

HB0212



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0212

Introduced 1/22/2021, by Rep. Deb Conroy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/22-90 new

Amends the School Code to create the Mental Health Task Force for Communication, Intelligence, Empathy, Emotion, and Empowerment. Provides that the purpose of the task force is to explore and determine a method and program for all students in primary and secondary school to receive mandated mental health care. Sets forth the membership of the task force. Contains provisions concerning the intent of the program, the goals of mandated health care, and task force meetings, duties, and reporting. Repeals these provisions on January 1, 2023. Effective immediately.

LRB102 10171 CMG 15493 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 22-90 as follows:

6 (105 ILCS 5/22-90 new)

7 Sec. 22-90. Mental Health Task Force for Communication,
8 Intelligence, Empathy, Emotion, and Empowerment.

9 (a) The General Assembly makes all of the following
10 findings:

11 (1) Mental health is not specific to any faith, color,
12 community, gender, or socioeconomic standard. It applies
13 to everyone. It impacts everyone. Access and availability
14 to mental health services is a human right. A right that
15 should be available to all people. The removal of the
16 stigma that society has historically placed upon those
17 seeking to obtain mental health services begins with
18 education and accessibility to mental health services for
19 all persons. Removing the stigma of mental health care
20 could be one of the greatest gifts that our State can give
21 to our children and to our society and a standard that
22 other states should follow.

23 (2) The State of Illinois has a social and ethical

1 responsibility to help guide Illinois youth by providing
2 necessary resources for mental health care. Providing
3 resources for students to learn how to effectively
4 articulate their thoughts and feelings and to become
5 emotionally responsible shall provide the tools and skill
6 sets needed to succeed professionally and personally
7 throughout the course of a lifetime.

8 (3) Our schools and educational systems continue to
9 operate with the highest of expectations and with minimal
10 resources. We can no longer ask or expect our schools and
11 educators to fill the much-needed gaps in mental health
12 development, including social and personal growth.
13 Additional resources are necessary to address and resolve
14 significant social problems and issues that include, but
15 are not limited to, mass shootings, racism,
16 cyber-bullying, special needs, adaptation to emerging
17 technologies, the unknown long-term consequences of the
18 use of those technologies, a global pandemic, human
19 trafficking, and unspeakable trauma and abuse.

20 (b) The Mental Health Task Force for Communication,
21 Intelligence, Empathy, Emotion, and Empowerment is created as
22 a proactive and preventative approach to protect and empower
23 our State and nation.

24 (c) The primary purpose of this task force is to explore
25 and determine a method and program for all students in primary
26 and secondary school to receive mandated mental health care.

1 The overarching intent of the program is to provide open
2 access to mental health care for everyone, but the program
3 shall begin with students enrolled in grades kindergarten
4 through 12. The goals of mandated health care are to:

5 (1) create empathy in students for other students
6 whose needs may differ from their own;

7 (2) teach emotional responsibility and empowerment;

8 (3) remove the stigma of seeing a mental health
9 provider through exposure and education;

10 (4) normalize counseling by also approaching it as a
11 sort of life-coaching application to which all students
12 should have access;

13 (5) teach and develop interest in the field of mental
14 health so that our youth will have a solid and applicable
15 approach as needs change with evolving emerging
16 technologies;

17 (6) ensure that the science of psychology evolves with
18 advancements in technology by normalizing mental health
19 care and incorporating it into the daily lives of future
20 mental health care providers;

21 (7) determine a method for the collection of data for
22 evaluating the needs, progress, and successes of the
23 program that does not reveal or expose student identities;

24 (8) determine data markers that may be delineated
25 geographically for the purpose of future funding and the
26 allocation of resources, with the resources required to

1 collect, store, and administer the data being reported in
2 the findings submitted by the task force under subsection
3 (j); and

4 (9) establish consistent and clear procedures among
5 State and local agencies concerning the manner in which
6 the mental health records of students are legally
7 collected, stored, sealed, and expunged under the program.

