

S T A T E   O F   N E W   Y O R K

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7526--A

I N   S E N A T E

January 19, 2018

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Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring a licensed or certified social worker in each elementary, intermediate, middle, junior high and senior high school

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     Section 1. The education law is amended by adding a new section 803-b  
2 to read as follows:  
3     S 803-B. SOCIAL WORKERS LICENSED UNDER ARTICLE ONE HUNDRED FIFTY-FOUR  
4 OF THIS CHAPTER OR CERTIFIED PURSUANT TO RULES AND REGULATIONS ESTAB-  
5 LISHED BY THE DEPARTMENT, REQUIRED IN ELEMENTARY, INTERMEDIATE, MIDDLE,  
6 JUNIOR HIGH AND SENIOR HIGH SCHOOLS. THE BOARD OF EDUCATION OR TRUSTEES  
7 OF EVERY PUBLIC SCHOOL DISTRICT IN THE STATE SHALL ON AND AFTER JULY  
8 FIRST, TWO THOUSAND EIGHTEEN EMPLOY AND PROVIDE ACCESS TO AT LEAST ONE  
9 LICENSED OR CERTIFIED SCHOOL SOCIAL WORKER IN EACH OF THE SCHOOLS UNDER  
10 THEIR JURISDICTION EXCLUSIVE OF ANY SCHOOL SOCIAL WORKERS FUNDED OR  
11 MANDATED THROUGH ANY SPECIAL EDUCATION FUNDING, AID, REGULATION OR STAT-  
12 UTE. SUCH LICENSED OR CERTIFIED SCHOOL SOCIAL WORKER SHALL PERFORM SUCH  
13 DUTIES WITHIN THEIR LAWFUL SCOPE OF PRACTICE.  
14     S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD14250-03-8

S T A T E O F N E W Y O R K

9533--A

I N A S S E M B L Y

January 19, 2018

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LBD14250-02-8



**New York State Society  
for Clinical Social Work**  
The Professional Voice for Clinical Social Work Since 1968

## **Memorandum of Support for New York State Bill**

**A.9533-A/S.7526-A**

**Assembly Sponsor: Felix W. Ortiz/Senate Sponsor: Jesse Hamilton**

The New York State and New York City Chapters of the National Association of Social Workers, the New York State School Social Workers' Association, the Mental Health Association in New York State, and the New York State Society for Clinical Social Work write in strong support of A.9533-A/S.7526-A, which would require public school districts to employ and provide access to at least one licensed or certified school social worker in each of the schools under their jurisdiction.

Mental disorders have become all too common among children. The National Institute of Mental Health estimates that nearly one in five children from the ages 13 to 18 currently have and/or previously had a seriously debilitating mental disorder.<sup>1</sup> In 2017, the New York State Council of School Superintendents released a financial survey in which an overwhelming number of their districts scored the increasing mental health needs of youth as an alarming top priority.<sup>2</sup>

Schools are often the first place where mental health concerns are recognized and addressed.<sup>3</sup> Research shows a multitude of factors including poverty, substance abuse, community violence, emotional and physical health issues, early sexual activity, and family conflicts make it difficult for young people to successfully maneuver through school. Such issues are beyond the purview of teachers, and only fall within the scope of practice of licensed and certified school social workers, many of whom, are Licensed Clinical Social Workers, authorized, educated, and experienced in the recognition, diagnosis, and treatment of mental illness.

District-employed school social workers are Specialized Instructional Support Personnel (SISP) who work with students, parents, and educators to provide consultation and interventions concerning home, school, and community factors to improve students' educational functioning. Through counseling, crisis

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<sup>1</sup> Thomas Insel, "Mental Health Awareness Month: By the Numbers," <https://www.nimh.nih.gov/about/directors/thomas-insel/blog/2015/mental-health-awareness-month-by-the-numbers.shtml>, (May 15, 2015).

<sup>2</sup> The Council of School Superintendents, "Losing Ground, Seventh Annual Survey of School Superintendents on Financial Matters," <https://www.nyscoss.org/img/uploads/file/2017-Finance-Survey-FINAL-Post.pdf> (October 2017).

<sup>3</sup> K. Hennessy and S. Green-Hennessy, Estimates of children and adolescents with school-related behavioral problems. *Psychiatric Services*, 51, 591 (2000).

intervention, and prevention programs, school social workers help young people overcome the difficulties in their lives and, as a result, give them a better chance at succeeding in schools.

The National Association of Social Workers recommends a ratio of one school social worker to each school building serving up to 250 general education students, depending on the characteristics and needs of the student population served. Students with intensive needs would require a lower ratio (1:50 is suggested).<sup>4</sup> While we recognize that the recommendation of ratios is not included in the proposed bill, but it is worth noting as a minimum standard. In practice, the workload should be assessed at the local level and needs to be adjusted to address the range and severity of factors that influence the practice of the school social worker.

A.95330A/S.7526-A will be a step forward in helping ease pressure on districts to meet the mental health needs of students, as well as improving their overall achievement. Given the current focus on school safety, we urge the New York State legislature to invest in providing students in every school district with access to a school social worker to address the emotional and physical wellbeing of students, in this tenuous time.

Signed by

National Association of Social Workers – New York State Chapter

National Association of Social Workers – New York City Chapter

New York State School Social Workers' Association

Mental Health Association in New York State, Inc.

New York State Society for Clinical Social Work

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<sup>4</sup> National Association of Social Workers, "NASW Standards for School Social Work Services," <https://www.socialworkers.org/LinkClick.aspx?fileticket=1Ze4-9-Os7E%3D&portalid=0> (2012).