



Utah State  
Board of  
Education

Student  
Services

# School-based Mental Health Requirements

Rules and Statutes

School Safety, Student Services and Prevention

Updated May 2025

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## Purpose

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This document provides an overview of requirements for relevant statutes and rules that impact the school-based mental health field. Please read through each statute or rule to ensure a comprehensive understanding of all requirements. Utah's school-based mental health efforts have been advancing over the last five years. There have been efforts to increase multi-agency collaboration, improve resources, and build capacity to attend to each students' mental health needs (as outlined in the [Utah State Board of Education \(USBE\) Strategic Plan](#)). As illustrated in the cited policies and statutes below, systems have been put in place to ensure there is parent consent and parent education on related issues, school staff are trained, local education agencies (LEAs) can build capacity to hire or contract for school-based mental health services, and parameters have been set for schools to provide mental health screening.

This document is organized in numerical order by State statutes first and then by Board Rule. Some statutes also have accompanying rules which are included with the statute. You may search the page using the topics below.

## Topics

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- abuse prevention
- bullying
- interventions
- grant programs
- grant requirements
- mental health screening
- Medicaid
- medical
- parental notification
- parental consent
- positive behaviors plan
- professional learning
- program requirements
- prohibited topics
- required LEA policies safety
- school-based mental health (SBMH)
- school counseling requirements
- substance abuse
- suicide prevention
- threat assessment
- training
- truancy

# Utah Code

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1. [Utah Code Section 26B-3-214](#): Medicaid waiver for coverage of mental health services in schools
  - a. **Requirements:** This statute required the Utah Department of Health (UDOH) to develop a [proposal \(2019\) that allows the state Medicaid program to reimburse LEAs](#) for covered mental health services provided in accordance with [Utah Code Section 53E-9-203](#) at an LEA facility or by a LEA employee or contractor.
  - b. **Topics:** Medicaid
  - c. **Reporting:** Medicaid reimbursements
  
2. [Utah Code Section 53E-9-203](#): Activities prohibited without prior written consent, validity of consent, qualifications, training on implementation
  - a. **Requirements:** This statute requires school employees to notify a student's parent or guardian of certain prohibited topics and surveys. USBE has provided guidance via [House Bill \(H.B.\) 182: Survey Guidance for LEA Leaders \(2024\)](#).

School employees or agents must immediately notify a student's parent if they believe the student's well-being is seriously threatened. If the Division of Child and Family Services (DCFS) has been contacted, however, they are responsible for notifying the student's parent(s) or guardian(s) of any potential investigation before the student returns home from school. Allows intervention without parental consent by a school employee, agent, or school resource officer when a student is exhibiting suicidal thoughts, physically self-harming behavior, or thoughts of harming others. An LEA policy is required.
  - b. **Topics:** Prohibited topics, safety, suicide prevention, surveys
  - c. **Reporting:** Parental notification, consent; DCFS reporting; required policies for LEAs
  
3. [Utah Code Section 53F-2-415](#): Student health and counseling support, qualifying personnel, distribution formula, rulemaking
  - a. **Requirements:** This statute allocates ongoing legislative funds to LEAs to hire or contract with qualified mental health personnel or to hire behavioral health support personnel to provide direct mental health services to students as requested by the LEA(s).

- b. **Topics:** School-based Mental Health Personnel
  - c. **Reporting:** Grant Requirements
4. [Utah Code Section 53F-2-522](#): Public education mental health screening
- a. **Requirements:** This statute sets standards for participating LEAs to implement approved mental health screening programs for students.
  - b. **Topics:** Mental health screening
  - c. **Reporting:** Parental consent
5. [Utah Code Section 53G-7-1304](#): Program requirements, LEA governing board, student success framework, LEA distribution, allocation, and reporting
- a. **Requirements:** This statute allows a school to include additional school employees in its Teacher and Student Success Program including counselors, social workers, and mental health workers.
  - b. **Topics:** Grant program
  - c. **Reporting:** Grant requirements
6. [Utah Code Section 53G-8-211](#): Responses to School-based behavior
- a. **Requirements:** This statute requires that LEAs refer students to an evidence-based alternative intervention if they are alleged to have committed an offense that is a class C misdemeanor, infraction, status offense on school property, or truancy offense. The statute also outlines what those interventions may include. LEAs may only refer to a court or law enforcement if the student refuses to participate in an evidence-based alternative intervention or fails to participate in prevention or early intervention services provided by the Division of Juvenile Justice Services.
  - b. **Topics:** Threat assessments
  - c. **Reporting:** Intervention
7. [Utah Code Section 53G-8-213](#): Reintegration plan for student alleged to have committed violent felony or weapon offense
- a. **Requirements:** This Code outlines the requirements for reintegrating students who have been involved in serious offenses, such as violent felonies or weapon offenses. If a school receives notification from the juvenile court or law enforcement that a student has been involved in a serious offense, the school must develop a reintegration plan within five school days. The reintegration plan must address behavioral

intervention for the student, short-term mental health or counseling services, academic intervention, and notification to affected school employees or students and their parents if the offense was directed at them.

