
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair

2015 - 2016 Regular

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Consultant: Lynn Lorber
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Fiscal: Yes

Subject: School climate: Safe and Supportive Schools Train the Trainer Program

SUMMARY

This bill requires the California Department of Education, to the extent that funding is available in the Budget Act of 2015, to designate a county office of education to be the fiduciary agent for the Safe and Supportive Schools Train the Trainer Program.

BACKGROUND

Positive behavior interventions and supports

Current law:

1. Encourages schools, as comprehensive school safety plans are reviewed and updated, to include in school safety plans clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campus, if the school district uses these people. The guidelines may include primary strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support. (Education Code § 32282.1)
2. Provides that corrective action other than out-of-school suspension includes study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents. (EC § 48900.5)
3. Requires that the individualized education team for each student with exceptional needs consider the use of positive behavioral interventions and supports for students whose behavior impedes his or her learning. (EC § 56341.1)

Multi-tiered interventions

Many schools voluntarily follow models of tiered interventions to address student needs prior to imposing discipline or making referrals to special education. Models include Schoolwide Positive Behavior Interventions and Supports, Response to Intervention and

Positive Environments Network of Trainers. Typically, the base tier is a schoolwide approach involving instruction, school climate, etc. The middle tier is targeted to students who did not respond to the schoolwide efforts and involved more intense interventions such as tutoring. The top tier focuses on a smaller group of students who continue to need support and may include very intense and frequent services such as counseling.

The Student Success Team, formerly Student Study Team, is a positive schoolwide early identification and intervention process. Working as a team, the student, parent, teacher and school administrator identify the student's strengths and assets upon which an improvement plan can be designed. As a regular school process, the team intervenes with school and community support and an improvement plan that all team members agree to follow. Follow-up meetings are planned to provide a continuous casework management strategy to ensure the needs of students are met.

ANALYSIS

This bill requires the California Department of Education, to the extent that funding is available in the Budget Act of 2015, to designate a county office of education to be the fiduciary agent for the Safe and Supportive Schools Train the Trainer Program. Specifically, this bill:

1. Requires the California Department of Education (CDE), to the extent that funding is available in the Budget Act of 2015, to designate a county office of education to be the fiduciary agent for the Safe and Supportive Schools Train the Trainer Program.
2. Requires the designated county office of education to be chosen by the Superintendent of Public Instruction (SPI) from county offices that apply for designation.
3. Requires the designated county office of education to be in charge of establishing specific professional development activities that will lead to statewide professional development support structures and a network of trainers allowing for the development and expansion of the Schoolwide Positive Behavior Interventions and Supports programs, restorative justice, social and emotional learning, trauma-informed practice, and cultural competency professional development in each region of the state, with a specific focus on those regions that are underserved and do not have access to trainers in these research-based approaches.
4. Requires the designated county office of education to consult with the following entities to effectively implement these strategies throughout the state and nationally:
 - A. The Regional K-12 Student Mental Health Initiative.
 - B. The National Alliance on Mental Illness.

- C. The California Technical Assistance Center on Schoolwide Positive Behavior Interventions and Supports.
 - D. The California Association of School Psychologists.
 - E. The California County Superintendents Educational Services Association.
 - F. The California Mental Health directors Association.
 - G. Collaborative for Academic, Social, and Emotional Learning.
 - H. University of California, San Francisco (UCSF) Healthy Environments and Response to Trauma in Schools Project.
 - I. Restorative Justice of Oakland Youth.
 - J. The Restorative Schools Vision Project.
 - K. The International Institute for Restorative Practices.
 - L. Other non-profit and public agencies.
5. Requires the designated county office of education to select an advisory committee made up of stakeholders and professionals who have participated in the development and expansion of these programs to assist in the planning and implementation of this program.
6. Requires funding to be targeted to all of the following critical activities, within the context of a state-level plan:
- A. Explaining the importance of linking research-based strategies with local control funding formula planning and local control and accountability plans, specifically with respect to the school climate and student engagement state priority areas.
 - B. Creating regional conferences and workshops on implementation that would provide free training for school and school district teams.
 - C. Establishing stipends for release time for school personnel attending these conferences.
 - D. Developing best practices of current district level systems and ensuring that these best practices are widely disseminated.
 - E. Establishing a cohort of free or low-cost trainers and coaches who can be available to work directly with local school districts in hard-to-serve areas that are seeking to implement research-based strategies.

- F. Developing a network of educators who are effectively implementing these practices and willing to provide coaching and training to other schools and school districts, particularly in hard-to-serve areas.
 - G. Developing statewide methods for collecting and disseminating best practices in implementing research-based strategies.
 - H. Developing evaluation tools to measure the effectiveness of research-based strategies.
 - I. Developing specific professional development and professional learning communities for teachers utilizing these practices in their classes.
7. Requires the Legislative Analyst's Office to review the impacts of this professional development effort and report to the Governor and Legislature by June 30, 2019, on the breadth and best practices of the training and any student outcomes impacted by this training effort.
 8. Requires any funding allocated for this program to be expended by January 1, 2019.
 9. States legislative findings and declarations relative to out-of-school suspension, the identification of school climate as a state priority, and strategies and practices that address student needs while reducing suspension and expulsion rates.

