

26105142D

**HOUSE BILL NO. 355**

Offered January 14, 2026

Prefiled January 12, 2026

*A BILL to amend the Code of Virginia by adding a section numbered 22.1-272.1:2, relating to public school students in grades six through 12; annual mental health screening.*

Patron—Gardner

Committee Referral Pending

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 22.1-272.1:2 as follows:****§ 22.1-272.1:2. Public school students in grades six through 12; annual mental health screening; statewide tool, guidance, and model procedures.**

*A. The purpose of this section is to establish a student mental health screening program that is designed to identify potential risks related to unmet mental or emotional health needs of students in grades six through 12 so that the parents of a student who has a mental or emotional health concern can be provided with resources and referrals to address the student's mental or emotional health concern.*

*B. The Board, in consultation with the Department of Behavioral Health and Developmental Services and any other stakeholder that the Board deems appropriate, shall:*

*1. Develop, identify, or procure and make available to each school board at no cost an evidence-based tool or evidence-based tools for the mental health screening of each public school student in grades six through 12;*

*2. Develop, adopt, distribute to each school board, and post publicly and conspicuously on its website guidance and model procedures for the annual student mental health screenings required to be performed pursuant to subsection C. Such guidance and model procedures, at minimum, shall include the option and a procedure for parents to opt their children out of such requirements within the first two weeks of the start of the school year and recommendations for training in the effective administration of the screening tool developed or adopted pursuant to this subsection and shall address confidentiality and privacy considerations, the sharing of data, the storage of mental health screening results, plans for follow-up and linkage to resources after screenings, and communication with families about the administration and results of such screenings; and*

*3. Ensure that such annual mental health screenings are conducted in a manner that (i) accommodates bilingual students and students with developmental disabilities, intellectual disabilities, or low reading proficiency; (ii) protects the privacy of the student during the screening process and the confidentiality of the results; and (iii) and permits real-time evaluation of the screening results and same-day intervention by a licensed mental health professional as indicated by such screening.*

*C. Each school board shall ensure that each student in grades six through 12 in the local school division is screened at least annually using such screening tool, unless the student's parents opt the student out of such screening.*

**2. That the Board of Education shall satisfy the requirements set forth in subsection B of § 22.1-272.1:2, as created by this act, no later than September 1, 2027.****3. That the requirements of subsection C of § 22.1-272.1:2, as created by this act, shall become effective beginning with the 2028–2029 school year.**

INTRODUCED

HB355