

AMENDED IN ASSEMBLY AUGUST 20, 2012

AMENDED IN ASSEMBLY JULY 5, 2012

AMENDED IN SENATE MAY 14, 2012

AMENDED IN SENATE APRIL 18, 2012

SENATE BILL

No. 1235

Introduced by Senators Steinberg, Price, and Rubio
(Coauthors: Senators Alquist, Lowenthal, and Vargas)
(Coauthor: Assembly Member Swanson)

February 23, 2012

An act to amend Section 48911.2 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as amended, Steinberg. Pupils: suspension.

~~(1) Existing~~

Existing law prohibits the suspension, or recommendation for expulsion, of a pupil from school unless the school district superintendent or the school principal determines that the pupil has committed any of various specified acts. Existing law requires the school district superintendent or the school principal to immediately suspend and recommend the expulsion of a pupil who is determined to have, at school or at a school activity off school grounds, possessed, sold, or otherwise furnished a firearm, brandished a knife at another person, unlawfully sold a controlled substance, committed or attempted to commit a sexual assault or battery, as defined, or possessed an explosive.

Existing law states that a school should consider implementing a supervised suspension program or an alternative to the school's off-campus suspension program that involves a progressive discipline

approach using specified activities if the number of pupils suspended from school during the prior school year exceeded 30% of the school's enrollment.

This bill would instead ~~require~~ *encourage* a school district, commencing with the 2013–14 school year, to implement, for a minimum of 3 years, at a school where the number of pupils receiving off-campus suspensions in the prior school year exceeded 25% of its enrollment, or a numerically significant pupil subgroup of that enrollment, as defined, either (A) an evidence-based system of schoolwide positive behavioral interventions and supports that employs school-level information about the behavioral and academic history of pupils to define and implement systems of support and interventions at the school, classroom, and individual levels that is aimed at improving the social, emotional, and academic success for all pupils, or (B) other schoolwide strategies that are evidence based and designed to address school climate in order to create learning environments where teachers can teach and pupils can learn and to reduce suspensions from classrooms and the school. *The bill would require the Superintendent of Public Instruction to invite a school that meets or exceeds this threshold percentage of suspensions to attend a regional forum organized by the Superintendent to provide assistance and training regarding the strategies described above, among other things.* Commencing with the 2014–15 school year, the bill would decrease by 2% each year the percentage of enrollment or numerically significant pupil subgroup of enrollment that triggers ~~this requirement~~ *an invitation to attend a regional forum* until ~~it~~ *that percentage* is 15%, in accordance with a prescribed schedule. ~~By requiring a school district to implement one of these strategies, the bill would impose a state-mandated local program.~~

~~The bill would authorize the State Department of Education to provide school districts with information regarding schoolwide evidence-based strategies that could be implemented.~~

~~The bill would require a school at which one of the strategies is implemented to report to the superintendent of the school district, the county superintendent of schools, and the Superintendent of Public Instruction on the rate of reduction in the school's suspensions and the strategy used to address the matter.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:~~

The bill would require the Superintendent annually to invite the schools that meet or exceed the specified thresholds applicable to suspensions to send a school leadership team to a regional forum and to provide the State Board of Education with the names of the schools invited to attend a regional forum and the annual rate of reduction or increase in each school’s off-campus suspensions.

The bill would authorize the State Department of Education to provide school districts with information regarding schoolwide evidence-based strategies that could be implemented.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48911.2 of the Education Code is
2 amended to read:

3 48911.2. (a) (1) Commencing with the 2013–14 school year
4 and each school year thereafter, if the number of pupils receiving
5 off-campus suspensions from school during the prior school year
6 exceeded 25 percent of the school’s enrollment or of any
7 numerically significant pupil subgroup of the school’s enrollment,
8 the school district ~~shall~~ *is encouraged to* implement, for a minimum
9 of three years, at least one of the following strategies at the school
10 for the purpose of reducing the suspension rate or
11 disproportionality:

12 ~~(1)~~

13 (A) An evidence-based system of schoolwide positive behavioral
14 interventions and supports that employs school-level information
15 about the behavioral and academic history of pupils to define and
16 implement systems of support and interventions at the school,
17 classroom, and individual levels that is aimed at improving the
18 social, emotional, and academic success for all pupils.

19 ~~(2)~~

20 (B) Other schoolwide strategies that are evidence based and
21 designed to address school climate in order to create learning
22 environments where teachers can teach and pupils can learn and

1 to reduce suspensions from classrooms and the school. The
2 department may provide information regarding additional
3 schoolwide strategies that meet the criteria for evidence-based
4 strategies.

