

AMENDED IN SENATE APRIL 6, 2015

**SENATE BILL**

**No. 463**

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**Introduced by Senator Hancock**

February 25, 2015

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An act to add Chapter 18.5 (commencing with Section 53320) to Part 28 of Division 4 of Title 2 of the Education Code, relating to school climate.

LEGISLATIVE COUNSEL'S DIGEST

SB 463, as amended, Hancock. School climate: Safe and Supportive Schools Train the Trainer Program.

Existing law establishes a system of public elementary and secondary schools in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would establish the Safe and Supportive Schools Train the Trainer Program. The bill, to the extent that one-time funding is made available in the Budget Act of 2015, would require the State Department of Education to apportion funds to a designated county office of education, selected from applicant county offices of education, that would be the fiduciary agent for the program. The bill would require the designated county office of education to consult with specified organizations and to be in charge of establishing specific professional development activities that will lead to statewide professional development support structures and a network of trainers allowing for the development and expansion of the Schoolwide Positive Behavior Interventions and Supports programs, restorative justice, social and emotional learning, trauma-informed practice, and cultural competency professional development in each region of the state, as provided.

The bill would require the Legislative Analyst's Office to review the impacts of this professional development effort and report to the Governor and the Legislature on or before June 30, 2019, on specified aspects of this training. The bill would require that any funding allocated for this program be expended on or before January 1, 2019.

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. The Legislature finds and declares all of the  
2 following:  
3 (a) California schools issued more than ~~600,000~~ 500,000  
4 suspensions in the ~~2012-13~~ 2013-14 school year. Recent statistics  
5 indicate that 20 percent of schoolage youth experience a functional  
6 or significant behavior or mental health disorder. Studies estimate  
7 that between 3.3 million and 10 million children in the United  
8 States witness violence in their own homes each year. Children  
9 who have experienced early, chronic trauma, such as family or  
10 community violence, can develop emotional, behavioral, cognitive,  
11 and relationship difficulties that can adversely affect their ability  
12 to learn and function well in school. Exposure to trauma is  
13 associated with a higher risk for school dropout, and in turn,  
14 dropping out of school increases the risk of being imprisoned.  
15 Behavioral problems among schoolage youth are associated with  
16 high rates of depression, experiencing a traumatic or violent event,  
17 and other significant homelife stresses. Unfortunately, In  
18 California, pupils of color are disproportionately subjected to  
19 out-of-school suspensions. African American pupils are three times  
20 more likely to be suspended than all other groups. Native  
21 Americans have the second highest suspension rate in the state.  
22 Studies have also shown that pupils of color are disciplined more  
23 harshly than other pupils, resulting in serious, negative educational  
24 consequences. Exclusionary school removals cause a number of  
25 correlated negative educational, economic, and social problems,  
26 including school avoidance, increased likelihood of dropping out,  
27 and involvement with the juvenile justice system. This civil rights  
28 in education crisis has come to be known as the school-to-prison  
29 pipeline.

1     **(b)** *Unfortunately*, too many youth, particularly pupils of color  
2 and other vulnerable groups of pupils, such as foster youth, who  
3 have been subjected to significant trauma are suspended from  
4 school each year. ~~For pupils with these mental health concerns,~~  
5 ~~the~~ *The* American Academy of Pediatrics has found that suspension  
6 can increase stress and may predispose pupils to antisocial behavior  
7 and even suicidal ideation. Psychologists have similarly found that  
8 disciplinary exclusion policies can increase pupil shame, alienation,  
9 rejection, and breaking of healthy adult bonds, thereby exacerbating  
10 negative mental health outcomes for young people. Removing  
11 pupils from school through disciplinary exclusion also increases  
12 the risk that they will become victims of violent crime.

13     ~~(b)~~

14     **(c)** The local control funding formula identifies school climate  
15 as a state priority. However, there are a number of school districts  
16 in hard-to-serve locations in the state that do not have access to,  
17 and are not served by, professionals who have training in  
18 research-based, schoolwide strategies that can address pupil social,  
19 emotional, and mental health learning needs. The demand for  
20 trainers and training in these practices in California has exceeded  
21 the supply.