A student cannot be reintegrated into a school where a protective order exists against the student, where the student committed a sexual crime against a student or staff member, and/or the reintegration plan is classified as a protected record under Utah law. For more information, please refer to the [USBE Reintegration Plan Toolkit](#).

- b. **Topics:** Reintegration plan
  - c. **Reporting:** Intervention, parental/victim notification
8. [Utah Code Section 53G-8-301](#): Emergency safety interventions, appropriate uses, penalties
- a. **Requirements:** This statute regulates the use of emergency safety interventions on a student in a school. It requires the State Board of Education to establish administrative rules for physical intervention in schools, establishes standards for use of physical restraint in schools, defines allowed incidences of seclusion in schools, requires local education agencies to collect and report data on incidents of emergency safety interventions, provides for investigation and enforcement requirements, outlines liability protections and exceptions and establishes consequences for violations of the law.
  - b. **Topics:** Safety
  - c. **Reporting:** Required policies for LEAs, parental notification, USBE reporting
9. [Utah Code Section 53G-8-502](#): Substance abuse reporting and weapons notification
- a. **Requirements:** Mandates that educators must immediately report to their school's designated educator if they have reasonable cause to believe that a student has committed a prohibited act. The student's parent(s) must be notified, and the appointed educator must keep the confidentiality of the individual that made the report.
  - b. **Topics:** Drinking and substance abuse
  - c. **Reporting:** Parental notification

10. [Utah Code Section 53G-8-602](#): Substance abuse reporting and weapons notification
  - a. **Requirements:** Prohibits the possession or consumption of alcoholic beverages at school or school-sponsored activities except as approved by a local school board as part of the curriculum.
  - b. **Topics:** Drinking and substance abuse
  - c. **Reporting:** Parental notification
  
11. [Utah Code Section 53G-8-802](#): State safety and support program, State Board duties
  - a. **Requirements:** This statute created the State Safety and Support Program which requires USBE to provide training, research, information sharing, and assistance to LEAs. In addition, the USBE, in conjunction with DSAMH, is required to create a model policy for LEAs.
  - b. **Topics:** Threat assessment
  - c. **Reporting:** USBE model policy
  
12. [Utah Code Section 53G-9-901](#): Mental health services in public schools definitions
  - a. **Requirements:** This statute defines restricted services (mental health service) and defines who can provide a restricted service as authorized personnel.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** Parental notification, consent
  
13. [Utah Code Section 53G-9-202](#): Notification to the parent of an injured or sick child
  - a. **Requirements:** This statute requires a school to notify a parent when a child has been injured or is ill and the injury or illness requires attention or treatment that is not available on school premises.
  - b. **Topics:** Safety, medical
  - c. **Reporting:** Parental notification, consent

14. [Utah Code Section 53G-9-203](#): Definitions, school personnel, medical recommendations, exceptions, penalties
  - a. **Requirements:** This statute delineates acceptable conduct of school personnel regarding medical recommendations and assessment and treatment of students in schools. There are four categories of what can and cannot be done in the school setting under this statute. It also outlines specific parameters for parent notification and consent regarding a restricted service.
  - b. **Topics:** Medical
  - c. **Reporting:** Parental notification, consent
  
15. [Utah Code Section 53G-9-207](#): Child sexual abuse prevention and human trafficking prevention
  - a. **Requirements:** This statute requires Local Education Agencies (LEAs) to provide training and instruction on child sexual abuse and human trafficking prevention and awareness every other year to school personnel and parents of elementary school students.
  - b. **Topics:** Abuse prevention
  - c. **Reporting:** Professional learning/training
  
16. [Utah Code Section 53G-9-604](#): Parental notification of certain incidents and threats required
  - a. **Requirements:** This statute requires a school notify a parent if a student threatens to commit suicide or is involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation. It also requires the school to create and maintain a record that verifies that the parent was notified of the incident or threat.
  - b. **Topics:** Suicide prevention
  - c. **Reporting:** Parental notification, consent

