

Malone Central School District

Mental Health Training Component of the New York SAVE Act

JUNE 2022



OFFICE OF THE NEW YORK STATE COMPTROLLER
Thomas P. DiNapoli, State Comptroller

Contents

- Report Highlights 1**
 - Mental Health Training 2
 - What Is the Mental Health Component of the SAVE Act Training for All Staff? 2
 - District Training Did Not Include All Recommended Mental Health Components 3
 - The District Did Not Provide Training to All Staff. 4
 - What Do We Recommend? 4

- Appendix A – Response From District Officials 5**

- Appendix B – Audit Methodology and Standards 10**

- Appendix C – Resources and Services 12**

Report Highlights

Malone Central School District

Audit Objective

Determine whether the Malone Central School District (District) used District resources to provide the mental health component of the New York Safe Schools Against Violence in Education Act (SAVE Act) training requirement to staff.

Key Findings

The District did not provide mental health training as required to all staff for the 2020-21 school year by September 15, 2020 per New York State Education Department (SED) regulations.

- Only one elementary school's instructional staff were offered mental health training.
- Seven of the 12 recommended components of mental health that educators should know were not included in the District's elementary school instructional staff training.

Documentation to support attendance for the training was not maintained and we were unable to determine the staff who attended and completed the training.

Key Recommendation

Provide mental health training to all staff and ensure it is completed by September 15, as required. Such training should address recognition of the warning signs, whom to turn to for assistance, and how to access appropriate services.

District officials agreed with our recommendation and indicated they will take corrective action.

Background

The District is located in Franklin County and is governed by an elected nine-member Board of Education (Board).

The District has one high school and a middle school on one campus, and three elementary schools around the District.

The Board is responsible for the general management of the District.

The Superintendent serves at the Board's direction and is responsible for day-to-day management.

The Superintendent is the Chief Emergency Officer and is responsible for coordinating emergency plan training for staff.

Quick Facts

2020-2021 School Year

Staff	480
Students	2,315
School Buildings	5

Audit Period

July 1, 2020 – June 30, 2021

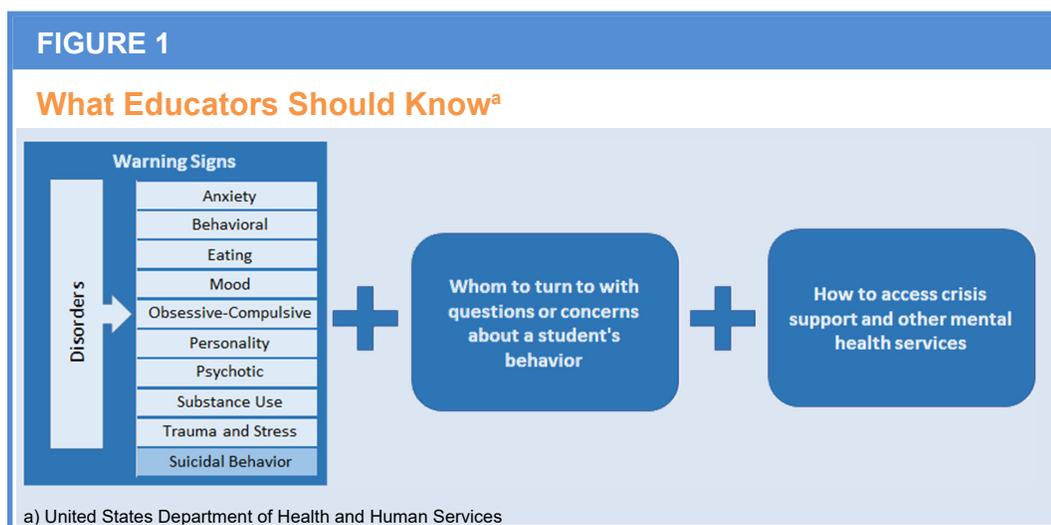
Mental Health Training

The SAVE Act was introduced to help improve school safety. The SAVE Act requires school districts to develop a comprehensive district-wide school safety plan (safety plan) that addresses crisis intervention, emergency responses and management. The safety plan developed by each district must include, among other things, policies and procedures for annual school safety training for staff and students. School districts must certify to the SED Commissioner that all staff have undergone the school safety training, which must include a component on mental health.¹ SED requires that the certification to the SED Commissioner states that all staff have undergone the annual training by September 15 of each year.

What Is the Mental Health Component of the SAVE Act Training for All Staff?

