

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 596**

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**Introduced by Senator Yee**

February 22, 2013

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An act to add Section ~~33319.1 to the Education Code 124174.7 to the Health and Safety Code~~, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 596, as amended, Yee. ~~Pupil health: school-based mental health services. Multitiered interventions pilot program.~~

Existing law establishes a system of public elementary and secondary schools in this state, and provides for the establishment of school districts and other local educational agencies to operate these schools and provide instruction to pupils. Under existing law, the Superintendent of Public Instruction is required, among his or her other duties, to serve as the chief executive officer of the State Department of Education.

~~This bill would require, to the extent that nonstate funds are received, the Superintendent to establish a pilot program pursuant to which the State Department of Education and relevant state and local partners would assist school districts in their efforts to establish or enhance mental health services and support for pupils at public elementary and secondary schoolsites. The bill would specify that these services may include, but are not necessarily limited to, screenings, assessments, evaluations, interventions, and treatment. The bill would specify the primary goals of the pilot program, which would include the facilitation of the coordination of school staff, as defined, school districts, county mental health departments, and community-based organizations in establishing or enhancing school-based mental health services.~~

*This bill would require the State Department of Education to establish a 3-year pilot program to provide multitiered interventions in 4 schools, as specified. The bill would require the department to select schools that propose a model approach that provides preventive, targeted, and intensive interventions that target the behavioral, emotional, and academic needs of students. The bill would require the department to provide start-up and evaluation funding to each school participating in the pilot program and would require the schools to provide certain information to the department on an annual basis. The bill would require the department to submit a report to the Legislature evaluating the success of the pilot program at the end of the 3-year period.*

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

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

- 1     SECTION 1. Section 124174.7 is added to the Health and  
2     Safety Code, to read:  
3     124174.7. (a) The State Department of Education shall  
4     establish a three-year pilot program in accordance with this section  
5     to encourage inclusive practices that leverage cross-system  
6     resources and offer comprehensive, multitiered interventions.  
7     (b) The department shall establish the pilot program in four  
8     schools that volunteer to participate, two in northern California  
9     and two in southern California. The department shall select schools  
10    that propose a model approach that provides preventive, targeted,  
11    and intensive interventions that target the behavioral, emotional,  
12    and academic needs of students. In addition to reflecting the  
13    school's specific culture and needs, a school's model shall include  
14    all of the following:  
15    (1) Formalized collaboration with local mental health agencies  
16    to provide school-based mental health services that are integrated  
17    within a multitiered system of support.  
18    (2) Utilization of a designated percentage of a school district's  
19    existing special education expenditures to provide services within  
20    the school setting.  
21    (3) An initial school climate assessment that includes  
22    information from multiple stakeholders, including school staff,  
23    students, and families that is used to inform the selection of

1 *strategies and interventions that reflect the culture and goals of*  
2 *the school.*

3 (4) *A coordination of services team that considers referrals for*  
4 *services, oversees school-wide efforts, and utilizes data-informed*  
5 *processes to identify struggling students who require early*  
6 *interventions.*

7 (5) *Whole school strategies that address school climate and*  
8 *universal student well-being, such as positive behavioral*  
9 *interventions and supports or the Olweus Bullying Prevention*  
10 *Program, as well as comprehensive professional development*  
11 *opportunities that build the capacity of the entire school community*  
12 *to recognize and respond to the unique social-emotional,*  
13 *behavioral, and academic needs of students.*

14 (6) *Targeted interventions for students with identified*  
15 *social-emotional, behavioral, and academic needs, such as*  
16 *therapeutic group interventions, functional behavioral analysis*  
17 *and plan development, and targeted reading skill groups.*

18 (7) *Intensive services, such as wraparound, behavioral*  
19 *intervention, or one-on-one support, that can serve as school-based*  
20 *alternatives to a youth's placement in a nonpublic school setting.*

21 (c) *The department shall provide start-up and evaluation funding*  
22 *to each school participating in the pilot program in the following*  
23 *amounts:*

24 (1) *Two hundred fifty thousand dollars (\$250,000) in year one.*

25 (2) *Two hundred thousand dollars (\$200,000) in year two.*

26 (3) *One hundred fifty thousand dollars (\$150,000) in year three.*

27 (d) (1) *Each school participating in the pilot program shall*  
28 *annually report to the department the following information:*

