

Assembly Bill No. 2022

CHAPTER 484

An act to add Section 49428 to the Education Code, relating to pupil health.

[Approved by Governor September 18, 2018. Filed with
Secretary of State September 18, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2022, Chu. Pupil mental health services: school notification.

Existing law requires the governing board of any 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, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs by imposing a tax of 1% on incomes above \$1,000,000. Under the MHSA, funds are distributed to counties for local assistance for designated mental health programs according to a specified county plan. The MHSA requires a county to use 20% of the funds distributed from the Mental Health Services Fund for prevention and early intervention programs, which includes, among other components, outreach to families, employers, primary care health care providers, and others to recognize the early signs of potentially severe and disabling mental illnesses.

This bill would require 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. By imposing an additional requirement on schools of school districts and county offices of education and charter schools, the bill would impose a state-mandated local program. The bill would authorize a county to use funds from the MHSA to provide a grant to a school district or county office of education, or to a charter school, within the county, for purposes of funding those notification requirements, and would authorize a school district or county office of education, or a charter school, to apply to its respective county for a grant for those purposes.

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.

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

SECTION 1. Section 49428 is added to the Education Code, to read:

49428. (a) A school of a school district or county office of education and a charter school shall 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 follows:

(1) A school shall use at least two of the following methods to notify parents or guardians:

(A) Distributing the information in a letter electronically or in hardcopy, including, but not limited to, through the postal service.

(B) Including the information in the parent handbook at the beginning of the school year in accordance with Section 48980.

(C) Posting the information on the school's Internet Web site or social media Internet Web page.

(2) A school shall use at least two of the following methods to notify pupils:

(A) Distributing the information in a document or school publication electronically or in hardcopy.

(B) Including the information in pupil orientation materials at the beginning of the school year or in a pupil handbook.

(C) Posting the information on the school's Internet Web site or social media Internet Web page.

(b) (1) A county may use funds from the Mental Health Services Act, enacted by the voters at the November 2, 2004, statewide general election as Proposition 63, to provide a grant to a school district or county office of education, or to a charter school, within the county, for purposes of funding the activities required pursuant to subdivision (a).

(2) A school district or county office of education, or a charter school, may apply to its respective county for a grant pursuant to paragraph (1).

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.