



State of Wisconsin
2025 - 2026 LEGISLATURE

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ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 91

March 13, 2025 - Offered by Representative SINICKI.

1 **AN ACT *to repeal*** 115.364 (1) (a), (am) and (b), 115.364 (2) (a) 2. and 3. and
2 115.364 (2) (b) 2.; ***to renumber and amend*** 115.364 (1) (intro.) and 115.364
3 (2) (b) 1.; ***to consolidate, renumber and amend*** 115.364 (2) (a) (intro.) and
4 1.; ***to amend*** 20.255 (2) (da), 20.255 (2) (dt) (title), 115.28 (63) (intro.), 115.364
5 (title) and 115.366 (3); ***to repeal and recreate*** 115.367 of the statutes;
6 **relating to:** school-based mental health services, peer-to-peer suicide
7 prevention grants, mental health training programs for school staff, and
8 making an appropriation.

Analysis by the Legislative Reference Bureau

This bill 1) replaces an existing grant program that supports collaboration between public schools and community mental health agencies to provide mental health services to pupils with a new categorical aid for comprehensive school mental health services; 2) expands the types of expenditures that are eligible for reimbursement under the categorical aid program related to the costs of employing,

hiring, and retaining pupil services professionals; 3) increases the maximum annual peer-to-peer suicide prevention grant amount to \$6,000; and 4) expands the types of training included in the mental health training program that the Department of Public Instruction must offer to school districts and independent charter schools and requires DPI to offer the program to out-of-school-time program employees.

Aid for comprehensive school mental health services

Under current law, DPI awards grants to school districts and independent charter schools for the purpose of collaborating with community mental health agencies to provide mental health services to pupils. This bill replaces the current grant program with new categorical aid for comprehensive school mental health services to school districts and independent charter schools.

Under the bill, beginning in the 2025–26 school year, DPI must annually reimburse a school board or the operator of an independent charter school for costs incurred for mental health services during in-school or out-of-school time, up to the greater of \$100,000 or \$100 per pupil who was enrolled in the school district or independent charter school in the previous school year. If the amount appropriated for this purpose is insufficient, DPI must prorate the reimbursements.

School mental health and pupil wellness; categorical aid

Under current law, DPI must make payments to school districts, independent charter schools, and private schools participating in parental choice programs (local education agency) that increased the amount they spent to employ, hire, or retain social workers. Under current law, DPI first pays each eligible local education agency 50 percent of the amount by which the eligible local education agency increased its expenditures for social workers in the preceding school year over the amount it expended in the school year immediately preceding the preceding school year. If, after making those payments, there is money remaining in the appropriation account for that aid program, DPI makes additional payments to eligible local education agencies. The amount of those additional payments is determined based on the amount remaining in the appropriation account and the amount spent by eligible local education agencies to employ, hire, and retain social workers during the previous school year.

The bill expands eligibility for the payments under the aid program to include spending on school counselors, school social workers, school psychologists, and school nurses (pupil services professionals). The bill also eliminates the two tier reimbursement structure of the aid program and eliminates the requirement that a local education agency is eligible for the aid only if the local education agency increased its spending. Under the bill, any local education agency that made expenditures to employ, hire, or retain pupil services professionals during the previous school year is eligible for reimbursement under the aid program.

Peer-to-peer suicide prevention grants

Under current law, DPI administers a competitive grant program to award

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grants to public, private, and tribal high schools for the purpose of supporting peer-to-peer suicide prevention programs. Under current law, the maximum annual peer-to-peer suicide prevention grant amount is \$1,000. The bill increases the maximum annual peer-to-peer suicide prevention grant amount to \$6,000.

Mental health training programs

Under current law, DPI must establish a mental health training program under which it provides training to school district and independent charter school staff on three specific evidence-based strategies related to addressing mental health issues in schools. The three specific evidence-based strategies are 1) The Screening, Brief Intervention, and Referral to Treatment program, 2) Trauma Sensitive Schools, and 3) Youth Mental Health First Aid.

