
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: SB 968 **Hearing Date:** April 25, 2018
Author: Pan
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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, Board of Governors (BOG) of the California Community College (CCC) and requests the Regents of University of California (UC) to have one full-time equivalent mental health counselor per 1,000 students enrolled at each of their respective campuses.

BACKGROUND

Existing law:

- 1) The California Constitution establishes the UC, a public trust to be administered by the Regents of the UC and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Article IX, Section (9)(a) of the California Constitution)
- 2) Establishes the CSU, under the administration of the Trustees of the California State University, as one of the public postsecondary educational institutions in the state. (Education Code § 66602)
- 3) Requires that the CCC be administered by the BOG. (EC § 70901, et seq.)
- 4) 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 1 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.
- 5) 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:

- 1) Requires the Trustees of the California State University (CSU), Board of Governors of the California Community Colleges (CCC) and requests the Regents of University of California (UC) to have one full-time equivalent mental health counselor per 1,000 students enrolled at of their respective campuses.
- 2) Specifies that mental health counselors hired pursuant to this bill be full-time where possible.
- 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 CSU, CCC and requests UC by January 1, 2020, 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 each campus to collect the following data, without any personally identifiable information, to be included in a report to the Legislature as prescribed:
 - a) 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 and emotional well-being.
 - b) Collect data on attempted suicides through self-reporting, mental health counselor records and known hospitalizations.
- 6) 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.
- 7) 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.
- 8) 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 the 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 1,000 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. ***Staff recommends that the bill be amended*** to clarify 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.
- 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) **Existing mental health counselors on campuses.** The student population within each of the three segments of public higher education widely ranges from 238,000 at University of California (UC), 479,000 at the California State University (CSU) to 2.3 million at the California Community College (CCC). Of the three segments, it appears that 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. To date, the CSU estimates about 221 full-time equivalent counselors systemwide with a ratio of 2,176 per 1 student. The CCC

system has the widest gap to close. The California Community Colleges Chancellor's Office estimates about 300 counselors dispersed among its campuses (ratio of 1:7,667). Unlike, University of California (UC) and California State University (CSU), not all California Community Colleges (CCC) have mental health counselors and of the colleges that do have no more than 1 or 2 persons to persons regardless of the size of the student body on a given campus. Most CCC 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. In order to comply with the provision of this bill, the CSU would need to hire 266 counselors and the CCC 2,300 counselors.

Staff recommends that the bill be amended to modify the proposed counselor to student ratio from 1:1000 to 1:1,500. The 1:1,500 ratio continues to fall within the recommended range of both the International Association of Counseling Services and the Association for University and College Counseling Center Directors and provides a reasonable threshold for offering student mental health services.

- 5) **Things to consider.** This bill sets a minimum standard in statute for addressing mental health needs on a 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 consider whether setting statewide minimum standards for other support services that improve academic outcomes is also warranted or should be prioritized such as for academic advisors or financial aid counselors.
- 6) **Related activity.** In June 2007, the Mental Health Services Oversight and Accountability Commission voted to approve \$60 million in statewide initiative funds in response to the mass shooting that occurred on the campus of Virginia Polytechnic Institute. This Student Mental Health Initiative (SMHI) allocated \$34 million from Mental Health Services Act Prevention and Early Intervention funds to higher education institutions and \$26 million for K-12 programs for a period of four years. The higher education programs focused on three key strategic directions: training; peer support activities; and, suicide prevention. Any college, district, multi-campus collaborative, or system within one of the three California public higher education systems was eligible and program applications were based on demonstrated need that emphasized culturally relevant and appropriate approaches.

Under the SMHI, the systemwide offices of the CSU and UC were each awarded approximately \$7 million for a 3-year grant (which ended in December 2015) to primarily provide outreach and education activities. In October 2011, the California Community Colleges Chancellor's Office (CCCCO) was awarded \$7 million by California Mental Health Services Authority (CalMHSA) to establish a partnership between the CCCCCO and the Foundation for Community Colleges.

In June of 2015, the program was awarded \$1.4 million (\$700,000 per year) to support phase 2 of the program; implementation began on October 1, 2015, and concluded on June 30, 2017.

The Mental Health Services Act Prevention and Early Intervention funding for Student Mental Health Initiative has been primarily used to support outreach and education activities within the higher education segments. This bill does not identify a funding source.

SUPPORT

California Academy of Child and Adolescent Psychiatry
California Faculty Association
California Federation of Teachers
California Psychological Association
California State Student Association
Faculty Association of California Community Colleges
National Association of Social Workers
SEIU California
Steinberg Institute

OPPOSITION

None received

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