

AMENDED IN SENATE JANUARY 17, 2014

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 596

Introduced by Senator Yee
(Coauthor: Senator Beall)

February 22, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

SB 596, as amended, Yee. ~~Multitiered~~ *Pupil health: multitiered and integrated 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 the State Department of Education to establish a 3-year pilot program to ~~provide multitiered interventions~~ *encourage inclusive practices that integrate mental health, special education, and school climate interventions following a multitiered framework* 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 where at least 60% of the student body is eligible for free or reduced-price meals or free milk in child nutrition programs and whose applications detail a model~~

approach that targets the behavioral, emotional, and academic needs of ~~students~~ pupils with multitiered and integrated mental health, special education, and school climate interventions. The bill, contingent on the enactment of an appropriation for this purpose, 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 in accordance with a comprehensive evaluation plan developed by the department and the State Department of Health Care Services to assess the impact of the pilot program and disseminate best practices.~~ 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 integrate mental health,
6 special education, and school climate interventions following a
7 multitiered framework. As used in this section, “department”
8 means the State Department of Education.
9 (b) The department shall establish the pilot program in four
10 schools that apply to participate through the submission of detailed
11 applications specifying their intended models. Geographical
12 distribution shall be ensured by locating the pilot program at two
13 schools in northern California and two schools in southern
14 California. The department shall select schools where at least 60
15 percent of the student body is eligible for free or reduced-price
16 meals or free milk in child nutrition programs and whose
17 applications detail a model approach that targets the behavioral,
18 emotional, and academic needs of pupils with multitiered and
19 integrated mental health, special education, and school climate
20 interventions. In addition to reflecting the school’s specific culture
21 and needs, a school’s model shall include all of the following:

- 1 (1) *Formalized collaboration with local mental health agencies*
2 *to provide school-based mental health services that are integrated*
3 *within a multitiered system of support.*
- 4 (2) *Leverage of school and community resources to offer*
5 *comprehensive multitiered interventions on a sustainable basis.*
- 6 (3) *An initial school climate assessment that includes*
7 *information from multiple stakeholders, including school staff,*
8 *pupils, and families that is used to inform the selection of strategies*
9 *and interventions that reflect the culture and goals of the school.*
- 10 (4) *A coordination of services team that considers referrals for*
11 *services, oversees schoolwide efforts, and utilizes data-informed*
12 *processes to identify struggling pupils who require early*
13 *interventions.*
- 14 (5) *Whole school strategies that address school climate and*
15 *universal pupil well-being, such as positive behavioral*
16 *interventions and supports or the Olweus Bullying Prevention*
17 *Program, as well as comprehensive professional development*
18 *opportunities that build the capacity of the entire school community*
19 *to recognize and respond to the unique social-emotional,*
20 *behavioral, and academic needs of pupils.*
- 21 (6) *Targeted interventions for pupils with identified*
22 *social-emotional, behavioral, and academic needs, such as*
23 *therapeutic group interventions, functional behavioral analysis*
24 *and plan development, and targeted skill groups.*
- 25 (7) *Intensive services, such as wraparound, behavioral*
26 *intervention, or one-on-one support, that can reduce the need for*
27 *a youth's referral to special education or placement in more*
28 *restrictive, isolated settings.*
- 29 (c) *Contingent on the enactment of an appropriation for this*
30 *purpose in the annual Budget Act or another statute, the*
31 *department shall provide start-up and evaluation funding to each*
32 *school participating in the pilot program in the following amounts:*
- 33 (1) *Two hundred fifty thousand dollars (\$250,000) in year one.*
34 (2) *Two hundred thousand dollars (\$200,000) in year two.*
35 (3) *One hundred fifty thousand dollars (\$150,000) in year three.*
- 36 (d) (1) *The State Department of Health Care Services and the*
37 *department shall develop a comprehensive evaluation plan to*
38 *assess the impact of the pilot program and disseminate best*
39 *practices.*

1 (2) Outcomes and indicators to be reported, pursuant to this
2 subdivision, by schools participating in the pilot project shall
3 include, but not necessarily be limited to, those already being
4 collected by schools, as well as designated measures of pupil
5 well-being, academic achievement, and school engagement and
6 attendance.

7 (3) (A) The department, in compliance with Section 9795 of
8 the Government Code, shall submit a report to the Legislature at
9 the end of the three-year period evaluating the success of the
10 program and further recommendations. The department shall make
11 the report available to the public, and shall post it on the
12 department's Internet Web site.

13 (B) The requirement to submit a report to the Legislature
14 imposed under subparagraph (A) is inoperative, pursuant to
15 Section 10231.5 of the Government Code, four years after the
16 report is due.

