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HOUSE BILL NO. 355**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on _____)

(Patron Prior to Substitute—Delegate Gardner)

A BILL to require the Department of Education, in consultation with the Department of Behavioral Health and Developmental Services, to develop best practices for annual mental health screenings for public school students in grades six through 12 utilizing evidence-based tools; School Health Services Committee study; report.

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Department of Education (the Department), in consultation with the Department of Behavioral Health and Developmental Services and any other stakeholders that the Department deems appropriate, shall, no later than January 1, 2027, develop, post publicly and conspicuously on its website, and distribute to each local school board guidance and best practices for annual student mental health screenings for use by local school boards that utilize evidence-based tools for the mental health screening of each public school student in grades six through 12. Such guidance and best practices shall, at a minimum, (i) include (a) the option and a procedure for parents to opt their children out of such screenings, (b) training in the effective administration of screening tools, (c) linkage to resources after screenings, and (d) communication with families about the administration and results of such screenings and (ii) address (a) confidentiality and privacy considerations, (b) the sharing of data, (c) the storage of mental health screening results, (d) plans for follow-up, and (e) methods for ensuring that the screening process (1) accommodates bilingual students, students with developmental disabilities, students with intellectual disabilities, and students with low reading proficiency, (2) protects the privacy of the student and the confidentiality of the results, and (3) permits real-time evaluation of the screening results and same-day intervention by a licensed mental health professional as indicated by such screening.*

2. *That the School Health Services Committee (the Committee) established pursuant to Chapter 64 (§ 30-409 et seq.) of Title 30 of the Code of Virginia shall study best practices for the annual mental health screening of each student in grades six through 12 utilizing evidence-based tools. In conducting its study, the Committee shall collaborate with the Department of Education (the Department), and the Department shall provide a status report on its progress toward satisfying the requirements set forth in the first enactment of this act no later than October 1, 2026. The Committee shall include its findings and recommendations in its annual report required pursuant to § 30-411 of the Code of Virginia.*

HOUSE SUBSTITUTE

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