The bill expands the mental health training program to include training on any evidence-based strategy related to addressing mental health issues and suicide prevention in schools and converts the list of evidence-based strategies under current law to a nonexclusive list of strategies. Additionally, the bill requires that DPI provide the training to out-of-school-time program employees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.255 (2) (da) of the statutes is amended to read:

2 20.255 (2) (da) *Aid for school mental health programs; pupil services*
3 *professionals.* The amounts in the schedule for aid to ~~school districts and~~
4 ~~independent charter schools~~ employ, hire, and retain pupil services professionals
5 under s. 115.364.

6 **SECTION 2.** 20.255 (2) (dt) (title) of the statutes is amended to read:

7 20.255 (2) (dt) (title) ~~*School-based*~~ *Aid for comprehensive school mental health*
8 ~~*services grants.*~~

9 **SECTION 3.** 115.28 (63) (intro.) of the statutes is amended to read:

10 115.28 (63) MENTAL HEALTH TRAINING PROGRAM. (intro.) Establish a mental
11 health training support program under which the department provides training ~~on~~
12 ~~all of the following evidence-based strategies related to addressing mental health~~

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1 ~~issues in schools~~ to school district staff ~~and~~, instructional staff of charter schools
2 under s. 118.40 (2r) or (2x), and individuals employed by an out-of-school-time
3 program on evidence-based strategies related to addressing mental health needs
4 and suicide prevention in schools, including all of the following:

5 **SECTION 4.** 115.364 (title) of the statutes is amended to read:

6 **115.364 (title) Aid for school mental health programs, pupil services**
7 **professionals.**

8 **SECTION 5.** 115.364 (1) (intro.) of the statutes is renumbered 115.364 (1) and
9 amended to read:

10 115.364 (1) In this section, “pupil services professional” means a school
11 counselor, school social worker, school psychologist, or school nurse.

12 **SECTION 6.** 115.364 (1) (a), (am) and (b) of the statutes are repealed.

13 **SECTION 7.** 115.364 (2) (a) (intro.) and 1. of the statutes are consolidated,
14 renumbered 115.364 (2) (a) and amended to read:

15 115.364 (2) (a) Beginning in the ~~2018-19~~ 2025-26 school year and annually
16 thereafter, the state superintendent shall ~~do all of the following:~~ 1. Subject, subject
17 to par. (b), from the appropriation under s. 20.255 (2) (da), pay to an eligible
18 reimburse a school district board, the operator of a charter school established under
19 s. 118.40 (2r) or (2x), or the governing body of a private school participating in a
20 program under s. 118.60 or 119.23 for an amount equal to 50 percent of the amount
21 by which the school district increased its expenditures made by the school board,
22 operator, or governing body in the preceding school year to employ, hire, or retain
23 social workers over the amount it expended in the school year immediately

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1 ~~preceeding the preceeding school year to employ, hire, or retain social workers~~ pupil
2 services professionals.

3 **SECTION 8.** 115.364 (2) (a) 2. and 3. of the statutes are repealed.

4 **SECTION 9.** 115.364 (2) (b) 1. of the statutes is renumbered 115.364 (2) (b) and
5 amended to read:

6 115.364 (2) (b) If the appropriation under s. 20.255 (2) (da) in any fiscal year
7 is insufficient to pay the full amount of aid under par. (a), the state superintendent
8 shall prorate state aid payments among the school ~~districts, private schools, and~~
9 ~~independent charter schools~~ boards, operators of charter schools established under
10 s. 118.40 (2r) and (2x), and governing bodies of private schools participating in
11 programs under ss. 118.60 and 119.23 that are eligible for the aid.

12 **SECTION 10.** 115.364 (2) (b) 2. of the statutes is repealed.

13 **SECTION 11.** 115.366 (3) of the statutes is amended to read:

14 115.366 (3) AWARDS. ~~Beginning in the 2020-21 school year, from~~ From the
15 appropriation under s. 20.255 (2) (du), the department shall award up to \$1,000
16 \$6,000 for each school for which a grant is awarded under sub. (1).

