

SENATE BILL NO. 121

BY SENATOR SELDERS AND REPRESENTATIVES CHASSION, FISHER, JACKSON,  
KNOX, TERRY LANDRY, LARVADAIN, MENA, TAYLOR AND  
WALTERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 17:416.24 and 3996(B)(89), relative to mental health screenings in schools;  
to authorize public schools to offer annual mental health screenings for students; to  
require notification of parents; to provide for parental consent; to provide for duties  
of the Louisiana Department of Health; to provide for confidentiality; and to provide  
for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:416.24 is hereby enacted to read as follows:

**§416.24. Mental health screenings**

**A. Each city, parish, or other local public school board may offer mental  
health screenings for all students in grades kindergarten through twelve during  
the first semester of the school year. If a board offers such screenings, each  
school under its jurisdiction shall comply with the provisions of this Section  
relative to the administration of such screenings.**

**B. The school shall notify the parent or legal guardian of each student  
that screenings are being offered and shall give the parent or legal guardian the  
option to consent in writing to the screening. A school shall not conduct a  
mental health screening on a student whose parent or legal guardian has not  
consented to the screening, unless the student has reached the age of majority**

**or is an emancipated minor and independently consents in writing to the screening. The school shall identify the screening tool being used and include this information on the parental consent form with information on how to access the tool on the school or district's website.**

**C. If the results of a student's screening indicate a potential mental health condition, the school shall notify the student's parent, legal guardian, or the student if he has reached the age of majority or is an emancipated minor of the results and provide a list of resources available to the student in the school or community.**

**D. The Louisiana Department of Health shall select mental health screening tools appropriate to the provisions of this Section and provide such tools at no cost to each city, parish, and other local public school board.**

**E. Results of the screenings shall be confidential and shall not be subject to disclosure except to the student's parent, legal guardian, or the student if he has reached the age of majority or is an emancipated minor. Within thirty days following notification of the parent, legal guardian, or the student if he has reached the age of majority or is an emancipated minor, the mental health screening data collected by a school shall be destroyed. No school or vendor shall collect metadata when conducting such screenings.**

**F. No city, parish, or other local public school board shall use the results of any mental health screening to make any decision relating to student instruction, academic opportunities, or discipline.**

**G. There shall be no cause of action against the public school governing authority, or any employee thereof, related to the results of the screening provided for in this Section.**

**H. The provisions of this Section are subject to the approval and funding**  
**by the school board of a city, parish, or other local public school system.**

Section 2. R.S. 17:3996(B)(89) is hereby enacted to read as follows:

### §3996. Charter schools; exemptions; requirements

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1           B. Notwithstanding any state law, rule, or regulation to the contrary and  
2           except as may be otherwise specifically provided for in an approved charter, a  
3           charter school established and operated in accordance with the provisions of this  
4           Chapter and its approved charter and the school's officers and employees shall be  
5           exempt from all statutory mandates or other statutory requirements that are  
6           applicable to public schools and to public school officers and employees except for  
7           the following laws otherwise applicable to public schools with the same grades:

8                           \*           \*           \*

9                   **(89) Mental health screenings, R.S. 17:416.24.**

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_