

AMENDED IN SENATE JANUARY 27, 2014

AMENDED IN SENATE JANUARY 17, 2014

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 596**

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**Introduced by Senator Yee  
(Coauthor: Senator Beall)**

February 22, 2013

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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. 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 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~~ *State Department of Education* to select schools where at least 60% of the student body is eligible for a free or reduced-price meals or free milk in child nutrition programs ~~meal program~~ and whose applications *provide an estimate for the amount of*

*funding being requested and detail a model approach that targets the behavioral, emotional, and academic needs of 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 bill would require the schools to provide certain information to the department State Department of Education in accordance with a comprehensive evaluation plan developed by the department and the State Department of Health Care Services and the State Department of Education to assess the impact of the pilot program and disseminate best practices. The bill would require the department State Department of Education 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. (a) The Legislature finds and declares that pupils*
- 2     *from all backgrounds and circumstances in California deserve*
- 3     *adequate behavioral and academic support to achieve their full*
- 4     *potential. The Legislature further finds and declares all of the*
- 5     *following:*
- 6     *(1) Pupils in California face relational and environmental*
- 7     *stressors that diminish their ability to achieve their full potential.*
- 8     *Among these complex challenges may be poverty, frequent exposure*
- 9     *to violence, placement in the foster care system, and other negative*
- 10    *experiences that result in chronic stress and trauma. Nearly*
- 11    *700,000 pupils in California receive special education services,*
- 12    *and nearly one-in-four youth are living in poverty. Nearly 60,000*
- 13    *youth are currently placed in foster care and as many as 20 percent*
- 14    *of youth are in need of mental health interventions.*
- 15    *(2) Pupils with these stressors are frequently failed by the*
- 16    *current policies and systems in place, as measured by indicators*
- 17    *for academic outcomes, social inclusion, emotional development,*
- 18    *mental health support, and general pupil well-being.*
- 19    *(A) In California, more than 20 percent of special education*
- 20    *pupils spend less than 40 percent of their day within their regular*
- 21    *classroom, an indicator of inclusion, compared to 14 percent of*

1 *special education pupils nationally and a federal target of less*  
2 *than 9 percent.*

3 *(B) Only 59 percent of special education pupils graduated high*  
4 *school within four years in the 2010–11 fiscal year compared to*  
5 *76 percent of all pupils.*

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

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

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

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

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

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

27 *(b) It is the intent of the Legislature that, upon demonstrated*  
28 *success of the pilot program established pursuant to Section*  
29 *124174.7 of the Health and Safety Code, the evaluated models can*  
30 *be adopted by a large number of schools to increase the efficient*  
31 *and effective utilization of available community resources in order*  
32 *to promote the success of all pupils.*

33 **SECTION 1.**

34 *SEC. 2.* Section 124174.7 is added to the Health and Safety  
35 Code, to read:

36 124174.7. (a) The State Department of Education shall  
37 establish a three-year pilot program in accordance with this section  
38 to encourage inclusive practices that integrate mental health, special  
39 education, and school climate interventions following a multitiered

1 framework. As used in this section, “department” means the State  
2 Department of Education.

3 (b) The department shall establish the pilot program in four  
4 schools that apply to participate through the submission of detailed  
5 applications *providing estimates for the amount of funding being*  
6 *requested for start up and evaluation of the program and* specifying  
7 their intended models. Geographical distribution shall be ensured  
8 by locating the pilot program at two schools in northern California  
9 and two schools in southern California. The department shall select  
10 schools where at least 60 percent of the student body is eligible  
11 for ~~a free or reduced-price meals or free milk in child nutrition~~  
12 ~~programs~~ *meal program* and whose applications detail a model  
13 approach that targets the behavioral, emotional, and academic  
14 needs of pupils with multitiered and integrated mental health,  
15 special education, and school climate interventions. In addition to  
16 reflecting the school’s specific culture and needs, a school’s model  
17 shall include all of the following:

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

21 (2) Leverage of school and community resources to offer  
22 comprehensive multitiered interventions on a sustainable basis.

23 (3) An initial school climate assessment that includes  
24 information from multiple stakeholders, including school staff,  
25 pupils, and families that is used to inform the selection of strategies  
26 and interventions that reflect the culture and goals of the school.

27 (4) A coordination of services team that considers referrals for  
28 services, oversees schoolwide efforts, and utilizes data-informed  
29 processes to identify struggling pupils who require early  
30 interventions.

31 (5) Whole school strategies that address school climate and  
32 universal pupil well-being, such as positive behavioral interventions  
33 and supports or the Olweus Bullying Prevention Program, as well  
34 as comprehensive professional development opportunities that  
35 build the capacity of the entire school community to recognize and  
36 respond to the unique social-emotional, behavioral, and academic  
37 needs of pupils.

38 (6) Targeted interventions for pupils with identified  
39 social-emotional, behavioral, and academic needs, such as

1 therapeutic group interventions, functional behavioral analysis and  
2 plan development, and targeted skill groups.

3 (7) Intensive services, such as wraparound, behavioral  
4 intervention, or one-on-one support, that can reduce the need for  
5 a youth’s referral to special education or placement in more  
6 restrictive, isolated settings.

7 ~~(e) Contingent on the enactment of an appropriation for this~~  
8 ~~purpose in the annual Budget Act or another statute, the department~~  
9 ~~shall provide start-up and evaluation funding to each school~~  
10 ~~participating in the pilot program in the following amounts:~~

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

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

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

14 ~~(d)~~

15 (c) (1) The State Department of Health Care Services and the  
16 department shall develop a comprehensive evaluation plan to assess  
17 the impact of the pilot program and disseminate best practices.

18 (2) Outcomes and indicators to be reported, pursuant to this  
19 subdivision, by schools participating in the pilot project shall  
20 include, but not necessarily be limited to, those already being  
21 collected by schools, as well as designated measures of pupil  
22 well-being, academic achievement, and school engagement and  
23 attendance.

24 (3) (A) The department, in compliance with Section 9795 of  
25 the Government Code, shall submit a report to the Legislature at  
26 the end of the three-year period evaluating the success of the  
27 program and further recommendations. The department shall make  
28 the report available to the public, and shall post it on the  
29 department’s Internet Web site.

30 (B) The requirement to submit a report to the Legislature  
31 imposed under subparagraph (A) is inoperative, pursuant to Section  
32 10231.5 of the Government Code, four years after the report is  
33 due.

34 ~~(e) The Legislature finds and declares that pupils from all~~  
35 ~~backgrounds and circumstances in California deserve adequate~~  
36 ~~behavioral and academic support to achieve their full potential.~~  
37 ~~The Legislature further finds and declares all of the following:~~

38 ~~(1) Pupils in California face relational and environmental~~  
39 ~~stressors that diminish their ability to achieve their full potential.~~  
40 ~~Among these complex challenges may be poverty, frequent~~

1 exposure to violence, placement in the foster care system, and  
2 other negative experiences that result in chronic stress and trauma.  
3 Nearly 700,000 pupils in California receive special education  
4 services, and nearly one in four youth are living in poverty. Nearly  
5 60,000 youth are currently placed in foster care and as many as  
6 20 percent of youth are in need of mental health interventions.

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

11 (A) In California, more than 20 percent of special education  
12 pupils spend less than 40 percent of their day within their regular  
13 classroom, an indicator of inclusion, compared to 14 percent of  
14 special education pupils nationally and a federal target of less than  
15 9 percent.

16 (B) Only 59 percent of special education pupils graduated high  
17 school within four years in the 2010–11 fiscal year compared to  
18 76 percent of all pupils.

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

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

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

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

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

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

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

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