

AMENDED IN ASSEMBLY MARCH 11, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 1378

Introduced by Assembly Member Villapudua

February 19, 2021

~~An act to amend Section 33330 of the Education Code, relating to the State Department of Education. An act to add Article 6.5 (commencing with Section 49485) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil health.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1378, as amended, Villapudua. ~~State Department of Education: spending authority.~~ *Pupil health: mental health peer supporters: model program.*

Existing law requires a school of a school district or a county office education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, as provided.

This bill would require the State Department of Education, on or before July 1, 2022, and in collaboration with the State Department of Health Care Services, to establish a peer-to-peer mental health support model program to enable pupils in high school to act as peer supporters for fellow pupils on campus. The bill would require the model program to have specified elements. The bill would require each governing board of a school district, on or before July 1, 2022, to implement the model program on each schoolsite of the school district that contains a high school. By imposing new duties on school districts, the bill would create a state-mandated program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Under existing law, the State Department of Education is the successor to, and is vested with all the duties, powers, purposes, responsibilities, and jurisdiction of the State Board of Education as existed on July 30, 1921, and of the board of directors of the California School for the Deaf and the Blind, and of the several officers, deputies, and employees of those bodies and offices. Existing law authorizes the department to expend money in any appropriation, or in any special fund, remaining or made available by law for the use, support, or maintenance of any board, commission, office, or officer that was abolished and whose duties, powers, and functions were transferred to and conferred upon the department, except as provided.~~

~~This bill would make nonsubstantive revisions to the spending authority of the department.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 6.5 (commencing with Section 49485) is
2 added to Chapter 9 of Part 27 of Division 4 of Title 2 of the
3 Education Code, to read:

4
5 Article 6.5. Mental Health Peer Supporters

6
7 49485. (a) On or before July 1, 2022, the department, in
8 collaboration with the State Department of Health Care Services,
9 shall establish a peer-to-peer mental health support model program
10 to enable pupils in high school to act as peer supporters for fellow
11 pupils on campus. The model program shall include all of the
12 following elements:

1 (1) A mechanism to train pupils on becoming peer supporters
2 for purposes of providing mental health and abuse support,
3 including using resources from a local department of mental health.

4 (2) A requirement that each schoolsite provide a private space
5 for pupils to meet with peer supporters.

6 (3) A requirement that any information shared at a peer
7 supporter meeting remain confidential.

8 (b) On or before July 1, 2022, each governing board of a school
9 district shall implement the model program described in
10 subdivision (a) on each schoolsite of the school district that
11 contains a high school.

12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.

17 SECTION 1. ~~Section 33330 of the Education Code is amended~~
18 ~~to read:~~

19 ~~33330. The department may expend the money in any~~
20 ~~appropriation, or in any special fund in the State Treasury now~~
21 ~~remaining or made available by law for the administration of the~~
22 ~~provisions of any of the statutes enumerated in this article or for~~
23 ~~the use, support, or maintenance of any board, commission, office,~~
24 ~~or officer that is abolished by former Section 361, and whose~~
25 ~~duties, powers, and functions are, by Section 33306, transferred~~
26 ~~to and conferred upon the department, excepting that the funds of~~
27 ~~the State Board of Education in respect to functions retained by~~
28 ~~it, including those funds as are now or may hereafter be entrusted~~
29 ~~to the State Board of Education for administration, and the funds~~
30 ~~of the Superintendent of Public Instruction shall be administered~~
31 ~~as heretofore.~~