29 (A) *Number of youth referred to the coordination of service*  
30 *team.*

31 (B) *Number of youth referred for assessment for diagnosis of*  
32 *disability.*

33 (C) *Number of youth diagnosed with disabilities.*

34 (D) *Number of training hours and topics provided for teachers.*

35 (E) *Number and type of parent engagement activities.*

36 (F) *Number of youth served with targeted intervention.*

37 (G) *Number of youth served with intensive interventions.*

38 (H) *Annual teacher and school staff surveys assessing the impact*  
39 *and satisfaction of services.*

- 1     (I) Annual parent surveys assessing the impact and satisfaction  
2 with services.
- 3     (J) Annual student surveys, completed by those participating in  
4 intensive and targeted services, assessing the impact and  
5 satisfaction with services.
- 6     (K) Annual school climate assessments, including multiple  
7 stakeholder feedback.
- 8     (L) Number of youth referred to alternative school placements,  
9 such as special day classes or nonpublic, nonsectarian schools.
- 10    (M) Number of school discipline referrals for the student body  
11 as well as for those with disabilities.
- 12    (N) Attendance.
- 13    (O) Pre- and post- intervention assessments for students served  
14 in targeted and intensive services using standardized tools  
15 appropriate to targeted needs such as the Child and Adolescent  
16 Needs and Strengths Assessment for social emotional-targeted  
17 interventions and the Developmental Reading Assessment for  
18 reading-targeted interventions.
- 19    (P) Progress made through annual Common Core standardized  
20 testing.
- 21    (Q) Progress made among the student body and specified  
22 populations in the Academic Performance Index, including students  
23 with disabilities, foster youth, low-income students, and students  
24 of ethnicities that experience disproportionate challenges to  
25 academic achievement.
- 26    (2) (A) The department shall, in compliance with Section 9795  
27 of the Government Code, submit a report to the Legislature at the  
28 end of the three-year period evaluating the success of the program  
29 and further recommendations. The department shall make the  
30 report available to the public and shall post it on the department's  
31 Internet Web site.
- 32    (B) The requirement to submit a report to the Legislature  
33 imposed under subparagraph (A) is inoperative four years after  
34 the report is due, pursuant to Section 10231.5 of the Government  
35 Code.
- 36    (e) The Legislature finds and declares that students from all  
37 backgrounds and circumstances in California deserve adequate  
38 behavioral and academic support to achieve their full potential.  
39 The Legislature further finds and declares all of the following:

1 (1) *Students in California face relational and environmental*  
2 *stressors that diminish their ability to achieve their full potential.*  
3 *Among these complex challenges may be poverty, frequent exposure*  
4 *to violence, placement in the foster care system, and other negative*  
5 *experiences that result in chronic stress and trauma. Nearly*  
6 *700,000 students in California receive special education services*  
7 *and nearly one-in-four youth are living in poverty. Nearly 60,000*  
8 *youth are currently placed in foster care and as many as 20 percent*  
9 *of youth are in need of mental health interventions.*

10 (2) *Students with these stressors are frequently failed by the*  
11 *current policies and systems in place, as measured by indicators*  
12 *for academic outcomes, social inclusion, emotional development,*  
13 *mental health support, and general student well-being.*

14 (A) *In California, more than 20 percent of special education*  
15 *students spend less than 40 percent of their day within their regular*  
16 *classroom, an indicator of inclusion, compared to 14 percent of*  
17 *special education students nationally and a federal target of less*  
18 *than 9 percent.*

19 (B) *Only 59 percent of special education students graduated*  
20 *high school within four years in the 2010–11 fiscal year compared*  
21 *to 76 percent of all students.*

22 (C) *Statewide, a recent study found only 58 percent of foster*  
23 *youth in grade 12 graduated compared to 85 percent of all youth,*  
24 *with nearly 14 percent of foster youth in grade 12 dropping out*  
25 *of school.*

26 (D) *Far too often, youth with mental health challenges do not*  
27 *receive the services they need. For instance, one study found that*  
28 *nearly two-thirds of adolescents who experienced a major*  
29 *depressive disorder in the last year did not receive treatment.*

