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AB-748 Pupil mental health: mental health assistance posters. (2021-2022)

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Assembly Bill No. 748

CHAPTER 431

An act to add Section 49428.5 to the Education Code, relating to pupil health.

[Approved by Governor September 19, 2022. Filed with Secretary of State September 19, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 748, Carrillo. Pupil mental health: mental health assistance posters.

Existing law requires each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 9 to 12, inclusive, to create a poster that notifies pupils of the applicable written policy on sexual harassment, and requires the poster to be prominently and conspicuously displayed in each bathroom and locker room at the schoolsite, as provided. Existing law requires a school of a school district or county office of 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, on or before the start of the 2023–24 school year, each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 6 to 12, inclusive, to create a poster that identifies approaches and shares resources regarding pupil mental health. The bill would require the poster to be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, pupils at each schoolsite, as provided. The bill would provide that no basis for civil liability is created by the above provisions for those local educational agencies. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local 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.

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

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

SECTION 1. Section 49428.5 is added to the Education Code, to read:

49428.5. (a) On or before the start of the 2023–24 school year, each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 6 to 12, inclusive, shall create a poster that identifies approaches and shares resources regarding pupil mental health.

(b) The schoolsite may partner with pupils enrolled at that schoolsite, local, state, or federal agencies, or nonprofit organizations, for purposes of the design and content of the poster.

(c) The language in the poster shall be age appropriate and culturally relevant, and the schoolsite may partner with pupils enrolled at that schoolsite, local, state, or federal agencies, or nonprofit organizations, for these purposes.

(d) The poster shall be displayed in English and any primary language spoken by 15 percent or more of the pupils enrolled at the schoolsite as determined pursuant to Section 48985.

(e) The poster shall be no smaller than 8.5 by 11 inches and use at least 12-point font.

(f) The poster shall display, at a minimum, all of the following:

(1) Identification of common behaviors of those struggling with mental health or who are in a mental health crisis, including, but not limited to, anxiety, depression, eating disorders, emotional dysregulation, bipolar episodes, and schizophrenic episodes.

(2) A list of, and contact information for, schoolsite-specific resources, including, but not limited to, counselors, wellness centers, and peer counselors.

(3) A list of, and contact information for, community resources, including, but not limited to, suicide prevention, substance abuse, child crisis, nonpolice mental health hotlines, public behavioral health services, and community mental health centers.

(4) A list of positive coping strategies to use when dealing with mental health, including, but not limited to, meditation, mindfulness, yoga, breathing exercises, grounding skills, journaling, acceptance, and seeking therapy.

(5) A list of negative coping strategies to avoid, including, but not limited to, substance abuse or self-medication, violence and abuse, self-harm, compulsivity, dissociation, catastrophizing, and isolating.

(g) (1) (A) Commencing with the 2023–24 school year, the poster shall be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, pupils at each schoolsite.

(B) The governing board of a school district, governing body of a charter school, and county board of education shall have full discretion to select additional appropriate public areas that are accessible to, and commonly frequented by, pupils to display the poster at the schoolsite. These areas may include, but are not limited to, bathrooms, locker rooms, classrooms, classroom hallways, gymnasiums, auditoriums, cafeterias, wellness centers, and offices.

(2) The poster shall be digitized and distributed online to pupils through social media, internet websites, portals, and learning platforms at the beginning of each school year.

(3) To assist school districts, county offices of education, and charter schools in developing policies for pupil suicide prevention, the department shall develop and maintain a model poster, in collaboration with mental health experts, pupils, and administrators, in accordance with this section to serve as a guide for school districts, county offices of education, and charter schools.

(h) No basis for civil liability is created by this section for any school district, county office of education, or charter school serving pupils in any of grades 6 to 12, inclusive.

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