8 (d) Members of this task force shall represent the
9 magnitude and importance of mandated mental health care and
10 mental health education for students. This task force shall
11 include all of the following members:

12 (1) Ten professional mental health providers whose
13 licensure and practice specialize in child and adolescent
14 care, who employ culturally sensitive, evidence-based
15 practices, and who hold current and good standing
16 licensure in the State of Illinois that has never been
17 suspended or revoked as follows:

18 (A) Two professional clinical psychologists
19 licensed under the Clinical Psychologist Licensing Act
20 as follows:

21 (i) One clinical psychologist appointed by the
22 Governor.

23 (ii) One clinical psychologist appointed by
24 the Lieutenant Governor.

25 (B) Two psychiatrists licensed under the Medical
26 Practice Act of 1987 as follows:

1 (i) One psychiatrist appointed by the
2 Governor.

3 (ii) One psychiatrist appointed by the
4 Lieutenant Governor.

5 (C) Two professional clinical social workers
6 licensed under the Clinical Social Work and Social
7 Work Practice Act as follows:

8 (i) One clinical social worker appointed by
9 the Governor.

10 (ii) One clinical social worker appointed by
11 the Lieutenant Governor.

12 (D) One clinical professional counselor and one
13 professional counselor licensed under the Professional
14 Counselor and Clinical Professional Counselor
15 Licensing and Practice Act as follows:

16 (i) One clinical professional counselor
17 appointed by the Governor.

18 (ii) One professional counselor appointed by
19 the Lieutenant Governor.

20 (E) Two licensed marriage and family therapists
21 licensed under the Marriage and Family Therapy
22 Licensing Act as follows:

23 (i) One marriage and family therapist
24 appointed by the Governor.

25 (ii) One marriage and family therapist
26 appointed by the Lieutenant Governor.

1 (2) One full-time school nurse or one nurse who is a
2 member of the United States Congress licensed under the
3 Nurse Practice Act and holding current and good standing
4 licensure in the State of Illinois that has never been
5 suspended or revoked, appointed by the Lieutenant
6 Governor.

7 (3) Six members of the General Assembly as follows:

8 (A) Two members of the General Assembly who are
9 appointed by the Speaker of the House of
10 Representatives.

11 (B) Two members of the General Assembly who are
12 appointed by the President of the Senate.

13 (C) One member of the General Assembly who is
14 appointed by the Minority Leader of the House of
15 Representatives.

16 (D) One member of the General Assembly who is
17 appointed by the Minority Leader of the Senate.

18 (4) Four school board members who are appointed by the
19 Illinois Association of School Boards as follows:

20 (A) One member of the Chicago Board of Education.

21 (B) One school board member of a school district
22 other than City of Chicago School District 299 that is
23 located north of Interstate 80.

24 (C) One school board member of a school district
25 located south of Interstate 80 and north of Interstate
26 72.

1 (D) One school board member of a school district
2 located south of Interstate 72.

3 (5) Three school district superintendents from the
4 geographic regions identified by the Illinois Association
5 of Regional Superintendents of Schools and who are
6 appointed by the Illinois Association of School
7 Administrators as follows:

8 (A) One superintendent from region 1 or 2.

9 (B) One superintendent from region 3 or 4.

10 (C) One superintendent from region 5 or 6.

11 (6) Three full-time principals appointed by the State
12 Board of Education as follows:

13 (A) One full-time principal of a primary school.

14 (B) One full-time principal of a secondary school.

15 (C) One full-time principal of a special education
16 school.

17 (7) Three full-time teachers appointed by the State
18 Board of Education as follows:

19 (A) One full-time teacher of a primary school.

20 (B) One full-time teacher of a secondary school.

21 (C) One full-time special education teacher.

22 (8) Three parents who have children currently enrolled
23 in a primary or secondary school and who are appointed by
24 the State Board of Education as follows:

25 (A) One parent who has a child enrolled in a public
26 school.

1 (B) One parent who has a child enrolled in a
2 nonpublic school.

3 (C) One parent who has a child with special needs
4 enrolled in a public or nonpublic school.