The SAVE Act requires all districts to provide staff annual emergency response plan training with a component on mental health. School personnel are often the first to notice mental health problems, and, to support the mental health of a district’s students.

While the SAVE Act and SED requirements state that the annual school safety training must include a component on mental health, neither the SAVE Act nor SED requirements directly address what topics should be included within the mental health training component. Rather, SED issued guidance to all school districts that included resources relating to mental health. Included within the resources was information from the U.S. Department of Health and Human Services (DHHS) addressing “what educators should know” regarding warning signs of mental health problems, “whom to turn to,” and “how to access crisis support and other mental health services” (Figure 1).



1 8 NYCRR Section 155.17[c][1][xiii]

Based on SED guidance, as a best practice, at a minimum staff should be trained on the DHHS recommended mental health components of “what educators should know.”

District Training Did Not Include All Recommended Mental Health Components

The Superintendent certified to SED that by September 3, all staff received the training on the emergency response plan, which must include training on a component of mental health.

Our review of the training records and materials presented by officials of the Trauma and Warning Signs Training found the District did not provide mental health training to all staff as a requirement of the annual emergency response plan training.

We contacted the building principals to determine if training was provided at the building-level. One Principal told us training was provided that included mental health content, however, the others did not. The same Elementary Principal also told us their school’s guidance counselor provided training to instructional staff on trauma which included mental health content.

We reviewed documentation for this training and found five of the 12 recommended mental health components were included. Missing from the training were the warning signs for eating disorders, mood disorders, obsessive-compulsive disorder, psychotic disorders, substance use disorders, suicidal behavior, as well as information on how to access crisis support and other mental health services (Figure 2).

The Superintendent and Assistant Superintendent told us that the regulations regarding mental health training are vague and do not provide sufficient guidance for school districts to understand

Figure 2: District’s Trauma and Warning Signs Training

Mental Health Components	Included
Whom to Turn to	✓
How to Access Support and Services	X
Warning Signs	
Anxiety Disorders	✓
Behavioral Disorders	✓
Eating Disorders	X
Mood Disorders	X
Obsessive-Compulsive Disorder	X
Personality Disorders	✓
Psychotic Disorders	X
Substance Use Disorders	X
Suicidal Behavior	X
Trauma and Stress Related Disorders	✓

all the components for mental health concerns that should have been included in the training provided to District employees. They also told us that due to the COVID-19 pandemic their focus was to keep the students and staff healthy, to comply with the Department of Health protocols and provide proper training to staff and parents on minimizing the District's exposure to COVID-19. As a result, some mental health training was delayed until after the September 15 deadline.

The District Did Not Provide Training to All Staff

The Elementary School Principal told us in-person training was provided to instructional staff for the Trauma and Warning Signs Training. The elementary school's guidance counselor told us she provided this training on September 1, 2020. However, documentation to support attendance for the training was not maintained. Therefore, which staff attended and completed the training could not be determined.

It is imperative, especially during the COVID-19 pandemic, that staff be provided training on warning signs that may be an early indicator of mental health issues and concerns. Training staff can assist in identifying mental health issues in students early on to get help when needed and potentially avoid having to react to crisis situations or emergencies.

What Do We Recommend?

District officials must:

1. Provide mental health training to all staff and ensure it is completed by September 15, as required. Such training should address recognition of the warning signs, whom to turn to for assistance and how to access appropriate services.

Appendix A: Response From District Officials



MALONE CENTRAL SCHOOL DISTRICT

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Jerry Griffin	Hope Schrader-Bogett	Rhonda Poirier	Philip Hans
Superintendent	Business Manager	District Treasurer	Board President

February 11, 2022

To: Julie Landcastle, Chief Examiner
Statewide Audit
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44 Hawley Street
Binghamton, NY 13901-4417
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From: Jerry Griffin, Superintendent of Schools

Re: Comptroller Response

Please find our response to the Comptroller's Report for Malone CSD. The subject of the audit and my response is on Part 155 of NYSED Commissioner's Regulation.

TITLE 8. EDUCATION DEPARTMENT
CHAPTER II. REGULATIONS OF THE COMMISSIONER
SUBCHAPTER J. BUILDINGS AND TRANSPORTATION
PART 155. EDUCATIONAL FACILITIES

(c) District-wide school safety plans and building-level emergency response plans.

District-wide school safety plans and building-level emergency response plans shall be designed to prevent or minimize the effects of violent incidents and emergencies and to facilitate the coordination of schools and school districts with local and county resources in the event of such incidents or emergencies.

