

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 580

Introduced by Assembly Member O'Donnell

February 24, 2015

An act to ~~repeal Sections 44504, 44505, 44506, and 44507~~ add Chapter 3.3 (commencing with Section 44700) to Part 25 of Division 3 of Title 2 of the Education Code, relating to ~~teachers; school employees.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 580, as amended, O'Donnell. ~~Teachers: California Peer Assistance and Review Program for Teachers. School employees: in-service training: early identification of pupil mental health issues.~~

Existing law establishes a system of public elementary and secondary schools in this state. Existing law provides for the establishment of local educational agencies to operate public elementary and secondary schools and provide instruction to pupils. Existing law requires local educational agencies to actively and systematically seek out all individuals with exceptional needs, from birth to 21 years of age, inclusive, who reside in a school district or are under the jurisdiction of a special education local plan area or a county office of education.

This bill would state the Legislature's findings and declarations regarding pupil mental health issues. The bill would require school districts, county offices of education, and charter schools to provide in-service training every school year to teachers of pupils in kindergarten and grades 1 to 12, inclusive, and to classified staff who have regular personal contact with pupils, on the early identification of pupil mental health issues, as specified. The bill would authorize

those entities to provide the required training in an online format outside of a regularly scheduled staff meeting. The bill would provide that the Legislature encourages these entities to provide the required training as part of a larger initiative aimed at improving mental health outcomes for pupils, and to use existing funds from other state and federal sources, as appropriate, to provide the required training. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

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.

~~Existing law establishes the California Peer Assistance and Review Program for Teachers, which is a program established to assist teachers by setting forth performance goals, providing multiple observations of the teacher during periods of classroom instruction, and encouraging a cooperative relationship between the consulting teacher and the principal with respect to a process of peer assistance and review. Existing law provides for the implementation of the program by school districts that elect to participate in the program, and establishes a system for apportioning state funds to participating school districts. Existing law requires a school district that does not participate in the program to report the rationale for not participating annually at a regularly scheduled meeting of the governing board of the school district.~~

~~This bill would repeal specified provisions relating to the implementation and funding of this program and would delete an obsolete provision relating to the preparation of a comprehensive evaluation of the program.~~

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

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

- 1 SECTION 1. Chapter 3.3 (commencing with Section 44700)
- 2 is added to Part 25 of Division 3 of Title 2 of the Education Code,
- 3 to read:

1
2 *CHAPTER 3.3. IN-SERVICE TRAINING: EARLY IDENTIFICATION*
3 *OF PUPIL MENTAL HEALTH ISSUES*
4

5 44700. (a) *The Legislature finds and declares all of the*
6 *following:*

7 (1) *In 2012, the Superintendent convened the Student Mental*
8 *Health Policy Workgroup, a collaboration between the department*
9 *and the California Mental Health Services Authority, to develop*
10 *policy recommendations that promote early identification, referral,*
11 *coordination, and access to quality mental health services for*
12 *pupils. The Student Mental Health Policy Workgroup is comprised*
13 *of teachers, school counselors, school social workers, school*
14 *psychologists, school nurses, and school administrators, as well*
15 *as state and county mental health professionals.*

16 (2) *The Student Mental Health Policy Workgroup has issued a*
17 *recommendation calling for increased training of school personnel,*
18 *in order to promote earlier identification and intervention to meet*
19 *the needs of California's pupils.*

20 (3) *The Student Mental Health Policy Workgroup has found the*
21 *following:*

22 (A) *Research points to a strong connection between mental*
23 *wellness and academic achievement.*

24 (B) *Research demonstrates that early detection and treatment*
25 *of mental illness improves attendance, behavior, and academic*
26 *achievement.*

27 (C) *The percentage of children with mental health issues is*
28 *estimated at 20 percent, with 80 percent of those undiagnosed and*
29 *untreated. The lack of attention to their mental health has*
30 *significant effects on school achievement and life outcomes.*

31 (D) *Mental health challenges disproportionately impact pupils*
32 *who face stressors such as violence, trauma, and poverty.*

33 (E) *Mental health training for educators and other adults*
34 *working with pupils can help identify mental health issues early,*
35 *allowing pupils the opportunity to grow and thrive by receiving*
36 *the support they need to overcome barriers to their education.*

37 (F) *California's educators report their lack of preparedness in*
38 *addressing pupil mental health challenges as a major barrier to*
39 *instruction. Most educators and staff lack training to identify pupils*
40 *who may be in need of support, make referrals, and, as*

1 *appropriate, to help pupils overcome or manage mental health*
2 *barriers and succeed in school.*

3 *(G) Statewide action is needed to expand training throughout*
4 *California so that all school staff can help address the significant*
5 *mental health needs of pupils.*

6 *(H) While some parts of the state have benefited from mental*
7 *health training on a small scale, limited budgets have restricted*
8 *the reach of training that is critically needed in all districts.*

9 *(I) Federal grant funds are now available for pilot programs*
10 *in school districts and county offices of education to help*
11 *disseminate mental health training throughout the state.*

12 *(J) The department has been authorized to administer the federal*
13 *“Now is the Time” AWARE (Advancing Wellness and Resilience*
14 *in Education) State Agency Program grant.*

15 *(K) This program will build and expand statewide awareness*
16 *of mental health issues among pupils by supporting training for*
17 *school personnel and other adults who interact with pupils to*
18 *identify possible mental health issues and connect pupils to*
19 *appropriate services.*

20 *(b) It is therefore the intent of the Legislature that California*
21 *educators become knowledgeable about early identification of*
22 *pupil mental health issues, including protocols for pupil referral*
23 *for additional support.*

24 *44701. (a) (1) Within the first six weeks of every school year,*
25 *as part of a regularly scheduled staff meeting, each school district,*
26 *county office of education, and charter school shall provide*
27 *in-service training to teachers of pupils in kindergarten and grades*
28 *1 to 12, inclusive, and to classified staff who have regular personal*
29 *contact with pupils, on the early identification of pupil mental*
30 *health issues, including referral protocols.*

31 *(2) The training required pursuant to paragraph (1) may instead*
32 *be provided in an online format outside of a regularly scheduled*
33 *staff meeting.*

34 *(b) The Legislature encourages school districts, county offices*
35 *of education, and charter schools to provide the training described*
36 *in subdivision (a) as part of a larger initiative aimed at improving*
37 *mental health outcomes for pupils.*

38 *(c) The Legislature encourages the use of existing funds from*
39 *other state and federal sources, as appropriate, to meet the*
40 *requirement of subdivision (a).*

1 44702. *Nothing in this chapter shall be construed as doing*
2 *either of the following:*

3 (a) *Requiring school personnel to identify, assess, diagnose, or*
4 *treat pupil mental health issues.*

5 (b) *Authorizing or encouraging school personnel to act outside*
6 *of the authority granted by their credential or license.*

7 SEC. 2. *If the Commission on State Mandates determines that*
8 *this act contains costs mandated by the state, reimbursement to*
9 *local agencies and school districts for those costs shall be made*
10 *pursuant to Part 7 (commencing with Section 17500) of Division*
11 *4 of Title 2 of the Government Code.*

12 ~~SECTION 1. Section 44504 of the Education Code is repealed.~~

13 ~~SEC. 2. Section 44505 of the Education Code is repealed.~~

14 ~~SEC. 3. Section 44506 of the Education Code is repealed.~~

15 ~~SEC. 4. Section 44507 of the Education Code is repealed.~~