17. [Utah Code Section 53G-9-605](#): Bullying, cyber-bullying, hazing, abusive conduct, and retaliation policy
  - a. **Requirements:** This statute requires LEAs to develop bullying policies at the school and district level. It also requires that LEAs provide training to school employees and students, notify parents of incidents, and investigate all bullying complaints. Requires LEAs to develop an action plan for verified incidents that include support for targeted students and interventions for the student who engaged in bullying.
  - b. **Topics:** Bullying
  - c. **Reporting:** Required policies for LEAs
  
18. [Utah Code Section 53G-9-702](#): Youth suicide prevention programs, State Board to develop model programs
  - a. **Requirements:** This statute requires all school districts and charter schools to implement a youth suicide prevention program. The USBE is required to provide model programs and training for LEAs to use along with resources specifically addressing prevention of youth suicide. It also allows school personnel to ask a student questions related to youth suicide prevention, intervention, and postvention as part of their school suicide prevention program.
  - b. **Topics:** Suicide Prevention Program, suicide risk assessment
  - c. **Reporting:** Prevention program requirements, parent notification/referral
  
19. [Utah Code Section 53G-9-703](#): Parent education, mental health, bullying, safety
  - a. **Requirements:** This statute requires a school district to offer a seminar to parents of students in the school district, including parents of all charter schools within the school district boundaries, on a variety of topics.
  - b. **Topics:** Bullying, safety
  - c. **Reporting:** Professional learning/training

20. [Utah Code Section 53G-9-704](#): Youth suicide prevention training for employees
- a. **Requirements:** This statute requires all LEAs to have each licensed employee participate in a youth suicide prevention professional development every three years.  
The USBE is required to provide sample training materials for LEAs and must incorporate them into their professional development rules. This training can be found on the USBE [Suicide Prevention webpage](#).
  - b. **Topics:** Suicide prevention
  - c. **Reporting:** Professional learning/training
21. [Utah Code Section 53G-10-407](#): Positive behaviors plan, positive behaviors specialist stipend, reports
- a. **Requirements:** This statute requires school principals to create a positive behaviors plan based on the input of parents, students and staff which includes addressing issues of peer pressure, mental health, and creating meaningful relationships. One or more employees should be designated as a positive behaviors specialist to coordinate the plan. The plan must be approved by the school's LEA governing board and an annual report submitted to the USBE confirming that each school under their jurisdiction has an approved positive behaviors plan.
  - b. **Topics:** Positive behaviors plan
  - c. **Reporting:** Required policies for LEAs
22. [Utah Code Section 56G-6-203](#): Truancy, notice of truancy, failure to cooperate with school authorities
- a. **Requirements:** This statute establishes that a notice can be issued if a student is truant at least five times during the school year. This notice directs the student and their parents to meet with school authorities to address the truancy issue. Notices of truancy cannot be issued to students under 12 years old or those students who are below grade 7. Parents are required to cooperate with school authorities to ensure regular attendance.
  - b. **Topics:** Truancy
  - c. **Reporting:** Parental notification, intervention

# Board Rule

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1. [R277-306](#): Educator preparation programs for school psychologists, audiologists, speech-language pathologists and technicians, counselors, and social workers
  - a. **Requirements:** This rule provides the general competency requirements which should be offered in an educator preparation program for related service providers, including school psychologists, audiologists, speech-language pathologists and technicians, counselors, and social workers.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** Professional learning/training
  
2. [R277-313](#): Student support license areas of concentration
  - a. **Requirements:** This rule outlines the requirements for student support services in schools. It defines the scope of practice for various student support roles, including school counselors, psychologists, social workers, and other support personnel.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** Professional learning/training
  
3. [R277-330](#): Utah effective educator standards
  - a. **Requirements:** This rule establishes statewide standards for educators and specifically identifies school counseling standards.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** School counseling requirements
  
4. [R277-400](#): School facility emergency and safety
  - a. **Requirements:** This rule requires LEAs to develop or incorporate threat assessments (to the extent resources permit). It establishes criteria for LEA emergency preparedness and response plans. LEAs must certify their emergency preparedness and response plans by July 1 of each year. Plans must be practiced at the school level and reviewed by teachers, administrators, students, guardians, local law enforcement, and public safety representatives. LEAs must appoint a committee including school and community representatives, to prepare and modify plans.

