

AMENDED IN ASSEMBLY MAY 6, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1025

Introduced by Assembly Member Thurmond

February 26, 2015

An act to add ~~Section 124174.7 to the Health and Safety and repeal Article 5.5 (commencing with Section 48280) to Chapter 2 of Part 27 of Division 4 of Title 2 of the Education Code~~, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1025, as amended, Thurmond. 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. Existing law requires the Superintendent of Public Instruction, among his or her other duties, to serve as the chief executive officer of the State Department of Education.

~~This bill~~ *bill, until January 1, 2020*, would require the State Department of Education to ~~develop and implement federal Substance Abuse and Mental Health Services Administration "Now is The Time" funded pilot projects and to establish additional pilot programs~~ *a 3-year pilot program* to encourage inclusive practices that integrate mental health, special education, and school climate interventions following a multitiered framework in school districts that apply to participate, as specified. The bill would require the State Department of Education to select schools where at least 60% of the student body is eligible for a

free or reduced-price meal program and whose applications provide an estimate for the amount of funding being requested for ~~start-up~~ *startup* and evaluation 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 startup and evaluation funding to each school participating in the pilot program, and would require the schools to provide certain information to the State Department of Education in accordance with a comprehensive evaluation plan developed by the State Department of Health Care Services, the Mental Health Services Oversight and Accountability Commission, and the State Department of Education to assess the impact of the pilot program and disseminate best practices. The bill would require the 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. The bill would require the Mental Health Services Oversight and Accountability Commission to revise its guidelines and regulations regarding prevention and early intervention programs in K–12 schools, as specified.

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
9 exposure to violence, placement in the foster care system, and
10 other negative experiences that result in chronic stress and trauma.
11 Nearly 700,000 pupils in California receive special education
12 services, and nearly one-in-four youth are living in poverty. Nearly
13 60,000 youth are currently placed in foster care, and as many as
14 20 percent of youth are in need of mental health interventions.

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

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

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

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

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

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

25 (3) Current funding practices fail to adequately incentivize
26 schools to invest in front-end preventative measures that would
27 reduce overall cost of special education.

28 (4) Delivery of comprehensive community-based support and
29 resources requires a high level of collaboration among schools,
30 school districts, and county mental health agencies.

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

34 (6) The State Department of Education has recently received a
35 grant from the federal Substance Abuse and Mental Health Services
36 Administration to develop these special education programs and
37 has selected the City of Santa Rosa, the City of Garden Grove, and
38 ~~San Diego County~~ *the County of San Diego* for pilot programs.

1 (7) Similar pilot programs are already established in the City
2 of Oakland and in ~~San Bernardino County~~. *the County of San*
3 *Bernardino*.

4 (8) The programs in the City of Oakland and ~~San Bernardino~~
5 ~~County~~ *the County of San Bernardino* are demonstrating that these
6 programs generate savings that more than offset their costs.

7 (b) It is the intent of the Legislature that, upon demonstrated
8 success of the pilot program established pursuant to Section
9 124174.7 of the Health and Safety Code, the evaluated models can
10 be adopted by a large number of schools to increase the efficient
11 and effective utilization of available community resources in order
12 to promote the success of all pupils.

13 ~~SEC. 2. Section 124174.7 is added to the Health and Safety~~
14 ~~Code, to read:~~

15 ~~124174.7. (a) (1) The State Department of Education shall~~
16 ~~develop and implement federal Substance Abuse and Mental Health~~
17 ~~Services Administration “Now is The Time” funded pilot projects~~
18 ~~in accordance with this section and shall establish additional pilot~~
19 ~~programs in accordance with this section to encourage inclusive~~
20 ~~practices that integrate mental health, special education, and school~~
21 ~~climate interventions following a multitiered framework.~~

22 ~~(2) For purposes of this section, “department” means the State~~
23 ~~Department of Education.~~

24 ~~(b) To the extent that funds are appropriated in the annual~~
25 ~~Budget Act, the department shall establish the pilot program in~~
26 ~~three additional schools in each of five additional school districts~~
27 ~~that apply to participate through the submission of detailed~~
28 ~~applications providing estimates for the amount of funding being~~
29 ~~requested for startup and evaluation of the program and specifying~~
30 ~~their intended models. The department shall select schools where~~
31 ~~at least 60 percent of the student body is eligible for a free or~~
32 ~~reduced-price meal program and whose applications detail a model~~
33 ~~approach that targets the behavioral, emotional, and academic~~
34 ~~needs of pupils with multitiered and integrated mental health,~~
35 ~~special education, and school climate interventions. In addition to~~
36 ~~reflecting the school’s specific culture and needs, a school’s model~~
37 ~~shall include all of the following:~~

38 ~~(1) Formalized collaboration with local mental health agencies~~
39 ~~to provide school-based mental health services that are integrated~~
40 ~~within a multitiered system of support.~~

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

1 to assess the impact of the pilot program and disseminate best
2 practices.

