
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: SB 660 **Hearing Date:** April 10, 2019
Author: Pan
Version: February 22, 2019
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Postsecondary education: mental health counselors

SUMMARY

This bill requires the California State University (CSU), Board of Trustees and Board of Governors of the California Community Colleges (CCC) to have one mental health counselor per 1,500 students enrolled at each of their respective campuses.

BACKGROUND

Existing law:

- 1) Establishes the CSU, under the administration of the Trustees of the CSU, as one of the public postsecondary educational institutions in the state. (Education Code § 66602)
- 2) Requires that the CCC be administered by the BOG. (EC § 70901, et seq.)
- 3) Establishes the Mental Health Services Act (MHSA), enacted by voters in 2004 as Proposition 63, to provide funds to counties to expand services, develop innovative programs, and integrated service plans for mentally ill children, adults, and seniors through a one percent income tax on personal income above \$1 million. The MHSA provides funding for programs within five components: Community Services and Supports, Prevention and Early Intervention, Innovation, Capital Facilities and Technological Needs, Workforce Education and Training.
- 4) Requires the Department of Health Care Services, in coordination with counties, to establish a program designed to prevent mental illnesses from becoming severe and disabling. Existing law requires prevention and early intervention programs to include specified components. (Welfare & Institutions Code § 5840)

ANALYSIS

This bill requires the CSU, Board of Trustees and Board of Governors of the CCCs to have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses. Specifically, it:

- 1) Specifies that mental health counselors hired pursuant to this bill be full-time where possible, and efforts should be made so that mental health counselors reflect the diversity of the student body.

- 2) Requires that the counselor per students ratio apply during all academic terms, including summer and winter sessions.
- 3) Requires that the minimum number of mental health counselors hired on a campus be based on the student population of that campus and states that additional mental health counselors may be hired in accordance with additional needs identified on a campus.
- 4) Requires California State University and California Community Colleges by January 1, 2021, and every three years thereafter, to report to the Legislature as specified, how funding was spent and the number of mental health counselors employed on each of its campuses.
- 5) Requires, at least every three years, that each campus conduct a survey and focus groups to understand student needs and challenges regarding among other things, their mental health and emotional well-being.
- 6) Requires that each campus collect data on attempted suicides through self-reporting, mental health counselor records and known hospitalizations.
- 7) Requires that data collected in 5) and 6) above be included in the report to the legislature without any personally identifiable information.
- 8) Specifies that data collected pursuant to this bill be conducted in a manner that is consistent with state and federal privacy law, including but not limited to, the Confidentiality of Medical Information Act and the federal Family Educational Rights and Privacy Act and Health Information Portability and Accountability Act.
- 9) Defines for purposes of this bill “mental health counselor,” to mean a person who provides individual counseling, group counseling crisis interventions, 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 applicable licensing entity.
- 10) Makes various findings and declarations relative to the prevalence of mental illness among college students and the many benefits of mental health counseling including improved academic performance.
- 11) Establishes if the Commission on State Mandates determines that this act contains costs mandated by the state, the state shall reimburse the applicable entities.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the California Faculty Association, sponsors of this bill, “campuses are experiencing a mental health crisis and there are not enough mental health counselors to deal with the crisis. Students face anxiety, depression, and stress as they confront challenges of campus life. Suicide is the second cause of death among college students claiming more than 1,100 lives every year nationally. For students of color, these challenges may be even more

acute as they face additional stressor such as discrimination, immigration status, financial hardship, being the first in their families to attend college, and are less likely to access needed services.” This bill seeks to ensure provision of mental health services for students by requiring in statute each campus to meet standard of one counselor to every 1,500 students and by establishing a systemwide reporting requirement to assess mental health on campus.

