



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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To: District Superintendents
Superintendents of Public Schools
Administrators of Public, Charter, and Nonpublic Schools

From: Renée L. Rider

A handwritten signature in cursive script that reads "Renée L. Rider".

Date: May 21, 2018

Subject: Clarification on the Board of Regent's adoption of Commissioner's Regulations on Health Education

Please consider this memorandum as a point of clarification regarding the recently adopted amendments to Commissioner's Regulations by the New York State Board of Regents. Education Law §804 was amended by Chapter 390 of the Laws of 2016 and Chapter 1 of the Laws of 2017 to clarify that required health education in schools must include instruction in mental health. The statutory amendments further provide that such instruction shall be designed to enhance student understanding, attitudes and behaviors that promote health, well-being and human dignity.

The Department established the New York State Mental Health Education Advisory Council, involving over 70 expert cross-disciplinary and cross-sector partners, to build capacity in the arena of mental health education and wellness for our youth by sharing their expertise and providing resources to schools. On May 7th, 2018, members of the Mental Health Education Advisory Council presented the Council's recommendations to assist schools in successfully incorporating Education Law §804 and the corresponding provisions of Commissioner's regulation §135.1 and §135.3, to the Board of Regents. The recommendations were well received by the Regents and are under review by the Department.

On May 8th, 2018, the Mental Health Association in New York State (MHANYS), Inc. erroneously reported that the Regents had adopted the recommendations presented by the Mental Health Education Advisory Council, however, that was not correct. Rather, as stated earlier, the Board adopted amendments to the Commissioner's Regulations - see the following link:

<http://www.regents.nysed.gov/common/regents/files/518p12ppca1.pdf>.

On May 18th, 2018, MHANYS issued a correction to their inaccurate announcement. The correction can be accessed by clicking on the following link:

<https://mhanys.org/mh-update-5-18-18-mhanys-updated-correction-on-adoption-of-recommendations-for-mental-health-in-schools-legislation-from-the-board-of-regents/>

The statutory amendments described above require that by July 1st, 2018, health education in schools must include instruction in mental health, including the multiple dimensions of mental health, and that instruction shall be designed to enhance student understanding, attitudes and behaviors that promote health, well-being, and human dignity. Important goals of health and education include helping students identify risk and protective factors, as learning and resiliency can result in positive decision-making and life-long success.

Questions can be directed to the Office of Student Support Services at 518-486-6090, or StudentSupportServices@nysesd.gov.