5 *(2) The Superintendent shall invite a school to which this*
6 *subdivision applies to send a school leadership team to an annual*
7 *regional forum, as described in subdivision (c).*

8 (b) (1) Commencing with the 2014–15 school year, *if the*
9 *number of pupils receiving off-campus suspensions exceeds the*
10 *percentage of a school’s enrollment, or of any numerically*
11 *significant pupil subgroup of a school’s enrollment, whose*
12 *suspension triggers the requirements in subdivision (a) shall be*
13 *reduced by 2 percent per year until it is 15 percent, in accordance*
14 *with the percentages listed in paragraph (2) as set forth in*
15 *paragraph (2), the Superintendent shall invite the school to send*
16 *a school leadership team to an annual regional forum, as described*
17 *in subdivision (c).*

18 (2) (A) Twenty-three percent for the 2014–15 school year.

19 (B) Twenty-one percent for the 2015–16 school year.

20 (C) Nineteen percent for the 2016–17 school year.

21 (D) Seventeen percent for the 2017–18 school year.

22 (E) Fifteen percent for the 2018–19 school year, and each school
23 year thereafter.

24 ~~(e) At the end of the academic year, the school shall report to~~
25 ~~the superintendent of the school district on the rate of reduction~~
26 ~~in the school’s off-campus suspensions and the strategies or~~
27 ~~activities used to comply with subdivisions (a) and (b). The school~~
28 ~~district shall report this information on an annual basis at a~~
29 ~~regularly scheduled meeting of the governing board and to the~~
30 ~~Superintendent and the county superintendent of schools. The~~
31 ~~Superintendent shall publish, on an annual basis, a list of all schools~~
32 ~~that trigger the requirements in subdivision (a), and shall include~~
33 ~~the annual rate of reduction in each school’s off-campus~~
34 ~~suspensions.~~

35 *(c) (1) For the 2013–14, 2014–15, 2015–16, 2016–17, and*
36 *2017–18 school years, inclusive, the Superintendent shall provide*
37 *technical assistance and training at three annual regional forums*
38 *each year for schools that exceed the thresholds described in*
39 *subdivisions (a) and (b). The purposes of the regional forums shall*
40 *include, but not be limited to, all of the following:*

- 1 (A) *Providing training regarding implementation of schoolwide*
2 *evidence-based strategies described in subdivision (a).*
- 3 (B) *Using data to create positive school climates and to assist*
4 *with data-based decisionmaking.*
- 5 (C) *Sharing resources and evidence-based practices, engaging*
6 *community, and building capacity for alternatives to off-campus*
7 *suspensions.*
- 8 (D) *Identifying gaps and weaknesses in services.*
- 9 (E) *Identifying and sharing solutions and best practices at the*
10 *local level and exposing schools to other school leaders, experts,*
11 *and educators in California and nationally who are successfully*
12 *implementing the evidence-based strategies described in*
13 *subdivision (a).*
- 14 (F) *Evaluating the efficacy of strategies adopted.*
- 15 (2) *On an annual basis, the Superintendent shall invite all*
16 *schools that exceed the thresholds in subdivisions (a) and (b) to*
17 *send a school leadership team that includes the school principal*
18 *and other administrators responsible for implementing alternatives*
19 *to excessive suspensions to the applicable regional forum. The*
20 *Superintendent shall annually provide to the state board the names*
21 *of the schools invited to attend a regional forum and the annual*
22 *rate of reduction or increase in each school's off-campus*
23 *suspensions.*
- 24 (3) *For schools that exceed the thresholds in subdivisions (a)*
25 *and (b), the department also shall provide technical assistance*
26 *regarding implementation of the schoolwide evidence-based*
27 *strategies described in subdivision (a).*
- 28 (4) *The Superintendent may use any appropriate state, federal,*
29 *or private funding sources to support the activities described in*
30 *this subdivision.*
- 31 (d) *It is the intent of the Legislature to encourage all schools*
32 *to examine alternatives to off-campus suspensions that lead to*
33 *resolution of pupil misconduct without sending pupils off campus*
34 *and to address disproportionate rates of off-campus and in-school*
35 *suspensions. Schools that use strategies described in this section*
36 *should not be precluded from suspending pupils to an off-campus*
37 *site.*
- 38 (e) *A school district may use any appropriate state-~~or~~, federal,*
39 *or private funding sources to support the evidence-based*

1 schoolwide strategies required to be implemented at schools that
2 meet the criteria described in subdivisions (a) and (b).

3 (f) (1) For purposes of this section, a numerically significant
4 pupil subgroup includes the subgroups listed in paragraph (2),
5 consistent with paragraph (2) of subdivision (a) of Section 52052,
6 and that meet at least one of the following criteria:

7 (A) The subgroup consists of at least 100 pupils enrolled at the
8 school.

9 (B) The subgroup consists of at least 50 pupils, and constitutes
10 at least 15 percent of the total population of pupils enrolled at the
11 school.

12 (2) (A) Racial and ethnic subgroups.

13 (B) Socioeconomically disadvantaged pupils.

14 (C) English learners.

15 (D) Pupils with disabilities.

16 (E) *Gender-based subgroups.*

17 ~~SEC. 2. If the Commission on State Mandates determines that~~
18 ~~this act contains costs mandated by the state, reimbursement to~~
19 ~~local agencies and school districts for those costs shall be made~~
20 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
21 ~~4 of Title 2 of the Government Code.~~