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

From: Renée L. Rider

Date: May 21, 2018

Subject: Clarification on the Board of Regents 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 7, 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 received by the Regents and are under review by the Department.

On May 8, 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 18, 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/

We apologize for any confusion this may have caused. If you have any additional questions please contact the Office of Student Support Services at 518-486-6090, or StudentSupportServices@nysed.gov.