(1) District-wide school safety plans. A district-wide school safety plan shall be developed by the district-wide school safety team and shall include, but not be limited to:

(xiii) policies and procedures for annual multi-hazard school safety training for staff and students, provided that the district must certify to the commissioner that all staff have undergone annual training by September 15, 2016 and each subsequent September 15th thereafter on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year shall receive such training within 30 days of hire or as part of the district's existing new hire training program, whichever is sooner;

Each year our district ensures that we are in compliance with Commissioner's Regulation Part 155 by using our first two superintendent staff development days. These days are typically the two days prior to the first day of school for students.

The training on these days are on the following topics:

- Sexual Harassment
- Emergency Response Team procedures (ERT)
- ALICE Training - our active shooter procedures
- School and District Safety Plan Review
- Instructional Support Team (IST) and Multi-Tiered System of Supports (MTSS) that provides clear steps that staff should take to refer a student for additional academic support and/or mental health counseling or evaluation
- Committee on Special Education (CSE) referral process
- Individual Education Plan (IEP) awareness and review
- Bloodborne Pathogens

The focus of the Comptroller's Audit was the 2020-2021 school year. At our entrance interview with the Comptroller's Office representatives, I told them that this was going to be a difficult task based on what we were dealing with in September 2020. I informed them that our Principals were focused almost entirely on COVID Safety Protocols, PPE supplies, increased physical distancing in all educational settings including classrooms and cafeterias, creating modified schedules, offering a remote learning environment, determining isolation spaces in schools, and

consistently communicating with staff and families to help them prepare for the start of the school year.

The examiners were told that we actually didn't start in-person instruction until September 21, which made the scheduling of our normal annual training look much different. Much of our training during the summer of 2020 was focused on COVID protocols, scheduling updates, learning loss preparedness, as well as making sure we were fully ready to go remote if needed. The start of the 2020 school year was unlike anything we had seen in the past. The examiners acknowledged and sympathized with us on these issues and said that they were just doing what they were told to do by their supervisors. Our school district was one of several that were randomly selected for this particular focus area. The only qualification for districts to be considered is that the district was not currently under a comptroller audit.

Throughout their interviews with staff members including our Assistant Superintendent, Director of Pupil Personnel Services, building principals, counselors, school psychologists, and me, it became clear that the examiner was working from a list we had not seen before. She gave us a printout from the website mentalhealth.gov that lists the ten areas they were looking for in their examination. These ten areas are listed at the bottom of this response.

Concerning to us is that this list of specific training requirements for schools has not been provided to us in the past. In order to do our due diligence, we contacted two separate BOCES who responded in agreement that this list was unfamiliar to them. I asked the examiner how schools were supposed to know about these specific areas of focus. In response, I was proved with an email as follows:

"This can be found at the following link in the 8/12/2016 section"
<http://www.p12.nysed.gov/sss/>

Upon visiting this site, I found that many of the links under the 2016 section were broken which I noted to the examiners.

While Malone CSD has always been in compliance with this regulation by conducting the training before September 15, we will take steps to ensure compliance with this list now that it has been made known to us. We will make sure that going forward we include these specific mental health disorders on each agenda during opening sessions on our Superintendent Conference Days. We will also reach out to our contacts at BOCES and our partner agencies for assistance if needed.

If the Comptroller's Office would have selected any other school year the results of this audit would have been much different. The challenges presented to districts across not only New York State, but the Nation, should have been taken into consideration prior to this audit even being conducted. We waited well beyond the end of the 2019-2020 school year for reopening guidance documents from both the NYS Department of Health and NYSED in order to reimagine everything we do in a school to educate our students. This was our focus, as it needed to be, to ensure that we could open our doors and welcome students back for the start of the 2020-2021 school year.

In addition, the term "mental health" found in Part 155 of NYSED Commissioner's Regulation should be more clearly defined for districts in order to be able to implement training appropriate to the expectations. We care about our students and will continue to do everything in our power to ensure that we are meeting their needs each day.

List of pieces of training from [mentalhealth.gov](https://www.mentalhealth.gov):

Anxiety Disorders

People with anxiety disorders respond to certain objects or situations with fear and dread. Anxiety disorders can include obsessive-compulsive disorder, panic disorders, and phobias.