- 2) ***Data collection and use of student mental health records.*** In its review of the status of student mental health on California college campuses commissioned by the author, the California Research Bureau concludes that limitations in data from each segment prevent a full analysis of the extent to which student mental health is improving or deteriorating. The Research Bureau noted however, that information related to students’ use of counseling centers shows an increasing percentage of students using counseling services on California colleges and universities. This bill requires a campus to survey its students as well as conduct focus groups every three-years regarding their mental and emotional health. It additionally requires collection of data on attempted suicides and authorizes mental health counselor records to be used in the collection of data relative to suicide attempts.
- 3) ***Recommended counselor-to-student ratio.*** The International Association of Counseling Services (IACS) recommends that colleges and universities maintain a ratio of one full-time equivalent mental health professional to every 1,000 to 1,500 students. IACS warns that exceeding the ratio may lead to students waiting for services that discourage students from seeking counseling at a center and are likely to leave the university. Delays in treatment could also present difficulties in providing services to students experiencing increasingly more severe psychological issues and impact academic success. The counselor to student ratio is an aspirational goal based on the needs of each campus and its existing resources. California Research Bureau reports that the Association for University and College Counseling Center Directors (AUCCD), an association that advocates for collegiate mental health, also recommends a ratio of no more than 1,500 students per counselor.
- 4) ***Mental health counselors on campuses.*** Of the three segments, it appears that University of California (UC) meets the standards recommended by IACS and AUCCD. As of fall of 2017 UC reports its systemwide counselor to student ratio to be 1:1,156. For fall 2017, the California State University (CSU) estimates about 221 full-time equivalent counselors systemwide with a ratio of 1:2,176. The California Community College (CCC) system has the widest gap to close. The CCC Chancellor’s Office estimates about 300 counselors dispersed among its campuses for 2.1 million students systemwide. Unlike, UC and CSU, not all community colleges have mental health counselors and of the colleges that do have no more than one or two persons to persons regardless of the size of the student body on a given campus. Most community colleges have established Behavioral Intervention Teams that monitor students who have either mental health programs or for students ongoing conduct issues. Staff notes that the ratios mentioned above reflect systemwide averages rather than by campus as required under this bill. All segments report wait-listing students as well as having

procedures in place for providing immediate assistance for the most severe cases.

- 5) **Things to consider.** This bill sets a minimum standard in statute for addressing mental health needs on campus. *Notwithstanding, the multiple benefits that mental health counseling may offer to help lead a healthy life and support academic progress, it seems prudent for the committee to consider whether prescribing minimum standards for other support services that could improve academic outcomes is also warranted or should be prioritized such as for academic advisors or financial aid counselors.*
- 6) **Related Budget Activity.** The 2018 budget provided \$10 million one-time Proposition 98 General Fund to support mental health services and training. Trailer bill language, AB 1809 (Committee on Budget, Chapter 33, statutes of 2018), specifies that the colleges may collaborate with community-based mental health services and county behavioral health department. The Chancellor's Office must report to the Legislature by March 1, 2019 on use of the funds including recommendations on expansions of programs and services. The Governor's Budget proposal provides \$5.3 million in ongoing support to the University of California for the purposes of expanding mental health services with an emphasis in supporting efforts to meet recommended staffing ratios and hire additional clinicians to serve students. The Governor's budget does not propose funding for California State University (CSU) or California Community Colleges for this purpose.
- 7) **Prior legislation.**

SB 968 (Pan, 2017) nearly identical to this bill, contingent upon an appropriation of funds, requires the CSU Board of Trustees and requests the Regents of University of California (UC) to have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses. SB 968 was vetoed by Governor Brown whose message read:

"I am returning Senate Bill 968 without my signature. The bill would prescribe a minimum mental health counselor-to-student ratio at all the campuses of the California State University system, and request the University of California to implement the same ratio on its campuses.

Investing greater resources in student mental health is an understandable goal. Such investments, however, should be actively considered and made within the budget process. Moreover, specific ratios should remain within the purview of the boards or with local campuses, rather than dictated by the state."

SUPPORT

American Academy Of Pediatrics, California
 Cal State Student Association
 California Faculty Association
 California Psychological Association

California State Council of Service Employees
Disability Rights California
San Jose-Evergreen Community College District

OPPOSITION

None received

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