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SB-968 Postsecondary education: mental health counselors. (2017-2018)

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Date Published: 09/06/2018 04:00 AM

ENROLLED SEPTEMBER 05, 2018
PASSED IN SENATE AUGUST 30, 2018
PASSED IN ASSEMBLY AUGUST 29, 2018
AMENDED IN ASSEMBLY AUGUST 20, 2018
AMENDED IN ASSEMBLY JUNE 12, 2018
AMENDED IN SENATE MAY 25, 2018
AMENDED IN SENATE MAY 02, 2018
AMENDED IN SENATE MARCH 12, 2018
AMENDED IN SENATE MARCH 05, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

NO. 968

Introduced by Senator Pan
(Principal coauthor: Assembly Member Bonta)
(Coauthor: Assembly Member Gonzalez Fletcher)

January 31, 2018

An act to add Section 66027.7 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 968, Pan. Postsecondary education: mental health counselors.

Existing law establishes the segments of postsecondary education in this state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, the California Community Colleges administered by the Board of Governors of the California Community Colleges, and independent institutions of higher education. Existing provisions of the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program set forth the requirements for status as a "qualifying institution" whose students are eligible, if as individuals they meet pertinent program requirements, to receive Cal Grant awards. Existing law provides for licensing and regulation of various professions in the healing arts, including physicians and surgeons, psychologists, marriage and family therapists, educational psychologists, clinical social workers, and licensed professional clinical counselors.

This bill would require the Trustees of the California State University and request the Regents of the University of California, to have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses to the fullest extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. The bill would require those institutions, on or before January 1, 2020, and every 3 years thereafter, to report to the Legislature how funding was spent and the number of mental health counselors employed on each of its campuses, as specified. The bill would require each campus of those institutions to, at least every 3 years, conduct a campus survey and focus groups to understand student needs and challenges regarding, among other things, their mental health, would require each campus of those institutions to collect data on attempted suicides, as specified, and would require that data, without any personally identifiable information and collected in accordance with state and federal privacy law, to be included in the report to the Legislature. This bill would require its provisions to be implemented only upon the enactment of an appropriation in the annual Budget Act or another statute for its purposes.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

- (a) Students face anxiety, depression, and stress as they confront challenges of campus life.
- (b) Suicide is the second leading cause of death among college students claiming more than 1,100 lives every year nationally.
- (c) One in four students has a diagnosable mental illness and 40 percent of students do not seek mental health services when they need it.
- (d) For students of color, these challenges may be even more acute as they face additional stressors, such as discrimination, immigration status, financial hardship, and being the first of their families to attend college, and students of color are less likely to access needed services.
- (e) Among the many benefits of mental health counseling are lower college dropout rates, improved academic performance, and reduced legal liability for campuses.
- (f) The California State University system in particular is woefully understaffed with mental health counselors to address the needs of their campuses.

SEC. 2. Section 66027.7 is added to the Education Code, to read:

66027.7. (a) (1) The Trustees of the California State University shall, and the Regents of the University of California are requested to, have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses to the fullest extent consistent with state and federal law.

(2) Where possible, mental health counselors hired under paragraph (1) should be full-time staff, and efforts should be made so that mental health counselors reflect the diversity of the student body.

(b) The number of mental health counselors as computed pursuant to subdivision (a) shall constitute the minimum number of mental health counselors to be hired on a campus based on the campus student population. Additional mental health counselors may be hired in accordance with additional needs identified on a campus.

(c) For purposes of this section, "mental health counselor" means a person who provides individual counseling, group counseling, crisis intervention, emergency services, referrals, program evaluation and research, or provides outreach and consultation interventions to the campus community, or any combination of these, and who is licensed in the State of California by the applicable licensing entity.

(d) (1) On or before January 1, 2020, and every three years thereafter, a postsecondary educational institution subject to this section shall report to the Legislature, consistent with Section 9795 of the Government Code, how funding was spent and the number of mental health counselors employed on each of its campuses.

(2) Each campus of a postsecondary educational institution subject to this section shall, at least every three years, conduct a campus survey and focus groups, including focus groups with students of color, to understand student needs and challenges regarding their mental health and emotional well-being, sense of belonging on campus, and academic success.

(A) The campus surveys and data collection required in paragraph (2) shall be conducted in accordance with state and federal privacy law, including, but not limited to, the state Confidentiality of Medical Information Act (Part 2.6 (commencing

with Section 56) of Division 1 of the Civil Code), the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), and the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191).

(B) The data collected, without any personally identifiable information, shall be included in the report required to be submitted to the Legislature pursuant to paragraph (1).

(3) Each campus of a postsecondary educational institution subject to this section shall collect data on attempted suicides through self-reporting, mental health counselor records, and known hospitalizations. This data, without any personally identifiable information, shall be included in the report required to be submitted to the Legislature pursuant to paragraph (1).

(e) This section shall be implemented only upon the enactment of an appropriation in the annual Budget Act or another statute for these purposes.