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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair  
2023 - 2024 Regular Session

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### **SB 509 (Portantino) - School employee and pupil training: youth mental and behavioral health: mental health education**

**Version:** April 20, 2023

**Urgency:** No

**Hearing Date:** May 1, 2023

**Policy Vote:** ED. 7 - 0

**Mandate:** Yes

**Consultant:** Lenin Del Castillo

**Bill Summary:** This bill requires a local educational agency (LEA), on or before January 1, 2027, to certify to the California Department of Education (CDE) that 75 percent of its classified and certificated employees who have direct contact with pupils at each school have received specified youth behavioral health training.

**Fiscal Impact:** While the provisions of the bill would be contingent upon an appropriation, it could lead to significant 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.

**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, subject to an appropriation, requires an LEA, on or before January 1, 2027, to certify to the CDE that 75 percent of its classified employees and certificated employees, who have direct contact with pupils at each school, received youth behavioral health training, identified by the CDE, subject to all of the following conditions:

- a) The youth behavioral health training is provided to classified and certificated employees during regularly scheduled work hours.
- b) If a classified or certificated employee receives the youth behavioral health training in a manner other than through an in-service training program provided by the LEA, the employee may present a certificate of successful completion of the training to the LEA for purposes of satisfying the requirements of this bill.
- c) The youth behavioral health training shall not be a condition of employment or hiring for classified or certificated employees.

This bill provides that an LEA may exclude a licensed mental health professional who holds a pupil personnel service credential from the youth behavioral health training identified by the CDE.

This bill provides that an LEA may meet the requirement to train 75 percent of its certificated and credentialed staff school employees, who have direct contact with pupils at each school, by having a school employee of the LEA who holds a pupil personnel service credential provide the youth behavioral health training to the school employees of the LEA if the training program is identified by the CDE.

This bill specifies that school employees who provide the youth behavioral health training to other school employees must complete any training requirements necessary, as established by the training program identified by the CDE, to provide training to other school employees.

This bill requires each LEA, COE, state special school, and charter school to ensure that all pupils in grades 1 to 12 receive evidence-based, age-appropriate mental health education from instructors trained in the appropriate courses at least once in elementary school, at least once in junior high school or middle school, as applicable, and at least once in high school.

**Related Legislation:** SB 387 (Portantino, 2021), similar to this bill, would have required an LEA, on or before January 1, 2025, to certify to the CDE that 75 percent of its classified and certificated employees who have direct contact with pupils at each school have received specified youth behavioral health training. This bill was never heard in Assembly Education Committee.

SB 14 (Portantino, Chapter 672, Statutes of 2021). An earlier version of the bill included the training certification requirement proposed by this measure, but at a lower threshold of 50 percent. That provision was removed in the Assembly.

SB 428 (Pan, 2019) was similar to this bill and would have required all LEAs, by January 1, 2023, to certify to CDE that at least ten percent of classified and certificated staff having direct contact with children at each school site or two classified and two certificated staff having direct contact with children at each school site, whichever is greater, have obtained similar training. SB 428 was vetoed by Governor Newsom, who stated:

***“This bill would require the California Department of Education (CDE) to identify an evidence-based training program on youth mental health for Local Educational Agencies (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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