

Bill No. XIX of 2019

THE PROMOTION OF SOCIAL AND EMOTIONAL LEARNING IN
SCHOOLS BILL, 2019

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BILL

to provide training on social and emotional learning to all educators and students enrolled in schools affiliated to Central Board of Secondary Education, Indian Certificate of Secondary Education and State Education Boards using curricula and materials that are scientifically accurate, age appropriate, and culturally relevant and for other matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

5 **1.** (1) This Act may be called the Promotion of Social and Emotional Learning in Schools Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions
10 of this Act.

2. In this Act, unless the context otherwise requires,

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of that State, and in other cases the Central Government;

(b) "Chairperson" means the Chairperson of the Commission for Promotion of
15 Social and Emotional Learning in Schools, appointed under sub-section 2 of section 4;

(c) "Commission" means the Commission for Promotion of Social and Emotional Learning in Schools set up under section 3;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "Student Committee" means Committee set up under section 13; and

(f) "teacher coordinator" means the authority appointed under section 16; 5

CHAPTER II

COMMISSION FOR SOCIAL AND EMOTIONAL LEARNING IN SCHOOLS

Constitution
of the
Committee.

3. (1) The Central Government shall, by notification in the Official Gazette, constitute a "Commission for Promotion of Social and Emotional Learning in Schools", to exercise the powers conferred on, and to perform the functions assigned to it, under this Act. 10

(2) The Commission shall be a body corporate by the above name, having perpetual succession and a common seal.

(3) The head office of the Commission shall be at New Delhi.

Composition
of the
Commission.

4. (1) The Commission shall consist of a Chairperson and four members who shall be appointed by the Central Government, in consultation with the Ministry of Human Resource Development. 15

(2) The Secretary, Department of Higher Education Union Ministry of HRD shall serve as the Chairperson of the Commission.

(3) Of the four members referred to in sub-section (1),

(i) two members shall be from amongst the eminent persons of ability and integrity, 20
who,

(a) have a thorough understanding and expertise of social and emotional learning;

(b) have experience of working as an expert in human psychology.

(ii) two members shall be from amongst the eminent persons of ability and 25
integrity, who,

(a) have a thorough understanding and expertise in the field of academia;

(b) have experience of working with and implementing different pedagogical techniques.

Provided that at least one of the four members shall be a woman. 30

Term of
office of the
members of
the
Commission.

5. (1) The Chairperson and every member of the Commission shall hold office for a term of three years from the date of assumption of office and shall be eligible for re-appointment for not more than three terms:

Provided that under no circumstances, the Chairperson or any member shall hold office after attaining the age of seventy years. 35

(2) Notwithstanding anything contained in sub-section 1, the Chairperson or a member may—

(a) resign, by giving in writing to the Central Government, a notice of not less than six months; or

(b) be removed from their office in accordance with the provisions given in 40
section 6.

(3) The salary and allowances payable to, and the other terms and conditions of service of the Chairperson and other members shall be such as may be prescribed by the Central Government.

6. (1) The Central Government may, by order, remove the Chairperson, or a member from office, if the Chairperson or a member—
- (a) becomes mentally unable to continue in their position;
- (b) is convicted of an offence under the Indian penal Code, 1860;
- 5 (c) acquires financial or other interests which may prejudice their decisions and functions;
- (d) has in the opinion of the Central Government and the Court, so abused his position as to render his continuance in office detrimental to the public interest.
- (2) The Chairperson or a member shall not be removed under any clause of sub-section (1), unless the Central Government gives in writing the reasons for their dismissal and the Chairperson or the member is given a reasonable opportunity of defending themselves in the matter.
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7. (1) The Commission may, at any point, associate with itself any person whose advice or assistance it may desire in carrying out any of the purposes of this Act but not in contravention of any other law.
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- (2) A person associated with the Commission under sub-section (1) shall have a right to take part in discussions relevant to that purpose, but shall not be a member for any other purpose.
8. (1) The Commission shall meet as and when necessary as the Chairperson may deem fit.
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- (2) The Commission shall regulate its own procedure.
- (3) The Commission shall have the autonomy to allocate and spend the funds on the functions assigned to it under this Act.
- CHAPTER III
- 25 FUNCTIONS OF THE COMMISSION FOR PROMOTION OF SOCIAL AND EMOTIONAL LEARNING IN SCHOOLS
9. (1) The primary function of the Commission shall be to develop and implement the curricular for promotion of social and emotional learning in all schools.
- (2) The Commission shall have the authority to receive annual reports from all the state and Central education boards and act according to them as per the requirement.
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10. The Commission shall also perform the following functions, namely:—
- (a) review and monitor the working of every District Education Officer and the concerned Grievance Redressal Office;
- (b) ensure coordination among every District Education office and Grievance Redressal Office;
- 35 (c) submit an annual report to the Central Government, within such time as prescribed by the Central Government, giving a full and detailed account of the activities undertaken by it in the previous year, and the Central Government shall cause every such report to be laid before both houses of Parliament.
- (d) make suggestions to the Central Government on the financial support required to implement the social and emotional learning and to fulfill the other functions assigned to it under this Act; and
- 40 (e) prescribe the study material that shall be included in school curriculum related to social and emotional learning.