- b. **Topics:** School-based Mental Health Personnel
  - c. **Reporting:** School Counseling Requirements
- 5. [R277-462](#): Comprehensive school counseling program
  - a. **Requirements:** This rule establishes standards and procedures for an LEA to apply for funds appropriated for the School Counseling Program. School Counseling Programs are reviewed by the USBE every six years to ensure compliance with the standards of the Utah College and Career Readiness School Counseling Program Model.
  - b. **Topics:** School-based Mental Health Personnel
  - c. **Reporting:** School Counseling Requirements
- 6. [R277-464](#): School counselor direct and indirect services
  - a. **Requirements:** This rule establishes standards for school counselors providing direct and indirect services.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** School counseling requirements
- 7. [R277-607](#): Absenteeism and truancy prevention
  - a. **Requirements:** The rule directs LEAs to create policies for attendance and truancy prevention. It defines terms such as "absence," "chronic absenteeism," and "habitual truancy" to standardize understanding and enforcement.
  - b. **Topics:** Truancy
  - c. **Reporting:** Parental notification, intervention
- 8. [R277-609](#): Standards for LEA discipline policy
  - a. **Requirements:** This rule requires that LEAs develop and implement a board-approved comprehensive policy for school discipline.
  - b. **Topics:** School-based Mental Health personnel
  - c. **Reporting:** Required Policies for LEAs, intervention
- 9. [R277-613](#): LEA policies and training regarding bullying, cyber-bullying, hazing, retaliation, and abusive conduct
  - a. **Requirements:** This rule requires LEAs to develop and enforce policies, provide training, and review allegations of bullying, cyber-bullying, hazing, retaliation and abusive conduct.

- b. **Topics:** Bullying
- c. **Reporting:** Intervention

10. [R277-620](#): Suicide prevention programs

- a. **Requirements:** This rule allows for collaboration between the USBE, the UDOH, and Utah Department of Health and Human Services (UDHHS) to establish, oversee, and provide model policies and programs for LEAs, as well as training for parents about youth suicide prevention programs. It includes requirements for LEAs to have and update youth protection policies and directs a LEA to send notice to parents and protect the confidentiality of the required parent notification record regarding bullying and suicide incidents. Allows LEAs to create their own suicide prevention programs rather than using USBE's model program so long as they meet the statutory requirements. It also allows USBE to distribute suicide prevention grant funds to help cover the expense of implementing these required programs.
- b. **Topics:** Suicide prevention program, grant program
- c. **Reporting:** Grant requirements

11. [R277-622](#): School-based Mental Health Qualifying Grant program

- a. **Requirements:** This rule details procedures for LEAs to follow when requesting funds through a grant program and establishes trauma-informed training requirements for all school personnel. You can find more information about this grant on USBE's [School-based Mental Health Qualifying Grant Program](#) webpage.
- b. **Topics:** Grant program
- c. **Reporting:** Professional learning/training

12. [R277-625](#): Mental health screeners
  - a. **Requirements:** The USBE, in coordination with the Office of Substance Use and Mental Health (OSUMH), was tasked with establishing rules around the mental health screening program and receiving board approval for a list of mental health conditions for which LEAs may screen and a list of evidence-based screening tools. Through the processes outlined in R277-625, trained and qualified personnel may conduct school-based mental health screenings with parental consent. You can find more information about these programs on the [Attending to School-based Mental Health](#) and [School-based Mental Health Screening Grant](#) webpages.
  - b. **Topics:** Screening program, grant program
  - c. **Reporting:** Screening program requirements, grant requirements
  
13. [R277-736](#): Juvenile court or law enforcement notice and information dissemination
  - a. **Requirements:** This rule requires the USBE to approve an evidence-based threat assessment tool to be used by school principals and LEA multi-disciplinary teams to conduct threat assessments of students who have committed specified criminal acts. This threat assessment tool will determine the student's potential for self-harm, suicidal ideation, harm to others, and/or harm to school property.
  - b. **Topics:** Threat assessment
  - c. **Reporting:** USBE LEA threat assessment tool
  
14. [R277-910](#): Underage drinking and substance abuse prevention program
  - a. **Requirements:** This rule identifies the qualification to be used in selecting a program, reiterates the requirement for LEAs to offer the program, and requires LEA reporting as part of annual assurances.
  - b. **Topics:** Substance abuse prevention
  - c. **Reporting:** Required policies for LEAs

15. [R277-927](#): Teacher and Student Success Act (TSSA) Program

- a. **Requirements:** This rule sets standards for the Board’s distribution of student and teacher success program money to LEAs, distribution of Teacher and Student Success Program money to each school within the LEA and establishes accountability standards related to the Teacher and Student Success Program.
- b. **Topics:** Grant program, School-based Mental Health personnel
- c. **Reporting:** Grant requirements