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

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

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

18 (e) The Mental Health Services Oversight and Accountability
19 Commission shall revise its guidelines and regulations for
20 Prevention and Early Intervention Programs of the Mental Health
21 Services Act, pursuant to Section 5840 of the Welfare and
22 Institutions Code, to require that these prevention and early
23 intervention programs in K-12 schools are designed to support
24 the implementation or expansion of model programs in accordance
25 with the criteria set forth in this section.

26 SEC. 2. Article 5.5 (commencing with Section 48280) is added
27 to Chapter 2 of Part 27 of Division 4 of Title 2 of the Education
28 Code, to read:

29
30 *Article 5.5. Multitiered and Integrated Interventions Pilot*
31 *Program*
32

33 48280. (a) The department shall establish a three-year pilot
34 program in accordance with this section to encourage inclusive
35 practices that integrate mental health, special education, and
36 school climate interventions following a multitiered framework.

37 (b) To the extent moneys are appropriated in the annual Budget
38 Act, the department shall establish the pilot program in three
39 schools in each of five school districts that apply to participate
40 through the submission of detailed applications providing estimates

1 *for the amount of funding being requested for startup and*
2 *evaluation of the program and specifying their intended models.*
3 *The schools selected shall not include schools that received a*
4 *federal Substance Abuse and Mental Health Services*
5 *Administration “Now is The Time” grant. The department shall*
6 *select schools where at least 60 percent of the student body is*
7 *eligible for a free or reduced-price meal program and whose*
8 *applications detail a model approach that targets the behavioral,*
9 *emotional, and academic needs of pupils with multitiered and*
10 *integrated mental health, special education, and school climate*
11 *interventions. In addition to reflecting the school’s specific culture*
12 *and needs, a school’s model shall include all of the following:*

13 *(1) Formalized collaboration with local mental health agencies*
14 *to provide school-based mental health services that are integrated*
15 *within a multitiered system of support.*

16 *(2) Leverage of school and community resources to offer*
17 *comprehensive multitiered interventions on a sustainable basis.*

18 *(3) An initial school climate assessment that includes*
19 *information from multiple stakeholders, including school staff,*
20 *pupils, and families, that is used to inform the selection of*
21 *strategies and interventions that reflect the culture and goals of*
22 *the school.*

23 *(4) A coordination of services team that considers referrals for*
24 *services, oversees schoolwide efforts, and utilizes data-informed*
25 *processes to identify struggling pupils who require early*
26 *interventions.*

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

34 *(6) Targeted interventions for pupils with identified*
35 *social-emotional, behavioral, and academic needs, such as*
36 *therapeutic group interventions, functional behavioral analysis*
37 *and plan development, and targeted skill groups.*

38 *(7) Intensive services, such as wraparound, behavioral*
39 *intervention, or one-on-one support, that can reduce the need for*

1 *a pupil’s referral to special education or placement in more*
 2 *restrictive, isolated settings.*

3 *(8) Specific strategies and practices that ensure parent*
 4 *engagement with the school and provide parents with access to*
 5 *resources that support their children’s educational success.*

6 *(c) Contingent on the enactment of an appropriation in the*
 7 *annual Budget Act for the purpose of implementing this section,*
 8 *the department shall provide startup and evaluation funding to*
 9 *each school participating in the pilot program in the following*
 10 *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) (1) The State Department of Health Care Services, the*
 15 *Mental Health Services Oversight and Accountability Commission,*
 16 *and the department shall develop a comprehensive evaluation plan*
 17 *to assess the impact of the pilot program and disseminate best*
 18 *practices.*

19 *(2) Outcomes and indicators to be reported pursuant to this*
 20 *subdivision by schools participating in the pilot program shall*
 21 *include, but need not be limited to, those already being collected*
 22 *by schools, as well as designated measures of pupil well-being,*
 23 *academic achievement, and school engagement and 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 making further recommendations. The department*
 28 *shall make the report available to the public, and shall post it on*
 29 *the 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*
 32 *Section 10231.5 of the Government Code, four years after the*
 33 *report is due.*

34 *(e) The Mental Health Services Oversight and Accountability*
 35 *Commission shall revise its guidelines and regulations for*
 36 *Prevention and Early Intervention Programs of the Mental Health*
 37 *Services Act, pursuant to Section 5840 of the Welfare and*
 38 *Institutions Code, to require that these prevention and early*
 39 *intervention programs in K–12 schools are designed to support*

1 *the implementation or expansion of model programs in accordance*
2 *with the criteria set forth in this section.*
3 *48281. This article shall remain in effect only until January 1,*
4 *2020, and as of that date is repealed, unless a later enacted statute,*
5 *that is enacted before January 1, 2020, deletes or extends that*
6 *date.*

O