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**AB-2072 Mental health professionals: natural disasters: county offices of education: personnel sharing agreements. (2021-2022)**

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**Assembly Bill No. 2072**

**CHAPTER 909**

An act to add Section 49429.5 to the Education Code, relating to pupil health.

[ Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2072, Gabriel. Mental health professionals: natural disasters: county offices of education: personnel sharing agreements.

Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for the work. 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, or both, as provided. Existing law requires the State Department of Education to develop guidelines for the use of telehealth technology in public schools to provide mental health and behavioral health services to pupils on school campuses, as provided.

This bill would require, on or before November 1, 2024, county offices of education, in consultation with the department and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other traumatic event, as provided. The bill would require county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between local educational agencies and for travel expenses, as provided.

This bill would require single school district county offices of education to enter into agreements with at least one other county office of education that they share a border with. The bill would also require county offices of education that share a county border with a single school district county office of education to consult with and enter into agreements with at least one single school district county office of education.

By imposing new requirements on local educational agencies, this 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.** The Legislature finds and declares the following:

(a) Following natural disasters and human-caused traumatic events, such as the destructive California wildfires of 2017 and 2018, there is a tremendous need for mental health professionals and other key school personnel to be available to support pupils and staff impacted by those events.

(b) Most school communities currently do not employ an adequate number of mental health professionals and other key school personnel necessary to support pupil and staff recovery from large-scale traumatic events.

**SEC. 2.** Section 49429.5 is added to the Education Code, to read:

**49429.5.** (a) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

(b) On or before November 1, 2024, county offices of education, in consultation with the department and other relevant state and local agencies, shall coordinate agreements between school districts and charter schools within the county in order to develop a system through which qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county could be rapidly deployed on a short- or long-term basis to an area of the county that has experienced a natural disaster or other traumatic event, in order to provide support to pupils and staff, to the extent the school district or charter school employing those professionals or personnel determines they can be deployed under the circumstances. In developing agreements for this system of sharing mental health professionals and other key school personnel, county offices of education shall consider, at a minimum, all of the following:

(1) The cost of creating and maintaining the system described in this subdivision.

(2) The criteria required for a local educational agency to request the use of mental health professionals and other key school personnel employed by another local educational agency.

(3) Potential reimbursement between local educational agencies.

(4) Reimbursement for travel expenses incurred by mental health professionals and other key school personnel.

(c) Single school district county offices of education shall comply with subdivision (b) by entering into agreements with at least one other county office of education they share a border with.

(d) County offices of education that share a county border with a single school district county office of education shall consult with and enter into agreements with at least one single school district county office of education in order to comply with subdivision (b).

**SEC. 3.** 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.