17 (e) The Legislature finds and declares that pupils from all
18 backgrounds and circumstances in California deserve adequate
19 behavioral and academic support to achieve their full potential.
20 The Legislature further finds and declares all of the following:

21 (1) Pupils in California face relational and environmental
22 stressors that diminish their ability to achieve their full potential.
23 Among these complex challenges may be poverty, frequent exposure
24 to violence, placement in the foster care system, and other negative
25 experiences that result in chronic stress and trauma. Nearly
26 700,000 pupils in California receive special education services,
27 and nearly one-in-four youth are living in poverty. Nearly 60,000
28 youth are currently placed in foster care and as many as 20 percent
29 of youth are in need of mental health interventions.

30 (2) Pupils with these stressors are frequently failed by the
31 current policies and systems in place, as measured by indicators
32 for academic outcomes, social inclusion, emotional development,
33 mental health support, and general pupil well-being.

34 (A) In California, more than 20 percent of special education
35 pupils spend less than 40 percent of their day within their regular
36 classroom, an indicator of inclusion, compared to 14 percent of
37 special education pupils nationally and a federal target of less
38 than 9 percent.

1 (B) Only 59 percent of special education pupils graduated high
2 school within four years in the 2010–11 fiscal year compared to
3 76 percent of all pupils.

4 (C) Statewide, a recent study found only 58 percent of foster
5 youth in grade 12 graduated compared to 85 percent of all youth,
6 with nearly 14 percent of foster youth in grade 12 dropping out
7 of school.

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

12 (E) Even by grade 3, low-income pupils perform substantially
13 below their higher income peers in areas of social and emotional
14 skill, social and emotional development, engagement in school,
15 and physical well-being.

16 (3) Current funding practices fail to adequately incentivize
17 schools to invest in front-end, preventative measures that would
18 reduce overall cost of special education.

19 (4) Delivery of comprehensive, community-based support and
20 resources requires a high level of collaboration between schools,
21 school districts, and county mental health agencies.

22 (5) Inclusive, multitiered systems of behavioral and academic
23 supports are essential to providing high-quality, cost-effective
24 special education programs that benefit all pupils.

25 (f) It is the intent of the Legislature that, upon demonstrated
26 success of the pilot program, the evaluated models can be adopted
27 by a large number of schools to increase the efficient and effective
28 utilization of available community resources in order to promote
29 the success of all pupils.

30 ~~SECTION 1. Section 124174.7 is added to the Health and~~
31 ~~Safety Code, to read:~~

32 ~~124174.7. (a) The State Department of Education shall~~
33 ~~establish a three-year pilot program in accordance with this section~~
34 ~~to encourage inclusive practices that leverage cross-system~~
35 ~~resources and offer comprehensive, multitiered interventions.~~

36 ~~(b) The department shall establish the pilot program in four~~
37 ~~schools that volunteer to participate, two in northern California~~
38 ~~and two in southern California. The department shall select schools~~
39 ~~that propose a model approach that provides preventive, targeted,~~
40 ~~and intensive interventions that target the behavioral, emotional,~~

1 and academic needs of students. In addition to reflecting the
2 school's specific culture and needs, a school's model shall include
3 all of the following:

4 (1) Formalized collaboration with local mental health agencies
5 to provide school-based mental health services that are integrated
6 within a multitiered system of support.

7 (2) Utilization of a designated percentage of a school district's
8 existing special education expenditures to provide services within
9 the school setting.

10 (3) An initial school climate assessment that includes
11 information from multiple stakeholders, including school staff,
12 students, and families that is used to inform the selection of
13 strategies and interventions that reflect the culture and goals of the
14 school.

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

19 (5) Whole school strategies that address school climate and
20 universal student well-being, such as positive behavioral
21 interventions and supports or the Olweus Bullying Prevention
22 Program, as well as comprehensive professional development
23 opportunities that build the capacity of the entire school community
24 to recognize and respond to the unique social-emotional,
25 behavioral, and academic needs of students.

26 (6) Targeted interventions for students with identified
27 social-emotional, behavioral, and academic needs, such as
28 therapeutic group interventions, functional behavioral analysis and
29 plan development, and targeted reading skill groups.

