

Date of Hearing: June 25, 2019

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

SB 660 (Pan) – As Amended May 17, 2019

SENATE VOTE: 38-0

SUBJECT: Postsecondary education: mental health counselors

SUMMARY: Requires the California State University (CSU), Board of Trustees and Board of Governors (BOG) of the California Community Colleges (CCC) to establish a goal of having one mental health counselor per 1,500 students enrolled at each of their respective campuses.

Specifically, **this bill:**

- 1) Requires the CSU Board of Trustees and BOG of the CCC to establish a goal of having one mental health counselor per 1,500 students enrolled at each of their respective campuses.
- 2) 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.
- 3) Requires that the counselor per students ratio apply as a goal during all academic terms, including summer and winter sessions.
- 4) Requires that the goal for 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.
- 5) Requires CSU and CCC 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.
- 6) 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.
- 7) Requires that each campus collect data on attempted suicides through self-reporting, mental health counselor records and known hospitalizations.
- 8) Requires that data collected in 5) and 6) above be included in the report to the legislature without any personally identifiable information.
- 9) 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.
- 10) 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 holds an active license and is in good standing with the Board of Behavioral Sciences, the Board of Psychology, or the Medical Board of California.

- 11) 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.
- 12) Establishes if the Commission on State Mandates determines that this act contains costs mandated by the state, the state shall reimburse the applicable entities.

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 (EDC) Section 66602)
- 2) Requires that the CCC be administered by the BOG. (EDC Section 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 Section 5840)

FISCAL EFFECT: According to the Senate Appropriations Committee, this bill could result unknown General Fund cost pressures for the two segments to increase the numbers of mental health counselors employed at their campuses.

COMMENTS: *Need for the bill.* According to the author, "...through Proposition 63, California voters approved the MHSA to provide funds to counties to expand mental health services. Through MHSA funds, the Student Mental Health Initiative (SMHI) was created to allow for K-12 and higher education institutions to apply for program funds. However, funds were not distributed to all higher education institutions. Some community college districts did receive funding for their prevention and early intervention mental health strategies. Regardless, the funding for that program ended in June 2017."

"Campus counseling services are not meeting the growing student demand. We also do not have the proper data to evaluate campus counseling best practices. SB 660 addresses the mental health crisis facing California's public higher education system by requiring the CSU and community

colleges to hire the appropriate amount of mental health counselors and instituting more consistent system-wide reporting requirements.”

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.

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.

Existing mental health counselors on campuses. Of the three segments, it appears that UC meets the standards recommended by IACS and AUCCD. As of fall of 2017, UC reports its system-wide counselor to student ratio to be 1:1,156. To date, the CSU estimates about 221 full-time equivalent counselors system-wide with a ratio of 2,176 per one counselor. The CCC system has the widest gap to close. The CCC Chancellor’s Office estimates about 300 counselors dispersed among its campuses (ratio of 1:7,667). To note, the ratios mentioned above reflect system-wide 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.

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 CCC 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 2019 Governor’s Budget proposal provides \$5.3 million in ongoing support to the UC 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.

Arguments in support. The California Faculty Association writes, “IACS, the accreditation body for college counseling centers, recommends a minimum ratio of 1,000 – 1,500 students for each full-time equivalent counselor on campus. Unfortunately, most CSU campuses employ much less

than one full time equivalent (FTE) counselor per 1,500 students. At Cal State LA, there are only 7 full-time counseling positions for over 28,000 students, and none of the Counselors have permanent positions. At CSU Sacramento, there are only 12 positions for nearly 31,000 students. The UC system seems to be doing better than the CSU system (only UC Riverside does not meet the ratio) while there is little data on mental health services at the Community Colleges. SB 660 (Pan) would go a long way to address the mental health needs of students.”

Arguments in opposition. The CSU writes that, “Mental health counselors play a significant role in the CSU’s approach to addressing students’ well-being. However, one-on-one counseling is only one of many strategies that campuses utilize to meet the mental health needs of students. Peer-to-peer counseling, community partnerships and wellness workshops are also integral to a comprehensive approach to promoting student mental health. Moreover the definition of counselors in the bill excludes qualified and diverse individuals such as post-doctorate professionals who may be better suited to the needs of our students. Requiring that we use our limited resources to meet statutory employment ratios could have the unintended consequence of undermining the successful strategies currently in place and expanding on our campuses. Setting statutory employment ratios would also undermine recent legislative and Board of Trustees actions to encourage partnerships between counties and campuses.”

Prior legislation. SB 968 (Pan, 2018) nearly identical to this bill, contingent upon an appropriation of funds, would have required the CSU Board of Trustees and requests the Regents of 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.

REGISTERED SUPPORT / OPPOSITION:

Support

California Faculty Association
California Labor Federation, AFL-CIO
Disability Rights California
National Association of Social Workers, California Chapter
San Jose-Evergreen Community College District
Western Association for College Admission Counseling

Opposition

California State University, Office of the Chancellor

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