



ASSEMBLY MEMBER

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DISTRICT 25

AB 1838
BEHAVIORAL HEALTH
EXCUSED ABSENCES FOR
STUDENTS

Bill Version: January 6, 2020

SUMMARY

In order to destigmatize behavioral health and encourage help-seeking, AB 1838 allows students to be excused from school for behavioral health reasons. Behavioral health will be included with other valid reasons, such as medical or dental excused absences.

BACKGROUND

At least one in five children in California will be diagnosed with a mental health disorder. In California, over 80% of children who have mental health needs will not receive treatment. Nearly 57 percent of children in California have experienced trauma, which makes them more likely to develop mental health conditions. Suicide is the 3rd leading cause of death for children ages 10-14 and the 2nd leading cause of death for those ages 15-24. Almost 90% of those who died by suicide had an underlying mental illness. California law requires K-12 schools to notify students and families twice a year about available mental health services and local school districts to develop a pupil suicide prevention policy.

Numerous states have passed legislation to include behavioral health as a reason to take an excused absence under state law. In fact, Pennsylvania law has included mental health as a reason for an excused absence since 1949. More recently, Utah passed legislation to allow students to take an excused absence for mental health reasons in 2017. Just last year, Oregon passed a law that allows students to take up to five behavioral health days in a three month period. The students themselves advocated for Oregon's legislation, citing the need to change the stigma around mental health in a state with one of the country's highest suicide rates. New York, New Mexico, New Jersey and Florida have introduced legislation within the last year to ensure mental health is included as reason to take an excused absence.

PROBLEM

Currently, there is no recognition of behavioral health as a reason to be excused from school in California law. Stigma is a common deterrent for seeking help for mental health concerns. While the statistics show that as many as 1.8 million children in California have a behavioral health condition, too many go without receiving treatment.

SOLUTION

AB 1838 will allow students to take an excused absence for behavioral health reasons the same way they would for a physical illness. Adding behavioral health to the reasons to take excused absences will improve students' abilities to seek treatment the same way they would for physical illness and destigmatize mental health issues for children. Starting these conversations at an early age can create better habits of help seeking, increase prevention, and provide opportunities for early intervention.

SPONSOR

California Youth Empowerment Network, a program of Mental Health America of California

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