Removal from the membership of the Commission.

Advice sought by the Commission.

Meeting of the Commission.

Functions of the Commission.

Other Miscellaneous functions.

CHAPTER IV

INCLUSION OF SOCIAL AND EMOTIONAL LEARNING IN SCHOOL CURRICULUM

- Education Boards to integrate social and emotional learning in Curricula.
- 11.** (1) The Central and State Education Boards shall modify their course content to integrate the Social and emotional learning in their curriculum.
- (2) The Central and State School Education Boards shall use biographies of famous Indian personalities and poems that focus on the various resolution styles adopted by them during the time of crisis. 5
- (3) The course content shall be relevant as well as socially and culturally sensitive.
- Activities for social and emotional learning in school curriculum.
- 12.** (1) The schools shall implement the curricula prescribed by respective Education Boards to impart social and emotional learning through experience, demonstration, play narratives, role play, stories and other means that catch the attention of children and make them enjoy. 10
- (2) The students shall be given positive credits on their report cards for their participation in the activities related to social and emotional learning:
- Provided that the evaluation shall be based on the efforts shown by the students during the class activity and not on the academic marks. 15

CHAPTER V

STUDENT COMMITTEE (BUDDY PROJECT) IN SCHOOLS

- Constitution of Student Committee.
- 13.** (1) The appropriate Govt. shall ensure that all schools shall constitute a student committee consisting of five representatives each from class-5, class-9 and class-12 who shall act as a mentor for the students of the junior classes. 20
- (2) The participation of the students as a representative of the student committee shall be voluntary.
- (3) The process to select the representatives to the student committee shall be such as may be prescribed: 25
- Provided that at least one-half of the representatives shall be girls.
- Psychological test/interview for the members of student committee.
- 14.** (1) A candidate for selection as a representative shall be required to undergo a written psychological test as may be prescribed by the Commission.
- (2) A selected representative shall undergo an interview by Board consisting of the teacher coordinator, school psychological counselor and a third party counselor. 30
- (3) Each representative shall be given a certificate of appreciation after successful completion of a year long tenure.
- Representation in the Student Committee.
- 15.** The students of a school shall be divided in following three categories for the purpose of representation in the Student Committee from each category:
- (a) Class-1 to Class-4 : The students of the first group shall have the representative from class-5; 35
- (b) Class-5 to Class-8: The students of the second group shall have the representative from class-9: and
- (c) Class-9 to Class-12: The students of the third group shall have the representative from class-12. 40
- (2) The students shall be encouraged to approach the respective student representatives and the teacher coordinator, mentioned under section 16, for any problem faced by them.

CHAPTER VI

TEACHER COORDINATOR IN SCHOOLS

5 **16.** (1) The applicant shall ensure that all schools appoint at least one teacher coordinator subject to a maximum of four teacher coordinators who shall look after the activities regarding social and emotional learning in the school. Provision of teacher coordinators in schools.

(2) The Schools may independently select a qualified counsellor on their own, otherwise a teacher shall be selected by the Principal who shall undergo a workshop conducted by the experts from the Department of Education in order to qualify as a coordinator.

10 (3) The content of the workshop, which shall be organized bi-annually by the Commission, shall focus on the various ways to include social and emotional learning in schools.

(4) The teacher coordinator shall be given a book, specially designed for by the Commission that will suggest the activities that can be organised in the school.

15 (5) The teacher coordinators of the Government schools and of the schools affiliated to State Education Boards shall participate in an additional workshop which shall be conducted by the appropriate Government through the experts in the field of social and emotional learning in the local language.

20 (6) The teachers of other educational boards shall participate in the workshop conducted by the Commission:

Provided that teachers may additionally participate in the State Government workshops at will.

25 (7) The participation in the workshop shall be mandatory in order to become a teacher coordinator and failure in attending three consecutive workshops would result in immediate dismissal from the position.

(8) Upon successful completion of the workshops, teachers shall be granted a certificate of participation.

17. (1) At the beginning of every academic year all students shall participate in a heuristics lab. Provision regarding heuristics lab.

30 (2) The activities of heuristics lab shall be recorded and submitted to the District Education Officer within first two months of the academic year.

(3) The content of the activities of heuristics lab shall be designed by the teacher coordinator with the help of Student Committee as per the guidelines to be prescribed by the Commission.

35 (4) Provided that such activities shall focus to address the social, mental and relationship issues through group work, role play, games etc.