30 (E) *Even by third grade, low-income students perform*  
31 *substantially below their higher income peers in areas of social*  
32 *and emotional skill, social and emotional development, engagement*  
33 *in school, and physical well-being.*

34 (3) *Current funding practices place the financial responsibility*  
35 *for special education on school districts, failing to adequately*  
36 *incentivize schools to invest in front-end, preventative measures*  
37 *that would reduce overall cost of special education.*

38 (4) *Delivery of comprehensive, community-based support and*  
39 *resources requires a high level of collaboration between schools,*  
40 *school districts, and county mental health agencies.*

1 (5) *Inclusive, multitiered systems of behavioral and academic*  
2 *supports are essential to providing high-quality, cost-effective*  
3 *special education programs that benefit all students.*

4 (f) *It is the intent of the Legislature that upon demonstrated*  
5 *success of the pilot program, the evaluated models can be adopted*  
6 *by a large number of schools to increase the efficient and effective*  
7 *utilization of available community resources in order to promote*  
8 *the success of all students.*

9 SECTION 1. Section 33319.1 is added to the Education Code,  
10 to read:

11 33319.1. (a) ~~Subject to subdivision (e), the Superintendent~~  
12 ~~shall establish a pilot program pursuant to which the State~~  
13 ~~Department of Education and relevant state and local partners will~~  
14 ~~assist school districts in their efforts to establish or enhance mental~~  
15 ~~health services and support for pupils at public elementary and~~  
16 ~~secondary schoolsites. These services may include, but are not~~  
17 ~~necessarily limited to, screenings, assessments, evaluations,~~  
18 ~~interventions, and treatment.~~

19 (b) ~~A focus of the program established by this section shall be~~  
20 ~~to establish mental health services and support at schools that~~  
21 ~~already have school-based health centers and thus have some~~  
22 ~~existing health care partnerships and infrastructure on which to~~  
23 ~~build, but that lack mental health services at those sites. In~~  
24 ~~implementing the program under this section, the Superintendent~~  
25 ~~shall collaborate with other education and mental health agencies~~  
26 ~~and organizations, including those entities that are currently~~  
27 ~~working to promote school-based mental health services.~~

28 (e) ~~The primary goals of the pilot program established by this~~  
29 ~~section shall be as follows:~~

30 (1) ~~To facilitate the coordination of school staff, school districts,~~  
31 ~~county mental health departments, and community-based~~  
32 ~~organizations in establishing or enhancing school-based mental~~  
33 ~~health services that effectively and efficiently provide screenings,~~  
34 ~~assessments, referrals, and treatment to support the academic~~  
35 ~~achievement and emotional health of pupils. As used in this section,~~  
36 ~~“school staff” includes, but is not necessarily limited to, a teacher,~~  
37 ~~teacher’s aide or assistant, school aide, principal, vice principal,~~  
38 ~~counselor, or mental health professional.~~

1     ~~(2) To identify the barriers to providing effective, school-based~~  
2 ~~mental health services, including services that are culturally and~~  
3 ~~linguistically appropriate.~~

4     ~~(3) To identify and implement best practices that address the~~  
5 ~~barriers to providing school-based mental health services.~~

6     ~~(4) To document the pilot program's outcomes, including the~~  
7 ~~number of schools that establish mental health services on the~~  
8 ~~schoolsite, the number of pupils that receive mental health services~~  
9 ~~at those schools, and the impacts on pupils related to their academic~~  
10 ~~achievement and emotional health.~~

11     ~~(d) It is the intent of the Legislature that the Superintendent and~~  
12 ~~the State Department of Education continue to explore and~~  
13 ~~implement, as appropriate, the recommendations from the K-12~~  
14 ~~Student Mental Health Policy Workgroup that was convened by~~  
15 ~~the Superintendent in 2012.~~

16     ~~(e) The State Department of Education shall seek nonstate~~  
17 ~~sources of funding to support the pilot program, to the extent that~~  
18 ~~funding is necessary, and shall implement this section only to the~~  
19 ~~extent that those necessary nonstate funds are received.~~