17 **SECTION 12.** 115.367 of the statutes is repealed and recreated to read:

18 **115.367 Aid for comprehensive school mental health services. (1)**
19 Beginning in the 2025-26 school year and annually thereafter, the state
20 superintendent shall, from the appropriation under s. 20.255 (2) (dt) and subject to
21 sub. (3), reimburse a school board or the operator of a charter school established
22 under s. 118.40 (2r) or (2x) for expenditures relating to mental health services
23 provided during in-school or out-of-school time. Mental health services eligible for
24 reimbursement under this subsection include at least all of the following:

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1 (a) Mental health evidence-based improvement strategies.

2 (b) Mental health literacy and stigma reduction programs for pupils and
3 adults.

4 (c) Collaborating or contracting with community mental health providers,
5 consultants, organizations, cooperative educational service agencies, and other
6 experts to provide consultation, training, mentoring, and coaching.

7 (d) Parent training and informational events.

8 (e) Assistance programs for pupils and families.

9 (f) Mental health navigators.

10 (g) Mental health system planning.

11 (h) Translator and interpreter services.

12 (i) School-employed mental health professionals who are accessible to all
13 pupils and for whom a reimbursement is not made under s. 115.364 (2) (a).

14 (j) Setting up spaces and purchasing equipment suitable for mental health
15 telehealth service delivery.

16 (k) Projects designed to assist minors experiencing problems resulting from
17 the use of alcohol or other drugs or to prevent alcohol or other drug use by minors.

18 (L) Telehealth services, as defined in s. 440.01 (1) (hm).

19 **(2)** The following costs are ineligible for reimbursement under sub. (1):

20 (a) Payments for direct treatment services or insurance deductibles.

21 (b) Training that is not related to pupil mental health.

22 (c) Staff salaries for positions that are not related to pupil mental health.

23 (d) Indirect costs of regular school operations.

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1 **(3)** (a) In each school year, the amount the state superintendent reimburses a
2 school board or operator of an independent charter school under sub. (1) may not
3 exceed the greater of the following:

4 1. \$100,000.

5 2. \$100 multiplied by the number of pupils enrolled in the school district or
6 charter school in the previous school year.

7 (b) If the appropriation under s. 20.255 (2) (dt) in any fiscal year is insufficient
8 to pay the full amount of aid under sub. (1), the state superintendent shall prorate
9 state aid payments among the school boards and the operators of charter schools
10 established under s. 118.40 (2r) and (2x) that are eligible for the aid.

11 **SECTION 13. Fiscal changes.**

12 (1) AID FOR COMPREHENSIVE SCHOOL MENTAL HEALTH SERVICES. In the
13 schedule under s. 20.005 (3) for the appropriation to the department of public
14 instruction under s. 20.255 (2) (dt), the dollar amount for fiscal year 2025-26 is
15 increased by \$58,888,000 for the purpose for which the appropriation is made. In
16 the schedule under s. 20.005 (3) for the appropriation to the department of public
17 instruction under s. 20.255 (2) (dt), the dollar amount for fiscal year 2026-27 is
18 increased by \$58,888,000 for the purpose for which the appropriation is made.

19 (2) AID FOR SCHOOL MENTAL HEALTH PROGRAMS; PUPIL SERVICE
20 PROFESSIONALS. In the schedule under s. 20.005 (3) for the appropriation to the
21 department of public instruction under s. 20.255 (2) (da), the dollar amount for
22 fiscal year 2025-26 is increased by \$50,752,000 for the purpose for which the
23 appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to
24 the department of public instruction under s. 20.255 (2) (da), the dollar amount for

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1 fiscal year 2026-27 is increased by \$55,237,000 for the purpose for which the
2 appropriation is made.

3 (3) PEER-TO-PEER SUICIDE PREVENTION GRANTS. In the schedule under s.
4 20.005 (3) for the appropriation to the department of public instruction under s.
5 20.255 (2) (du), the dollar amount for fiscal year 2025-26 is increased by \$100,000
6 for the purpose for which the appropriation is made. In the schedule under s.
7 20.005 (3) for the appropriation to the department of public instruction under s.
8 20.255 (2) (du), the dollar amount for fiscal year 2026-27 is increased by \$100,000
9 for the purpose for which the appropriation is made.

10 **SECTION 14. Effective date.**

11 (1) This act takes effect on the day after publication, or on the 2nd day after
12 publication of the 2025 biennial budget act, whichever is later.

13 **(END)**