and their families.

Section 22.1-211.1 establishes the Community Builders Pilot Program for the purpose of reducing youth involvement in behaviors that lead to gun violence and increasing community engagement among public school students in Roanoke City Public Schools and Petersburg City Public Schools.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

2) In addition, Section 22.1-275.1 of the Code of Virginia permits each school board to establish a school health advisory board of no more than 20 members and consisting of broad-based community representation. This section could serve as a model to add a provision requiring each school board to establish a school mental health advisory board. In addition, this provision could be amended to be mandatory rather than permissive and expanded to include representation from mental health professionals and mental health resources

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

3.1.3 Propose strategies for hybrid learning models and mental health initiatives.

Policy Options

1) Several provisions of the Code of Virginia currently address, partially or fully, virtual education and mental health services, including the following:

Section 22.1-272.2 provides for the Department of Education to develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and either a public or private community mental health

services provider or a nationally recognized school-based telehealth provider that sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider.

Article 1.4 (§ 22.1-212.23 et seq.) of Chapter 13 of Title 22.1 provides for the establishment of virtual school programs.

Section 22.1-212.2 requires the Department of Education to establish and make available to every public high school in Virginia a "statewide electronic classroom to be known as the Virtual Virginia Program."

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

2) Absent additional specification, one approach to this recommendation could be legislation directing the Department of Education or Board of Education to draft, make available to each school board and parent, and post on its website guidelines and information relating to virtual learning, including (i) statewide policies relating to virtual learning, (ii) the availability of online or virtual learning options and pertinent information on such options, and (iii) guidelines for educators and schools relating to online or virtual learning policies and best practices.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

3.2.1 Strengthen communication and public information strategies.

Policy Options

1) Legislation from the 2024 Regular Session of the General Assembly, SB 220 (Favola) and HB 1089 (Coyner), is relevant in this area. These bills established the Virginia IEP, an individualized education program (IEP) writing, facilitation, tracking, and transfer system that is available to each school board and "includes, at a minimum, an IEP template component and a data system component." This program could serve as an example for the creation of a statewide or school division-wide information system. SB 220 and HB 1089 could serve as a basis for legislation requiring the development, implementation, and maintenance of such a statewide information system. A budget amendment may be necessary to cover the cost of establishing such an information system.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

2) The following are examples of relevant legislation from other states that could help more specifically tailor such an information system:

Maryland's HB 1276 (Attar, 2022) established the Baltimore City Youth Data Hub as an "integrated, electronic data management system" to link data about youth from any provider for "the purpose of promoting well-being of youth."

California's 2020 $10 million budget amendment allocated funds for the creation of an integrated education data system.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

3.2.2 Create and maintain legal guidance and support networks.

Policy Options

The lack of existing legislation, either introduced in the Commonwealth or other states, highlights the difficulties of developing, implementing, and maintaining such a complex, costly legal advisory network on such a wide scale and an ongoing, real-time and on-demand basis. The development and maintenance costs of such a network would require large amounts of funding, and the recommendation's suggestion that such network include the provision of "real-time" and swift legal guidance from legal experts to any school board would require additional, ongoing funding.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

All of these factors make it difficult to provide any more concrete recommendations or suggestions beyond speculation about difficulties and costs.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments:

3.2.3 Develop comprehensive plans for school closures.

Policy Options

Section 22.1-98 of the Code of Virginia provides certain criteria under which the amount paid to any school division by the Commonwealth from the Basic School Aid Fund shall not be reduced "in any case in which severe weather conditions or other emergency situations result in the closing of a school or the schools in a school division or in an unscheduled remote learning day for a school or the

schools in a school division." Section 22.1-2.1 of the Code of Virginia includes provisions relating to the requirement of in-person instruction.

Legislation could be introduced directing the Department of Education to develop, make available to each school board, and post on its website in a publicly accessible location comprehensive and uniform guidelines relating to school closures due to severe weather, public health emergencies, etc.

Such legislation could be similar to SB 431(Dunnavant, 2022), which required the Department of Education, in collaboration with the Department of Health, to (i) recommend options for isolation and quarantine for students and employees at public schools who contract or are exposed to COVID-19 and (ii) develop guidelines for such schools and recommend such guidelines for use as an alternative to quarantine.

☐ **Discuss further** ☐ **Not recommended for discussion**

Comments: