

Rye Neck Union Free 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

 - What Do We Recommend? 4

- Appendix A – Response From District Officials 5**

- Appendix B – OSC Comments on the District’s Response 9**

- Appendix C – Audit Methodology and Standards 10**

- Appendix D – Resources and Services 12**

Report Highlights

Rye Neck Union Free School District

Audit Objective

Determine whether the Rye Neck Union Free 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 to any staff for the 2020-21 school year by September 15, 2020 as required by New York State Education Department (SED) regulations.

- Ten of the 12 recommended components of mental health that educators should know were not included in the District's training.

District officials did not maintain documentation to support attendance for training and we were unable to determine which staff members participated.

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 generally agreed with our recommendation and indicated they will take corrective action. Appendix B includes our comments on the District's response.

Background

The District is located in Westchester County, and is governed by an elected six-member Board of Education (Board).

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 Middle School Principal was designated as the District's Chief Emergency Officer and was responsible for coordinating emergency plan training for District staff.

Quick Facts

2020-2021 School Year

Staff	291
Students	1,519
School Buildings	3

Audit Period

July 1, 2020 – June 30, 2021

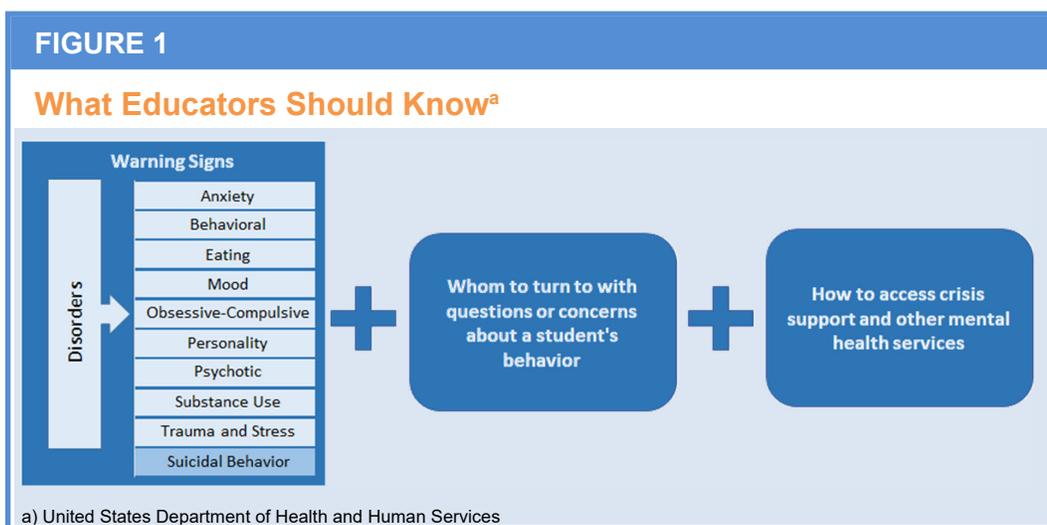
Mental Health Training

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 previous Superintendent certified to SED that all staff received training on the emergency response plan on September 2, 2020, which must also include training on a component of mental health.

The current Superintendent told us training that contained a component of mental health was provided in the District’s “Dignity for All Students Act” (DASA) training and through a video conference attended by staff on the District’s Safety Plan.

We reviewed the materials presented for these trainings and found that the content of the District’s Safety Plan training included two of the 12 recommended mental health components. Missing from the training were the warning signs for anxiety disorders, behavioral disorders, eating disorders, mood disorders, obsessive-compulsive disorder, personality disorders, psychotic disorders, substance abuse disorders, suicidal behavior and trauma and stress related disorders (Figure 2).

In addition, we did not consider the content of the DASA training to satisfy the requirements on providing training on a component of mental health because it focused on raising awareness and sensitivity to potential acts of discrimination and harassment, not the recommended mental health warning signs, “whom to turn to” and “how to access crisis support and other mental health services.”

The Assistant Superintendent for Curriculum and Instruction told us that this training was provided on September 2, but documentation to support attendance for the District’s Safety Plan training was not maintained. Therefore, which staff

Figure 2: District’s Safety Plan Training

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

members participated in the training could not be determined. In addition, she told us she was unaware of the recommendations of “What Educators Should Know.”

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



To: Julie Landcastle, Chief Examiner
From: Dr. Eric Lutinski, Superintendent
Re: OSC Mental Health Training Audit S9-21-34
Date: February 9, 2022
Cc: Rye Neck Board of Education

Our most significant and direct response to the OSC Mental Health Training Audit is that the Rye Neck UFSD will be in compliance with SAVE legislation regarding staff training in mental health for the 2022-23 school year. The three components will be addressed by training conducted no later than September 15th and attendance will be documented.

Rye Neck was found in compliance with two of the three areas of Mental Health Components (*Whom to turn to* and *How to access support and services*) and needed to provide training on *Warning signs*. Additionally, attendance needs to be documented.

See Note 1 Page 9

1. We have since added two additional GCN training modules for all staff, Suicide Prevention and Mental Health Illness & Disorders Awareness for Educators. These come with an inherent completion certification.
2. We are piloting our live staff training for next September during our March 25th, 2022 Superintendent's Conference Day. This will include a description of the specific warning signs provided by our school psychologists.



Our reflection on the audit process has resulted in some respectfully submitted thoughts and suggestions.

See Note 2 Page 9

1. We believe it could be helpful if the guidance language was more clear. Although obviously aware of SAVE and safety planning, when we asked for the specific regulations that were the subject of the audit we were given three documents.
 - a. Two of the documents were highlighted copies of Ed Law 2801-a and 8 CRR-NY 155.17, on Safety Plans. They both contain the same section: a phrase in the middle of each document which refers to staff training by the September 15th deadline. It says “the building-level emergency response plan which must include components on...mental health”. This phrase provides no detail.
 - b. The August 10th, 2016 “Mental Health Resources for Educators” is written as a compilation of resources, not a directive. The memo says “At the end of this document, you will find a one page summary from the U.S. Department of Health and Human Services, titled “What Educators Should Know.” Once the “Page Not Found” on the DHHS link is bypassed, there are many useful resources. However, the “For Educators” section upon which the audit was based says “here are some ways you can help students” rather than specifying requirements for NY State schools.
 - c. The audit report notes “neither the SAVE Act nor SED requirements directly address what topics should be included within the mental health training component” on page four. At the bottom of page four the audit further says “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”. This should be a requirement made clear in the SAVE legislation.
2. We believe a change in the scope of the audit would be a more authentic assessment of a staff’s ability to respond to student mental health issues. The time between the start of the teacher work year and the 15th of September (a mere eight school days) is not an effective training period. The calendar of days in September, 2020 covered in the audit period was as follows:
 - a. September 2nd and 3rd were staff-only days
 - b. September 8th and 9th were half-days for student orientation, one for each of two cohorts.
 - c. September 10th and 11th, and September 14th and 15th, were the first and second full days of school, respectively, for each of the two cohorts
3. A list is not effective instruction. Providing a list of types of mental health issues and their warning signs is not necessarily an effective way for teachers to help students. In addition to Sexual Harassment, DASA, Emergency Response Plans,

etc., another list/powerpoint/GCN, etc. may not be memorable in the short span of time between the teacher start date and September 15th.

4. The audit focuses very well on the letter of the law, but we have suggestions to better address the spirit of the law. Rye Neck is a small district in terms of both staff and building size. Our school psychologists and counselors work closely with and in close proximity to the teaching staff. As per the audit, Rye Neck did train staff on Component 1, Who to turn to and Component 2, How to access support services.
 - a. If the intent of the law is to provide assistance to students, it should focus on the school year, not nominal training that can be checked off of a to-do list before student schedules are finalized. A list of mental health related staff activities at Rye Neck is included at the end of this document. Psychologists, not math or art teachers, should be attending to students. Components 1 and 2 are far more important than 3, Warning Signs. The warning signs of mental issues are similar to any other issues that teachers see and consult psychologists, administrators, and counselors about: changes in academic behavior, classroom behavior, eating irregularities, lack of sleep, facial affect, journal entries, trouble with friends, apathy toward events, mood, etc. A teacher can promptly alert the right people, but a list provided in September will not equip them to accurately differentiate between two types of disorders. Rather, it could cause delay if they feel like they need to consult a training document to determine, for example, anxiety vs. obsessive compulsive prior to alerting the mental health staff.
 - b. To better equip schools with the necessary human resources to address mental health, the state could provide training for a vast pool of new school psychologists and other related professionals. In addition to being institutions of learning, schools now provide child care, food service, family counseling, medical care, and extracurricular activities. Mental health should be given greater priority by recruiting a larger group of people for school psychology.
 - c. Funds for a larger mental health staff would help to address student issues and increase the priority on mental health relative to the academic departments that are fully staffed. At Rye Neck High School, for example, we have eleven teachers in the science department alone but only one psychologist for the building.

-
5. *Our audit result would not have been different*, but the timing of the audit was poor for all schools.
- a. The September, 2020 Rye Neck school year began with the first in-person instruction since March 2020. Extreme changes in instruction, use of technology, scheduling, food service, and new COVID mitigation protocols had to occur in order to make in-person learning happen.
 - b. Priorities at that time included the organization of two cohorts of students coming to school on alternating days; hybrid instruction for students both in school and at home; a modified master schedule to accommodate both remote instruction and half-sized classes; optional remote instruction for students who did not want to enter school; and management of masks, social distancing, and health screening.

Mental Health-Related Activities Involving Staff during the 2020-21 school year:

- IST/MTSS meetings, K-12
- DASA training, K-12
- Mental Health Subcommittee, K-12
- Faculty and Team discussions on student/staff mental health, K-12
- Spirit Week, K-12
- Elementary birthday celebrations
- *Start with Joy*/Katie Egan Cunningham, K-2 staff book
- *Positive Mental Attitude*/Toby Morse, 3-5 presentation
- Yale Center for Emotional Intelligence/RULER, 3-5 and MS
- Character Education course, grade 6
- “Wear and Why” personal reflection, MS
- Counselor & Mood check-in surveys, MS/HS
- Mental Health First Aid certification for Counseling Department Chair
- Dialectical Behavioral Therapy, HS
- *Decide to Stay*/Roger Von Braun, HS presentation
- Freshman Seminar, grade 9
- NAMI guest speaker for HS

Best regards,

Eric Litwinski, Ed. D.



Appendix B: OSC Comments on the District's Response

Note 1

Our review of the District's Safety Plan Training found that the content included two of the 12 recommended mental health components. Warning signs include 10 mental health components and are detailed in Figures 1 and 2 of this report.

Note 2

Our school district audit reports and responses are provided to SED.

Appendix C: 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 DHHS. 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.
- We reviewed and tested the mental health training materials provided by the District to determine if training on mental health followed guidance.
- 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 D: 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

Office of the New York State Comptroller
Division of Local Government and School Accountability
110 State Street, 12th Floor, Albany, New York 12236

Tel: (518) 474-4037 • Fax: (518) 486-6479 • Email: localgov@osc.ny.gov

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

Local Government and School Accountability Help Line: (866) 321-8503

STATEWIDE AUDIT – Julie Landcastle, Chief Examiner

Utica State Office Building, Room 604 • 207 Genesee Street • Utica, New York 13501

Tel (315) 793-2484



Like us on Facebook at facebook.com/nyscomptroller

Follow us on Twitter [@nyscomptroller](https://twitter.com/nyscomptroller)