



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad E. Ranney, Deputy General Counsel
Date: January 9, 2018
RE: **Initiate Rulemaking – Social, Emotional, and Behavioral Health Plan**

MEMORANDUM

Recommendation: Amend 511 IAC 4 to account for the requirements set forth in IC 20-19-5-1(2).

The State Board of Education (“Board”) staff recommends the Board amend 511 IAC 4 (Pupil Personnel Services; Student Health Testing; Food and Nutrition Programs; Extended Services), as new administrative rules are needed to meet the requirements set forth in IC 20-19-5-1(2).

The Board will not be approving any language at this meeting. The Board is merely granting Board staff permission to initiate the rulemaking process. The process will proceed as follows:

- Staff will file initial paperwork with LSA to let them know we have approval from the Board to initiate the rulemaking process.
- Staff will present a Proposed Rule to the Board for adoption at a later meeting.
- Once adopted by the Board, the Proposed Rule will be published for public comment, and a public hearing will be held.
- The Board will adopt a Final Rule based on public comments received at the hearing and any recommended technical changes from staff.



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IC 20-19-5-1 Department Duties

Sec. 1. The department of education, in cooperation with the department of child services, the department of corrections, and the division of mental health and addiction, shall:

(1) develop and coordinate the children's social, emotional, and behavioral health plan that is to provide recommendations concerning:

- (A) comprehensive mental health services;
- (B) early intervention; and
- (C) treatment services;

for individuals from birth through twenty-two (22) years of age;

(2) make recommendations to the state board, which shall adopt rules under IC 4-22-2 concerning the children's social, emotional, and behavioral health plan; and
(3) conduct hearings on the implementation of the plan before adopting rules under this chapter.

As added by P.L.234-2005, SEC.79.

IC 20-19-5-2 Plan Recommendations

Sec. 2. The children's social, emotional, and behavioral health plan shall recommend:

- (1) procedures for the identification and assessment of social, emotional, and mental health issues;
- (2) procedures to assist a child and the child's family in obtaining necessary services to treat, social, emotional, and mental health issues;
- (3) procedures to coordinate provider services and interagency referral networks for an individual from birth through twenty-two (22) years of age;
- (4) guidelines for incorporating social, emotional, and behavioral development into school learning standards and education programs;
- (5) that social, emotional, and mental health screenings be included as part of routine examinations in schools and by health care providers;
- (6) procedures concerning the positive development of children, including:
 - (A) social, emotional, and behavioral development;
 - (B) learning; and
 - (C) behavioral health;
- (7) plans for creating a children's social, emotional, and behavioral health system with shared accountability among state agencies that will:
 - (A) conduct ongoing needs assessments;
 - (B) use outcome indicators and benchmarks to measure progress; and
 - (C) implement quality data tracking and reporting systems;
- (8) a state budget for children's social, emotional, and mental health prevention and treatment;
- (9) how state agencies and local entities can obtain federal funding and other sources of funding to implement a children's social, emotional, and behavioral health plan;
- (10) how to maintain and expand the workforce to provide mental health services for individuals from birth through twenty-two (22) years of age and families;
- (11) how employers of mental health professionals may:



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- (A) improve employee job satisfaction; and
- (B) retain employees;
- (12) how to facilitate research on best practices and model programs for children's social emotional, and behavioral health;
- (13) how to disseminate research and provide training and educational materials concerning the children's social, emotional, and behavioral health program to:
 - (A) policymakers;
 - (B) practitioners; and
 - (C) the general public; and
- (14) how to implement a public awareness campaign to:
 - (A) reduce the stigma of mental illness; and
 - (B) educate individuals:
 - (i) about the benefits of children's social, emotional, and behavioral development; and
 - (ii) how to access children's social, emotional, and behavioral development services.

As added by P.L.234-2005, SEC.79.