5 (9) Two members who represent emerging technology
6 industries, preferably with a strong presence in science,
7 technology, engineering, arts, and mathematics (STEAM)
8 programs, as follows:

9 (A) One member appointed by the Governor.

10 (B) One member appointed by the Lieutenant
11 Governor.

12 (10) Three student representatives as follows:

13 (A) One high school student who, for the duration
14 of the task force, is in attendance at a high school
15 located north of Interstate 80 and who is appointed by
16 the Governor.

17 (B) One high school student who, for the duration
18 of the task force, is in attendance at a high school
19 located south of Interstate 80 and north of Interstate
20 72 and who is appointed by the Lieutenant Governor.

21 (C) One high school student who, for the duration
22 of the task force, is in attendance at a high school
23 located south of Interstate 72 and who is appointed by
24 the Governor.

25 To assist the task force in establishing the best legal
26 and ethical practices for protecting the privacy,

1 confidentiality, and identity of students who participate in
2 the program and to ensure consistency in the application of
3 these practices, as well as laws, among State agencies and
4 entities, the State Board of Education shall consult, as
5 necessary, with the appropriate agencies and entities who
6 handle and administer the legal, safety, or reform interests
7 of juveniles.

8 (e) The task force shall meet initially at the call of the
9 State Board of Education within 45 days after the effective
10 date of this amendatory Act of the 102nd General Assembly and
11 shall thereafter meet at the call of the State Board of
12 Education. At its initial meeting, the task force shall elect
13 a chairperson or chairpersons and any other officers it deems
14 appropriate from among its members and shall establish and
15 approve a meeting schedule under the advisement of the State
16 Board of Education. The task force shall meet by
17 videoconference, teleconference, or any other method
18 determined to be an efficient use of State resources by the
19 State Board of Education.

20 (f) Due to the size of the task force, the State Board of
21 Education and the chairperson or chairpersons of the task
22 force shall, at the task force's initial meeting, determine a
23 scalable means to efficiently administer the task force.
24 Options may include that one member from each group or
25 profession represented on the task force be selected to
26 represent that member's designated group or profession or that

1 members of each group or profession alternate their attendance
2 at meetings. If an appropriate scalability is determined, it
3 shall be the responsibility of the members of each group or
4 profession to communicate within their group or profession
5 about the agenda of each meeting and to also confirm which
6 member will be in attendance. To promote efficiency and
7 transparency among the members of the task force, the State
8 Board of Education may arrange for a shared channel or other
9 similar means of electronic communication for members of the
10 task force to communicate with each other and to upload
11 documents. The State Board of Education and the chairperson or
12 chairpersons of the task force may collaborate with other
13 State task forces whose missions are similar in purpose and
14 nature to the task force created under this Section.

15 (g) Members of the task force shall serve without
16 compensation but shall be reimbursed for their reasonable and
17 necessary expenses from funds appropriated to the State Board
18 of Education for that purpose, including travel, subject to
19 the rules of the appropriate travel control board.

20 (h) The task force shall receive administrative and other
21 support from the State Board of Education. Additionally, the
22 Department of Innovation and Technology may provide technical
23 advice and guidance to the task force on the collection of
24 data.

25 (i) The task force shall determine the feasibility and
26 funding of and the best course of action to implement the

1 program. This course of action shall include the type of
2 provider or providers and the frequency of seeing the provider
3 or providers. The course of action may include pilot programs
4 throughout this State, including pilot programs that use and
5 provide access to telehealth services as described under the
6 Telehealth Act.

7 (j) The task force shall submit a report of its findings to
8 the Governor and the General Assembly on or before December
9 31, 2022. Once the task force has submitted its report and a
10 positive course of action is set in place, all of the following
11 shall apply:

12 (1) A parent or guardian of a student has the option to
13 exclude the student from the program.

14 (2) Mental health records may not become a part of the
15 student's school record.

16 (3) Safety standards in mental health and child care
17 reporting shall remain in place.

18 (k) The task force is dissolved upon submission of its
19 report under subsection (j).

20 (l) This Section is repealed on January 1, 2023.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.