

AMENDED IN ASSEMBLY AUGUST 30, 2021

AMENDED IN ASSEMBLY JULY 13, 2021

AMENDED IN SENATE MAY 20, 2021

AMENDED IN SENATE MARCH 17, 2021

SENATE BILL

No. 224

Introduced by Senators Portantino and Rubio

**(Coauthors: Senators Cortese, Dodd, Glazer, Hueso, Hurtado,
Laird, Nielsen, Ochoa Bogh, Skinner, and Umberg)**

(Coauthors: Assembly Members Boerner Horvath, Burke, Frazier,
Gabriel, Cristina Garcia, Lackey, Low, Maienschein, Nguyen,
Robert Rivas, Rodriguez, and Santiago)

January 14, 2021

An act to add Article 6 (commencing with Section 51925) to Chapter 5.5 of Part 28 of Division 4 of Title 2 of the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 224, as amended, Portantino. Pupil instruction: mental health education.

Existing law requires, during the next revision of the publication "Health Framework for California Public Schools," the Instructional Quality Commission to consider developing, and recommending for adoption by the State Board of Education, a distinct category on mental health instruction to educate pupils about all aspects of mental health. Existing law requires mental health instruction for these purposes to include, but not be limited to, specified elements, including reasonably designed and age-appropriate instruction on the overarching themes and core principles of mental health.

This bill would require each school district, county office of education, state special school, and charter school that offers one or more courses in health education to pupils in middle school or high school to include in those courses instruction in mental health that meets the requirements of the bill, as specified. The bill would require that instruction to include, among other things, reasonably designed instruction on the overarching themes and core principles of mental health. The bill would require that instruction and related materials to, among other things, be appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners. The bill would require the State Department of Education to develop a plan to ~~increase~~ *expand* mental health instruction in California public schools on or before January 1, 2024.

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

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

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) Mental health is critical to overall health, well-being, and
4 academic success.
5 (2) Mental health challenges affect all age groups, races,
6 ethnicities, and socioeconomic classes.
7 (3) Millions of Californians, including at least one in five youths,
8 live with mental health challenges. Millions more are affected by
9 the mental health challenges of someone else, such as a close friend
10 or family member.
11 (4) Mental health education is one of the best ways to increase
12 awareness and the seeking of help, while reducing the stigma
13 associated with mental health challenges. The public education
14 system is the most efficient and effective setting for providing this
15 education to all youth.
16 (b) For the foregoing reasons, it is the intent of the Legislature
17 in enacting this measure to ensure that all California pupils in
18 grades 1 to 12, inclusive, have the opportunity to benefit from a
19 comprehensive mental health education.
20 SEC. 2. Article 6 (commencing with Section 51925) is added
21 to Chapter 5.5 of Part 28 of Division 4 of Title 2 of the Education
22 Code, to read:

1 Article 6. Mandatory Mental Health Education

2
3 51925. Each school district, county office of education, state
4 special school, and charter school that offers one or more courses
5 in health education to pupils in middle school or high school shall
6 include in those courses instruction in mental health that meets the
7 requirements of this article. This section shall not be construed to
8 limit a school district, county office of education, state special
9 school, or charter school in offering or requiring instruction in
10 mental health as specified in this article. This instruction shall
11 include all of the following:

12 (a) Reasonably designed instruction on the overarching themes
13 and core principles of mental health.

14 (b) Defining signs and symptoms of common mental health
15 challenges. Depending on pupil age and developmental level, this
16 may include defining conditions such as depression, suicidal
17 thoughts and behaviors, schizophrenia, bipolar disorder, eating
18 disorders, and anxiety, including post-traumatic stress disorder.

19 (c) Elucidating the evidence-based services and supports that
20 effectively help individuals manage mental health challenges.

21 (d) Promoting mental health wellness and protective factors,
22 which includes positive development, social and cultural
23 connectedness and supportive relationships, resiliency, problem
24 solving skills, coping skills, self-esteem, and a positive school and
25 home environment in which pupils feel comfortable.

26 (e) The ability to identify warning signs of common mental
27 health problems in order to promote awareness and early
28 intervention so that pupils know to take action before a situation
29 turns into a crisis. This shall include instruction on both of the
30 following:

31 (1) How to seek and find assistance from professionals and
32 services within the school district that includes, but is not limited
33 to, school counselors with a pupil personnel services credential,
34 school psychologists, and school social workers, and in the
35 community for themselves or others.

36 (2) Evidence-based and culturally responsive practices that are
37 proven to help overcome mental health challenges.

38 (f) The connection and importance of mental health to overall
39 health and academic success and to co-occurring conditions, such

1 as chronic physical conditions, chemical dependence, and substance
2 abuse.

3 (g) Awareness and appreciation about the prevalence of mental
4 health challenges across all populations, races, ethnicities, and
5 socioeconomic statuses, including the impact of race, ethnicity,
6 and culture on the experience and treatment of mental health
7 challenges.

8 (h) Stigma surrounding mental health challenges and what can
9 be done to overcome stigma, increase awareness, and promote
10 acceptance. This shall include, to the extent possible, classroom
11 presentations of narratives by trained peers and other individuals
12 who have experienced mental health challenges and how they
13 coped with their situations, including how they sought help and
14 acceptance.

15 51926. Instruction and materials required pursuant to this article
16 shall satisfy all of the following:

17 (a) Be appropriate for use with pupils of all races, genders,
18 sexual orientations, and ethnic and cultural backgrounds, pupils
19 with disabilities, and English learners.

20 (b) Be accessible to pupils with disabilities, including, but not
21 limited to, providing a modified curriculum, materials and
22 instruction in alternative formats, and auxiliary aids.

23 (c) Not reflect or promote bias against any person on the basis
24 of any category protected by Section 220.

25 (d) Be coordinated with any existing on-campus mental health
26 providers including, but not limited to, providers with a pupil
27 personnel services credential, who may be immediately called
28 upon by pupils for assistance.

29 51927. (a) This article does not limit a pupil's health and
30 mental health privacy or confidentiality rights.

31 (b) A pupil receiving instruction pursuant to this article shall
32 not be required to disclose their confidential health or mental health
33 information at any time in the course of receiving that instruction,
34 including, but not limited to, for the purpose of the peer component
35 described in subdivision (h) of Section 51925.

36 51928. For purposes of this article, the following definitions
37 apply:

38 (a) "Age appropriate" has the same meaning as defined in
39 Section 51931.

1 (b) “English learner” has the same meaning as defined in Section
2 51931.

3 (c) “Evidence-based” means verified or supported by research
4 conducted in compliance with scientific methods and published
5 in peer-reviewed journals, where appropriate, and recognized as
6 accurate and objective by professional organizations and agencies
7 with expertise in the mental health field.

8 (d) “Instructors trained in the appropriate courses” means
9 instructors with knowledge of the most recent evidence-based
10 research on mental health.

11 51929. On or before January 1, 2024, the department shall
12 develop a plan to ~~increase~~ *expand* mental health instruction in
13 California public schools.