
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 14 (Portantino) - Pupil health: school employee and pupil training: excused absences: youth mental and behavioral health

Version: March 18, 2021
Urgency: No
Hearing Date: April 5, 2021

Policy Vote: ED. 7 - 0
Mandate: Yes
Consultant: Lenin Del Castillo

Bill Summary: This bill requires the California Department of Education (CDE) to identify an evidence-based training program for local education agencies (LEAs) to use to train classified and certificated school employees having direct contact with pupils in youth behavioral health and an evidence-based behavioral health training program with a curriculum tailored for pupils in grades 10 to 12, inclusive.

Fiscal Impact: While the provisions of the bill would be contingent upon an appropriation, it could lead to Proposition 98 General Fund cost pressure to fund the mental and behavioral health training programs. Assuming a training cost of \$150 each for all certificated and classified employees having direct contact with students in behavioral health, statewide costs could be in the tens of millions of dollars on a one-time basis.

The CDE estimates General Fund costs of approximately \$166,000 and the equivalent of .50 positions over a two-year period to identify an evidence-based training program. Activities include researching training programs for both staff and high school students that meet the bill's criteria, receiving and tracking certification data from LEAs, and maintaining records of LEA reports.

Background: Existing law requires the Superintendent of Public Instruction (SPI) to send a notice to each middle school, junior high school, and high school that encourages each school to provide suicide prevention training to each school counselor at least one time while employed as a counselor, provides information on the availability of the suicide prevention training curriculum developed by the SPI, and informs schools about the suicide prevention training provided by the department and describes how a school might retain those services.

Existing law requires the governing board of any LEA that serves pupils in grades seven to twelve, inclusive, to adopt a policy on pupil suicide prevention, intervention, and postvention. The policy shall specifically address the needs of high-risk groups, including suicide awareness and prevention training for teachers, and ensure that a school employee acts within the authorization and scope of the employee's credential or license.

Youth mental health first aid is a course designed (and trademarked) by the National Council for Behavioral Health, a 501(c)(3) association that advocates for policies that ensure people who have mental health and substance use disorders have access to comprehensive, evidence-based health care services. The eight-hour course teaches

individuals how to identify, understand, and respond to signs of mental illnesses and substance use disorders. As part of the course, individuals learn about depression and mood disorders, anxiety disorders, trauma, psychosis, and substance use disorders. Among other things, the course teaches how to assess for risk of suicide or harm and encourage appropriate professional help.

Proposed Law: This bill adds “for the benefit of the behavioral health of the pupil” to the illness category of excused absences for purposes of school attendance.

This bill also requires CDE to identify an evidence-based training program for a local educational agency to use to train classified and certificated school employees having direct contact with pupils in youth behavioral health that meets specified requirements, including:

- a) Is a peer-reviewed evidence-based training program.
- b) Provides instruction on recognizing the signs and symptoms of youth behavioral health, including common psychiatric conditions such as schizophrenia, bipolar disorder, major clinical depression, anxiety disorders, eating disorders, and common substance use disorders such as opioid and alcohol abuse.
- c) Provides instruction on how school staff can best provide referrals to youth behavioral health services, or other support to individuals in the early stages of developing a behavioral disorder.
- d) Provides instruction on how to maintain pupil privacy and confidentiality in a manner consistent with federal and state privacy laws.
- e) Provides instruction on the safe deescalation of crisis situations involving individuals with a youth behavioral health disorder.

This bill requires LEAs to provide the youth behavioral health training identified to certificated and classified employees during regularly scheduled work hours and authorizes certificated or classified employees, if they receive the youth behavioral health training in a manner other than through an in-service training program provided by an LEA, to present a certificate of successful completion of the training to the LEA for purposes of satisfying the bill’s requirements.

This bill prohibits training in youth behavioral health from being a condition of employment or hiring for classified or certificated employees. Further, the bill requires an LEA to certify to the CDE, on or before January 1, 2023, that at least 50 percent of its combined certificated and classified employees having direct contact with pupils at each school, or at least two classified and at least two certificated employees having direct contact with pupils at each school, whichever is greater, have received the youth behavioral health training identified by CDE.

This bill requires CDE to identify an evidence-based youth behavioral health training program with a curriculum tailored for pupils in grades 10 to 12, inclusive, for use by LEAs, that meets specified requirements, including that it is peer-reviewed and evidence-based, provides developmentally appropriate instruction and skill building on

the signs and symptoms of, preventing, and increasing awareness of and assistance for, youth behavioral health disorders, and provides instruction on how to reduce the stigma around youth behavioral health disorders and available resources, including local school and community resources, and the process for accessing treatment. LEAs would be required to report to CDE, on or before January 1, 2023, the number of pupils who have voluntarily completed the youth behavioral health training program.

This bill requires the SBE to update its illness verification regulations, as necessary, to account for the specific inclusion of mental or physical illness within "illness."

This bill provides that the provisions relating to the training programs shall be implemented only to the extent an appropriation is made in the annual Budget Act or another statute for these purposes.

Related Legislation: SB 428 (Pan, 2019) would have required the CDE to identify an evidence-based training program for local educational agencies to use to train classified and certificated school employees having direct contact with pupils in youth mental and behavioral health. SB 428 was vetoed by the Governor, who stated:

"This bill would require the CDE to identify an evidence-based training program on youth mental health for LEAs to use to train classified and certificated employees who have direct contact with students at each school site.

Providing support for students facing mental health is of critical importance. Multiple public agencies beyond CDE hold a responsibility for addressing the mental health crisis impacting young people today. That is why I worked with the Legislature to appropriate \$50 million in this year's budget to create the Mental Health Student Services Act.

Mental health partnerships among county mental health or behavioral health departments, school districts, charter schools and county offices of education are best positioned to address the diverse mental health needs of young people."

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