Behavioral Disorders

Behavioral disorders involve a pattern of disruptive behaviors in children that last for at least 6 months and cause problems in school, at home and in social situations. Examples of behavioral disorders include Attention Deficit Hyperactive Disorder (ADHD), Conduct Disorder, and Oppositional-Defiant Disorder (ODD).

Eating Disorders

Eating disorders involve extreme emotions, attitudes, and behaviors involving weight and food. Eating disorders can include anorexia, bulimia, and binge eating.

Mental Health and Substance Use Disorders

Mental health problems and substance abuse disorders sometimes occur together.

Mood Disorders

Mood disorders involve persistent feelings of sadness or periods of feeling overly happy, or fluctuating between extreme happiness and extreme sadness. Mood disorders can include depression, bipolar disorder, Seasonal Affective Disorder (SAD), and self-harm.

Obsessive-Compulsive Disorder

If you have OCD, you have repeated, upsetting thoughts called obsessions. You do the same thing over and over again to try to make the thoughts go away. Those repeated actions are called compulsions.

Personality Disorders

People with personality disorders have extreme and inflexible personality traits that are distressing to the person and may cause problems in work, school, or social relationships. Personality disorders can include antisocial personality disorder and borderline personality disorder.

Psychotic Disorders

People with psychotic disorders experience a range of symptoms, including hallucinations and delusions. An example of a psychotic disorder is schizophrenia.

Suicidal Behavior

Suicide causes immeasurable pain, suffering, and loss to individuals, families, and communities nationwide.

Trauma and Stress Related Disorders

Post-traumatic stress disorder (PTSD) can occur after living through or seeing a traumatic event, such as war, a hurricane, rape, physical abuse or a bad accident. PTSD makes you feel stressed and afraid after the danger is over.

Appendix B: Audit Methodology and Standards

We conducted this audit pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law. To accomplish our audit objective and obtain relevant audit evidence, our procedures included the following steps:

- We selected the District for audit using a random number generator applied to a list of districts, broken out by five geographic regions (excluding NYC schools), not currently in the OSC audit process at the time of selection. The list was broken out by geographic region for an even representation of school districts across the State for this multi-unit audit.
- We interviewed District officials to gain an understanding of the process for creating, disseminating and monitoring mental health training for staff.
- We reviewed relevant State laws and regulations, and guidance from SED and the United States Department of Health and Human Services. We reviewed District policies to gain an understanding of required mental health training.
- We reviewed Board minutes for the 2020-21 school year to determine the Board action taken related to the District-wide safety plan or required mental health training.
- We requested and reviewed records supporting the District's 2020-21 certification to SED that required annual training with a component of mental health was attended by all staff.
- We reviewed and tested the mental health training materials provided by the District to determine if training on mental health followed guidance. We documented when training materials were not retained by the District.
- We determined the total number of individuals employed by the District during our audit period by obtaining and reviewing an employee listing.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

The Board has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report must be prepared and provided to our office within 90 days, pursuant to Section 35 of General Municipal Law, Section 2116-a (3)(c) of New York State Education Law and Section 170.12 of the Regulations of the Commissioner of Education. To the extent practicable, implementation of the CAP must begin by the end of the

fiscal year. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The CAP should be posted on the District's website for public review.

Appendix C: Resources and Services

Regional Office Directory

www.osc.state.ny.us/files/local-government/pdf/regional-directory.pdf

Cost-Saving Ideas – Resources, advice and assistance on cost-saving ideas

www.osc.state.ny.us/local-government/publications

Fiscal Stress Monitoring – Resources for local government officials experiencing fiscal problems

www.osc.state.ny.us/local-government/fiscal-monitoring

Local Government Management Guides – Series of publications that include technical information and suggested practices for local government management

www.osc.state.ny.us/local-government/publications

Planning and Budgeting Guides – Resources for developing multiyear financial, capital, strategic and other plans

www.osc.state.ny.us/local-government/resources/planning-resources

Protecting Sensitive Data and Other Local Government Assets – A non-technical cybersecurity guide for local government leaders

www.osc.state.ny.us/files/local-government/publications/pdf/cyber-security-guide.pdf

Required Reporting – Information and resources for reports and forms that are filed with the Office of the State Comptroller

www.osc.state.ny.us/local-government/required-reporting

Research Reports/Publications – Reports on major policy issues facing local governments and State policy-makers

www.osc.state.ny.us/local-government/publications

Training – Resources for local government officials on in-person and online training opportunities on a wide range of topics

www.osc.state.ny.us/local-government/academy

Contact

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