STAFF COMMENTS

1. ***Need for the bill.*** According to the author, "Positive Behavior Interventions and Supports (PBIS) provide a comprehensive and collaborative prevention and intervention three-tiered framework for schools to improve academic and behavioral outcomes for all pupils. It involves explicit teachings of appropriate behaviors, a consistent positive rewards system, and a process for providing more intensive mental health and other interventions for students who require more support. The PBIS multi-tiered support systems framework addresses at least five critical areas of the Local Control and Accountability Plan. These include academic outcomes, common core standards, school culture and climate, parent involvement, and student engagement."
2. ***How many schools currently implement?*** Many schools voluntarily follow models of tiered interventions and restorative justice to address student needs prior to imposing discipline or making referrals to special education. Statewide data on the current implementation of such frameworks or programs is not collected.
3. ***Existing resources.*** The California Department of Education's (CDE) website includes an implementation and technical assistance guide for response to intervention, and information on multi-tiered systems of support.
<http://www.cde.ca.gov/be/pn/im/documents/memo-ilsb-plsd-oct13item02.doc>
The Positive Environments, Network of Trainers is a positive behavior initiative

that disseminates through its website information and resources regarding the use of proactive positive strategies. <http://www.pent.ca.gov/>. This bill requires the designated county office of education to establish specific professional development activities that will lead to statewide professional development support structures and a network of trainers allowing for the development and expansion of various initiatives and programs. **Staff recommends an amendment** to require the designated county office of education to also identify existing professional development activities and train-the-trainer models.

4. **Designated county office of education.** This bill requires the Superintendent of Public Instruction (SPI) to select the designated county office of education from those that apply for such designation. This bill does not establish an application process or guidance for the selection of the appropriate county office, thereby giving the SPI complete discretion to determine if the county office is capable of meeting the fiduciary responsibilities and other requirements of this bill.
5. **Clarifying amendments.** This bill requires the designated county office of education to be “in charge of establishing specific professional development activities that will lead to statewide professional development support structures.” **Staff recommends an amendment** to clarify that the designated county office of education is responsible for the development or identification of professional development activities, and that the professional development activities are to be available as a statewide training resource.

This bill requires the designated county office of education to consult with, among others, UCSF Healthy Environments and Response to Trauma in Schools project. **Staff recommends an amendment** to strike “UCSF” and insert “University of California, San Francisco.”

6. **Fiscal impact.** According to the Assembly Appropriations Committee analysis of prior legislation, this bill could impose:
 - A. One-time costs in the range of \$1 million to \$2 million for CDE to contract with a county office of education to create professional development content and provide statewide professional development opportunities. This cost estimate also includes stipends for release time for school personnel attending workshops.
 - B. Unknown General Fund costs, likely in the range of \$80,000 to \$100,000, for the Legislative Analyst’s Office (LAO) to review the impacts of professional development and report on best practices. This report would
 - C. require local data collection in order to evaluate the program impact on students and the corresponding best practices.

The requirements in the bill are contingent upon funding in the Budget Act of 2015. No funding source has been identified at this time.

7. *Related and prior legislation.**RELATED LEGISLATION*

AB 1133 (Achadjian, 2015) requires the State Public Health Officer to establish a four-year pilot program to, among other things, provide free regional training and technical assistance in support services that include intervention and prevention services, use of trained staff to meet with students on a short-term weekly basis in a one-on-one setting, the potential for support services to help fulfill state priorities described by the local control funding formula and local goals described by local control and accountability plans, and state resources available to support student mental health and positive learning environments. AB 1133 is scheduled to be heard by the Assembly Education Committee on April 8.

AB 1025 (Thurmond, 2015) requires the California Department of Education (CDE) to establish a three-year pilot program to encourage inclusive practices that integrate mental health, special education, and school climate interventions following a multi-tiered framework. AB 1025 is pending by the Assembly Education Committee.

SB 527 (Liu, 2015) establishes the Safe Neighborhoods and Schools Fund Grant Program, using Proposition 47 funds to reward school districts that have demonstrated a commitment to, and developed a comprehensive plan for, utilizing research-based strategies to increase attendance rates, to reduce school removals of all types and referrals to police, to address trauma, mental health needs and other social and emotional factors that impact pupil outcomes, to address and to remedy school push-out and dropout rates, coordinate pupil support programs with community and other public agencies at schoolsites and across the school district, and create a strong and supportive school culture that identifies and addresses the needs of pupils, including victims of crime, abuse, and neglect. SB 527 is scheduled to be heard by this Committee on April 15.

PRIOR LEGISLATION

SB 1396 (Hancock, 2014) required the CDE, to the extent one-time funding is available in the 2014-15 Budget Act, to designate funds to a county office of education to establish professional development activities to support the development and expansion of multi-tiered intervention and support programs, including but not limited to, schoolwide positive behavior intervention and support. SB 1396 was held on the Assembly Appropriations Committee's suspense file.

SB 596 (Yee, 2014) required the California Department of Education (CDE) to establish a three-year pilot program to encourage inclusive practices that integrate mental health, special education, and school climate interventions following a multi-tiered framework. SB 596 was held in the Assembly.

SUPPORT

Alliance for Boys and Men of Color
Black Parallel School Board
California Association of School Psychologists
California Now
Children's Defense Fund California
Dolores Huerta Foundation
Fight Crime: Invest in Kids California
Legal Services for Children
National Association of Social Workers – California
National Center for Youth Law
Policy Link
Public Counsel
Restorative Schools Vision Project
Students First
The Gay and Lesbian Community Services Center of Orange County
The Labor/Community Strategy Center's Community Rights Campaign
Violence Prevention Coalition

OPPOSITION

None received.

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