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

33 (e) The department shall provide start-up and evaluation funding
34 to each school participating in the pilot program in the following
35 amounts:

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

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

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

39 (d) (1) Each school participating in the pilot program shall
40 annually report to the department the following information:

- 1 ~~(A) Number of youth referred to the coordination of service~~
- 2 ~~team.~~
- 3 ~~(B) Number of youth referred for assessment for diagnosis of~~
- 4 ~~disability.~~
- 5 ~~(C) Number of youth diagnosed with disabilities.~~
- 6 ~~(D) Number of training hours and topics provided for teachers.~~
- 7 ~~(E) Number and type of parent engagement activities.~~
- 8 ~~(F) Number of youth served with targeted intervention.~~
- 9 ~~(G) Number of youth served with intensive interventions.~~
- 10 ~~(H) Annual teacher and school staff surveys assessing the impact~~
- 11 ~~and satisfaction of services.~~
- 12 ~~(I) Annual parent surveys assessing the impact and satisfaction~~
- 13 ~~with services.~~
- 14 ~~(J) Annual student surveys, completed by those participating in~~
- 15 ~~intensive and targeted services, assessing the impact and~~
- 16 ~~satisfaction with services.~~
- 17 ~~(K) Annual school climate assessments, including multiple~~
- 18 ~~stakeholder feedback.~~
- 19 ~~(L) Number of youth referred to alternative school placements,~~
- 20 ~~such as special day classes or nonpublic, nonsectarian schools.~~
- 21 ~~(M) Number of school discipline referrals for the student body~~
- 22 ~~as well as for those with disabilities.~~
- 23 ~~(N) Attendance.~~
- 24 ~~(O) Pre- and post- intervention assessments for students served~~
- 25 ~~in targeted and intensive services using standardized tools~~
- 26 ~~appropriate to targeted needs such as the Child and Adolescent~~
- 27 ~~Needs and Strengths Assessment for social emotional targeted~~
- 28 ~~interventions and the Developmental Reading Assessment for~~
- 29 ~~reading-targeted interventions.~~
- 30 ~~(P) Progress made through annual Common Core standardized~~
- 31 ~~testing.~~
- 32 ~~(Q) Progress made among the student body and specified~~
- 33 ~~populations in the Academic Performance Index, including students~~
- 34 ~~with disabilities, foster youth, low-income students, and students~~
- 35 ~~of ethnicities that experience disproportionate challenges to~~
- 36 ~~academic achievement.~~
- 37 ~~(2) (A) The department shall, in compliance with Section 9795~~
- 38 ~~of the Government Code, submit a report to the Legislature at the~~
- 39 ~~end of the three-year period evaluating the success of the program~~
- 40 ~~and further recommendations. The department shall make the~~

1 report available to the public and shall post it on the department's
2 Internet Web site.

3 ~~(B) The requirement to submit a report to the Legislature~~
4 ~~imposed under subparagraph (A) is inoperative four years after~~
5 ~~the report is due, pursuant to Section 10231.5 of the Government~~
6 ~~Code.~~

7 ~~(e) The Legislature finds and declares that students from all~~
8 ~~backgrounds and circumstances in California deserve adequate~~
9 ~~behavioral and academic support to achieve their full potential.~~
10 ~~The Legislature further finds and declares all of the following:~~

11 ~~(1) Students in California face relational and environmental~~
12 ~~stressors that diminish their ability to achieve their full potential.~~
13 ~~Among these complex challenges may be poverty, frequent~~
14 ~~exposure to violence, placement in the foster care system, and~~
15 ~~other negative experiences that result in chronic stress and trauma.~~
16 ~~Nearly 700,000 students in California receive special education~~
17 ~~services and nearly one-in-four youth are living in poverty. Nearly~~
18 ~~60,000 youth are currently placed in foster care and as many as~~
19 ~~20 percent of youth are in need of mental health interventions.~~

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21 ~~current policies and systems in place, as measured by indicators~~
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23 ~~mental health support, and general student well-being.~~

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25 ~~students spend less than 40 percent of their day within their regular~~
26 ~~classroom, an indicator of inclusion, compared to 14 percent of~~
27 ~~special education students nationally and a federal target of less~~
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29 ~~(B) Only 59 percent of special education students graduated~~
30 ~~high school within four years in the 2010–11 fiscal year compared~~
31 ~~to 76 percent of all students.~~

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37 ~~receive the services they need. For instance, one study found that~~
38 ~~nearly two-thirds of adolescents who experienced a major~~
39 ~~depressive disorder in the last year did not receive treatment.~~

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2 ~~substantially below their higher income peers in areas of social~~
3 ~~and emotional skill, social and emotional development, engagement~~
4 ~~in school, and physical well-being.~~

5 ~~(3) Current funding practices place the financial responsibility~~
6 ~~for special education on school districts, failing to adequately~~
7 ~~incentivize schools to invest in front-end, preventative measures~~
8 ~~that would reduce overall cost of special education.~~

9 ~~(4) Delivery of comprehensive, community-based support and~~
10 ~~resources requires a high level of collaboration between schools,~~
11 ~~school districts, and county mental health agencies.~~

12 ~~(5) Inclusive, multitiered systems of behavioral and academic~~
13 ~~supports are essential to providing high-quality, cost-effective~~
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