SENATE DOCKET, NO. 1765 FILED ON: 1/18/2019

SENATE . . . . . No. 244

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to mental health education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Nick Collins	*First Suffolk*	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*1/28/2019*
Mike Connolly	*26th Middlesex*	*1/28/2019*
Jason M. Lewis	*Fifth Middlesex*	*1/29/2019*
Jack Patrick Lewis	*7th Middlesex*	*1/31/2019*
Liz Miranda	*5th Suffolk*	*2/1/2019*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/1/2019*
Sean Garballey	*23rd Middlesex*	*2/1/2019*
Brendan P. Crighton	*Third Essex*	*2/1/2019*
Daniel J. Hunt	*13th Suffolk*	*2/1/2019*
Angelo M. Scaccia	*14th Suffolk*	*2/11/2019*
James B. Eldridge	*Middlesex and Worcester*	*2/11/2019*
Lindsay N. Sabadosa	*1st Hampshire*	*2/11/2019*

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SENATE . . . . . No. 244

By Mr. Collins, a petition (accompanied by bill, Senate, No. 244) of Nick Collins, Joanne M. Comerford, Mike Connolly, Jason M. Lewis and other members of the General Court for legislation relative to mental health education. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to mental health education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 3 of Chapter 71 of the Massachusetts General Laws is hereby amended by striking out the section in its entirety and inserting in place thereof the following:-

"Section 3. Physical and mental health education shall be taught as required subjects in all grades for all students in the public schools for the purpose of promoting the physical and mental well-being of such students. Mental health education programs shall recognize multiple dimensions of health by including mental health, and the relationship of physical health and mental health, so as to enhance student understanding, attitudes and behaviors that promote health, well-being and human dignity. Instruction in physical education may include calisthenics, gymnastics and military drill; but no pupil shall be required to take part in any military exercise if his parent or guardian is of any religious denomination conscientiously opposed to bearing arms, or is himself so opposed, and the school committee is so notified in writing; and no pupil shall be required to take part in physical education exercises if a licensed

physician certifies in writing that in his opinion such physical education exercises would be injurious to the pupil."

SECTION 2. Section 1 of Chapter 76 of the Massachusetts General Laws is hereby amended by striking out the section in its entirety and inserting in place thereof the following:-

"Section 1. Every child between the minimum and maximum ages established for school attendance by the board of education shall, subject to section fifteen, attend a public day school in the town the student resides, or some other day school approved by the school committee, during the number of days required by the board of education in each school year, unless the child attends school in another town, for said number of days, under sections six to twelve, inclusive, or attends an experimental school project established under an experimental school plan, as provided in section one G of chapter fifteen, but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable subject to the provisions of section three of chapter seventy-one B or of a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit, or of a child who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee. The superintendent of schools may transfer to any specialized type of school on a full-time basis any child who possesses the educational qualifications enumerated in this section and in the opinion of the superintendent would be benefited by such transfer. The superintendent, or teachers in so far as authorized by him or by the school committee, may excuse cases of necessary absence for other causes not exceeding seven day sessions or fourteen half day sessions in any period of six months. Absences may also be permitted for religious education at such times as the school committee may establish;

provided, that no public funds shall be appropriated or expended for such education or for transportation incidental thereto; and provided, further, that such time shall be no more than one hour each week. For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town, in addition to the incorporation of a mental health education program into the curriculum in accordance with the provisions in section three of chapter seventy-one; but shall not withhold such approval on account of religious teaching, and, in order to protect children from the hazards of traffic and promote their safety, cities and towns may appropriate money for conveying pupils to and from any schools approved under this section.

Except as herein provided, pupils who attend approved private schools of elementary and high school grades shall be entitled to the same rights and privileges as to transportation to and from school as are provided by law for pupils of public schools and shall not be denied such transportation because their attendance is in a school which is conducted under religious auspices or includes religious instruction in its curriculum. Each school committee shall provide transportation for any pupil attending such an approved private school within the boundaries of the school district, provided, however, that the distance between said pupil's residence and the private school said pupil attends exceeds two miles or such other minimum distance as may be established by the school committee for transportation of public school students. Any school committee which is required by law to transport any pupil attending an approved private school beyond the boundaries of the school district shall not be required to do so further than the distance from the residence of such pupil to the public school he is entitled to attend.

The school committee of each town shall provide for and enforce the school attendance of all children actually residing therein in accordance herewith."