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# A BILL FOR AN ACT

RELATING TO YOUTH MENTAL HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that it is well-  
2 established that adolescence is a significant time during human  
3 development. As children become teenagers, their attention  
4 shifts from the approval of their parents to that of their  
5 peers, thereby becoming more susceptible to peer-pressure,  
6 bullying, and increased deviant behaviors. In addition, with  
7 the increased access of social media, youth can be inundated  
8 with content that is difficult to process. Youth trying to  
9 negotiate their way through this turbulent time may find it  
10 difficult to communicate their struggles with their parents.  
11 This can leave the youth feeling isolated and unable to cope  
12 with their psychosocial stressors.

13           In these dangerous situations, it may fall onto other  
14 positive adult figures in their lives to step up and check-in  
15 with these youths. These adult figures are often teachers,  
16 counselors, or coaches at the school the youth attends.  
17 Therefore, it is vital that learning institutions develop and



1 execute check-ins with their students to do "temperature checks"  
2 and offer support and resources if the student mentions their  
3 mental struggles.

4 The purpose of this Act is to require that all schools  
5 develop plans to execute mental health check-ins with their  
6 students grades six through twelve.

7 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
8 amended by adding a new section to part II, subpart C, to be  
9 appropriately designated and to read as follows:

10 "§302A- Mental health plans. (a) The department shall  
11 establish and implement student mental health plans for students  
12 within grades six through twelve.

13 (b) The mental health plans shall:

14 (1) Provide for check-ins at least once per semester to be  
15 documented on the student's permanent file;

16 (2) Be student focused to assess the student's mental,  
17 emotional, and physical health; and

18 (3) Have procedures for responding to issues, including  
19 providing necessary resources to the student and their  
20 parents or legal guardian.

21 (c) Any person, school, or private contractor of a school



1 who acts or fails to act in accordance with the requirements of  
2 this section shall be immune from any civil or criminal  
3 liability arising from these acts or omissions, except where the  
4 person's, school's, or contractor's conduct would constitute  
5 gross negligence, willful and wanton misconduct, or intentional  
6 misconduct."

7 SECTION 3. Chapter 302C, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§302C- Mental health plans. (a) Each private school  
11 shall establish and implement student mental health plans for  
12 students within grades six through twelve.

13 (b) The mental health plans shall:

14 (1) Provide for check-ins at least once per semester to be  
15 documented on the student's permanent file;

16 (2) Be student focused to assess the student's mental,  
17 emotional, and physical health; and

18 (3) Have procedures for responding to issues, including  
19 providing necessary resources to the student and their  
20 parents or legal guardian.

21 (c) Any person, school, or private contractor of a school



1 who acts or fails to act in accordance with the requirements of  
 2 this section shall be immune from any civil or criminal  
 3 liability arising from these acts or omissions, except where the  
 4 person's, school's, or contractor's conduct would constitute  
 5 gross negligence, willful and wanton misconduct, or intentional  
 6 misconduct."

7 SECTION 4. Chapter 302D, Hawaii Revised Statutes, is  
 8 amended by adding a new section to be appropriately designated  
 9 and to read as follows:

10 "§302D- Mental health plans. (a) Each public charter  
 11 school shall establish and implement student mental health plans  
 12 for students within grades six through twelve.

13 (b) The mental health plans shall:

14 (1) Provide for check-ins at least once per semester to be  
 15 documented on the student's permanent file;

16 (2) Be student focused to assess the student's mental,  
 17 emotional, and physical health; and

18 (3) Have procedures for responding to issues, including  
 19 providing necessary resources to the student and their  
 20 parents or legal guardian.

21 (c) Any person, school, or private contractor of a school



1 who acts or fails to act in accordance with the requirements of  
2 this section shall be immune from any civil or criminal  
3 liability arising from these acts or omissions, except where the  
4 person's, school's, or contractor's conduct would constitute  
5 gross negligence, willful and wanton misconduct, or intentional  
6 misconduct."

7 SECTION 5. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

DOE; Private Schools; Public Charter Schools; Mental Health  
Plans

**Description:**

Requires that all schools develop plans to execute mental health  
check-ins with their students grades six through twelve.  
Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

