

SB 151-FN - AS AMENDED BY THE SENATE

03/09/2023 0636s

2023 SESSION

23-0811

07/05

SENATE BILL

151-FN

AN ACT

relative to mental health education.

SPONSORS:

Sen. Watters, Dist 4; Sen. Chandley, Dist 11; Sen. Fenton, Dist 10; Sen. Whitley, Dist 15; Sen. D'Allesandro, Dist 20; Sen. Rosenwald, Dist 13; Sen. Avard, Dist 12; Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Sen. Lang, Dist 2; Sen. Altschiller, Dist 24; Sen. Prentiss, Dist 5; Sen. Pearl, Dist 17; Rep. McMahon, Rock. 17; Rep. Schapiro, Ches. 16; Rep. Cornell, Hills. 22

COMMITTEE:

Education

ANALYSIS

This bill expands the adequate education standards to include mental health education and provides rulemaking authority to the department of education to accommodate this change.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to mental health education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Adequate Public Education; Criteria; Mental Health. Amend RSA 193-E:2, VI to read as
2 follows:

3 VI. Sound wellness, **mental health**, and environmental practices, including outdoor
4 recreation, to enable them to enhance their own well-being, as well as that of others.

5 2 Adequate Public Education; Substantive Educational Content of an Adequate Education;
6 Mental Health Education. Amend RSA 193-E:2-a, I(a)(7) to read as follows:

7 (7) Health ~~and~~, wellness, **and mental health** education, including a policy for
8 violations of RSA 126-K:8, I(a).

9 3 New Subparagraph; Adequate Public Education; Substantive Educational Content of an
10 Adequate Education; Rulemaking Authority. Amend RSA 193-E:2-a, V by inserting after
11 subparagraph (b) the following new subparagraph:

12 (c) The department of education shall adopt rules, pursuant to RSA 541-A, on the
13 provision of mental health curriculum identified in paragraph I of this section, including a
14 consideration of the following: bullying and cyberbullying; suicide prevention; biological, social, and
15 environmental influences on mental health; mental health disorders, including, but not limited to,
16 anxiety, depression, panic attacks, obsessive-compulsive disorder, attention deficit hyperactivity
17 disorder, and unhealthy behaviors; relationship of mental health and substance misuse; mental
18 health coping strategies, including personal practices and relationships; mental health treatment
19 information; and skills to recognize personal mental health issues in themselves in peers.

20 4 Electronically Available Curriculum. The department of education shall make available
21 electronically model curriculum on mental health education.

22 5 State Board of Education; Duties of the State Board of Education; Exception for Mental
23 Health Curriculum. Amend RSA 186:11, IX-c to read as follows:

24 IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course
25 Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable.
26 Such policy shall include a provision requiring the parent or legal guardian to notify the school
27 principal or designee in writing of the specific material to which they object and a provision
28 requiring an alternative agreed upon by the school district and the parent, at the parent's expense,
29 sufficient to enable the child to meet state requirements for education in the particular subject area.
30 The policy shall also require the school district or classroom teacher to provide parents and legal
31 guardians not less than 2 weeks advance notice of curriculum course material used for instruction of

SB 151-FN - AS AMENDED BY THE SENATE

- Page 2 -

1 human sexuality or human sexual education. The policy shall address the method of delivering
2 notification to a parent or legal guardian. To the extent practicable, a school district shall make
3 curriculum course materials available to parents or legal guardians for review upon request. The
4 name of the parent or legal guardian and any specific reasons disclosed to school officials for the
5 objection to the material shall not be public information and shall be excluded from access under
6 RSA 91-A. *This paragraph shall specifically apply to any course material on mental*
7 *health.*

8 6 Effective Date. This act shall take effect 60 days after its passage.

SB 151-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-0636s)

AN ACT relative to mental health education.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase (Minimum of \$100,000 per year)		
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill expands the adequate education standards to include mental health education and requires the Department of Education make available electronically a model curriculum on mental health education. The Department states it is unclear if the expectation is that it would procure curriculum (or multiple curricula) or if such comprehensive curricula that covers all the various topics described in the law already exists. To this extent, the Department states this bill's impact on state expenditures is indeterminable, however expected to be a minimum of \$100,000 per year.

The Department states this bill may have an impact on local expenditures, however specific costs would vary across school districts and therefore cannot be estimated.

AGENCIES CONTACTED:

Department of Education