CHAPTER VII

ELECTRONIC DISSEMINATION OF SOCIAL AND EMOTIONAL LEARNING

40 **18.** A dedicated website, especially for social and emotional learning designed and maintained by the Commission shall be provided access to all the teacher coordinators, under which— Access to website to teacher coordinator.

(a) the teacher coordinator shall upload the pictures and videos of all the activities taking place in a school in a digital form;

45 (b) various procedures, articles regarding the importance of the social and emotional learning, documents, notices, and testimonials from the teachers as well as students, shall be uploaded and updated from time to time; and

(c) the teacher coordinator shall also use the electronic platform to provide feedback and suggest changes.

Direct reporting by remotely located school.

19. The schools that are remotely located and are devoid of any proper communication channel digitally shall directly report to the District Education Officer, who shall be required update the website.

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CHAPTER VIII

MISCELLANEOUS

Central Government to provide funds.

20. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds, from time to time, for carrying out the purposes of this act.

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Act to supplements other laws.

21. The provisions of this Act or the rules made there under shall be in addition to and not in derogation of any other law, rules, orders or instructions.

Power to remove difficulties.

22. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty.

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(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

Power to make rules.

23. (1) Subject to the other provisions of this Act, the appropriate Government may, by notification in the official Gazette, make rules for carrying out the provisions of this Act.

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(2) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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STATEMENT OF OBJECTS AND REASONS

Rising stress amongst the youth is a common occurrence nowadays. But, there might be a suitable solution for this elusive problem. The true potential of a country can be really measured by the strength and skills of its youth. In India, we have one of largest youth population on the planet. But the question remains that how well we have been able to harness and develop their inherent potential.

We spend much less than the rest of the world on mental health issues (0.06% of the health budget is spent on mental health care) and have only 0.30 psychiatrists, 0.17 nurses, and 0.05 psychologists per 1,00,000 mentally ill patients in the country. According to a 2017 WHO report, 10- 20% of children and adolescents world-wide are believed to be affected with mental health issues, with suicide and self-harm being the second leading cause of death in this age group after road traffic injuries. The same report surveyed Indian adolescents of whom 25% reported being depressed, 7% mentioned being bullied, 8% spoke about suffering from anxiety, another 8% complained of experiencing loneliness, and a 10% reportedly had no close friends, all of which are warning signs pointing towards mental health issue. The actual figures are likely to be far higher due to under-reporting on account of lack of awareness, and due to the stigma attached to mental health.

When we look at the current trajectory of mental health concerns in children and youth in India, we immediately correlate it to issues arising from an over-competitive environment and/or bullying. A 2012 Lancet study also had a similar finding, wherein they pointed out that Indian adolescents were often pressured to have aspirations of a much higher level than the society around them was capable of keeping pace with, leading to disappointments at a greater scale. While it is important to understand the causes of such mental ill health, it is far more pertinent to tackle the root of these issues, and attempt to prevent it. Mental and emotional health are integrally related, with the later having a strong influence on the former. These begin developing at an early age, and help us in our personal, academic, social lives by equipping us with some basic life skills. Given schools' unique ability to access large numbers of children, they are most commonly identified as the best places to provide this support so as to promote the universal mental health of children. A key component of such a support system, which has been gaining rapid recognition worldwide, has been Socio-Emotional Learning ('SEL'). SEL has been found to be an effective tool in developing better control over one's emotions, and in enhancing the decision-making process of an individual. Research shows that SEL is associated with a positive impact on important mental health variables that increase children's attachment to school, enhance their motivation to learn, and reduce risky behaviours. SEL, when properly imparted to children or adolescents, is also understood to have a direct impact on their earnings over their lifetime. Apart from the above, for a country like India with its strong cultural diversity, there is an additional need for future generations to internalize SEL because they also help them in realizing the basic values expounded by our Constitution.

Hence, this Bill.

DR. VIKAS MAHATME

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of the Commission for Social Emotional Learning in Schools. Clause 5 *inter alia* provides for salary and allowances payable to the Chairperson and other Members of the Committee. Clause 20 makes it obligatory for the Central Government to provide requisite funds to carry out the provisions of the Bill. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is not possible at present to quantify the funds that may be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 23 of the Bill empowers the appropriate Government to frame rules by notification in the Official Gazette, to carry out the provision of the Bill. The rules to be framed by the Government pertain to matters of administrative detail only, which cannot be laid down in the Bill itself. The delegation is, therefore, normal in character.

RAJYA SABHA

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to provide training on social and emotional learning to all educators and students enrolled in schools affiliated to Central Board of Secondary Education, Indian Certificate of Secondary Education and State Education Boards using curricula and materials that are scientifically accurate, age appropriate, and culturally relevant and for other matters connected therewith or incidental thereto.

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(Shri Vikas Mahatme, M.P.)