22     ~~(c)~~

23     **(d)** Schoolwide Positive Behavior Interventions and Supports  
24 (SW-PBIS) programs, restorative justice, social and emotional  
25 learning and trauma-informed practices have been shown to address  
26 these needs while also significantly reducing suspension and  
27 expulsion rates.

28     ~~(d)~~

29     **(e)** SW-PBIS can provide a comprehensive and collaborative  
30 prevention and intervention framework for schools to improve  
31 academic and behavioral outcomes for all pupils. Recent research  
32 from Orange County has shown that in school districts where  
33 SW-PBIS has been implemented there has been a 26-percent drop  
34 in in-school suspensions, a 55-percent drop in out-of-school  
35 suspensions, and a 30-percent drop in expulsions. Schools that  
36 have established and maintained SW-PBIS systems with integrity  
37 have teaching and learning environments that are less reactive,  
38 aversive, punitive, dangerous, and exclusionary, are more engaging,  
39 responsive, preventive, productive, and participatory, address  
40 classroom management and disciplinary issues such as attendance,

1 cooperation, participation, and meeting positive expectations,  
2 improve support for pupils whose behavior requires more  
3 specialized or intensive assistance for emotional and behavioral  
4 disorders and mental health issues, and maximize academic  
5 engagement and achievement for all pupils.

6 (e)

7 (f) Restorative justice or restorative practices are a set of  
8 principles and practices grounded in the values of showing respect,  
9 taking responsibility, and strengthening relationships. *Restorative*  
10 *justice is a healing practice that both prevents and responds to*  
11 *harmful behaviors.* When harm occurs at a schoolsite, restorative  
12 justice focuses on repair of harm and prevention of reoccurrence.  
13 Restorative practice, which builds upon restorative justice and  
14 applies in the school context, is used to build a sense of school  
15 community and resolve conflict by repairing harm and restoring  
16 positive relationships through the use of regular restorative circles  
17 where pupils and educators work together to set academic goals,  
18 develop core values for the classroom community, and resolve  
19 conflicts. Practices such as peacemaking circles and restorative  
20 conferences are designed to help pupils take responsibility for their  
21 actions and repair the harm they may have caused. Through this  
22 process, pupils learn how to interact and manage their relationships.  
23 A restorative justice approach enables school personnel to intervene  
24 more effectively, increasing support without compromising  
25 accountability. ~~At Richmond High School in West Contra Costa~~  
26 ~~Unified School District, a 2011 restorative school discipline~~  
27 ~~program cut the school's nearly 500 suspensions by January 2011~~  
28 ~~by one-half by January 2012. A recent study regarding~~  
29 ~~implementation of restorative justice in the Oakland Unified School~~  
30 ~~District (OUSD) from 2011–2014 found that, among other things:~~  
31 ~~(1) the discipline gap between white and African American pupils~~  
32 ~~decreased significantly for OUSD pupils who participated in~~  
33 ~~restorative justice programs, but stayed the same for pupils who~~  
34 ~~did not participate in these programs, (2) there was a 128-percent~~  
35 ~~increase in the reading levels of 9th graders at OUSD schools with~~  
36 ~~restorative justice programs, compared to an 11-percent increase~~  
37 ~~in schools without such programs, and (3) four-year graduation~~  
38 ~~rates increased by 60 percent at OUSD's restorative justice schools~~  
39 ~~in the past three years, compared to 7 percent for other schools.~~

40 (f)

(g) Trauma-informed practices are strategies and professional development for school staff integrated into a multitier intervention and prevention framework to help increase school staff's understanding regarding the impact that trauma has on pupil behavior and provide tools to address such behavior in a manner that does not retraumatize the pupil, and to develop a multilevel school-based prevention and intervention program for pupils with the highest trauma needs. At El Dorado Elementary School, where UCSF HEARTS — Healthy Environments and Response to Trauma in Schools, a trauma-informed practices model, has been in operation for four years and where the school consistently tracked office discipline referral data, staff reported a 32-percent decrease in such referrals and a 42-percent decrease in violent pupil incidents after the first year.

~~(g)~~

(h) Social and emotional learning (SEL), which is a process that occurs through teaching in the classroom and reinforcement throughout the schoolday to help pupils acquire and effectively apply the knowledge, attitudes, and skills necessary to recognize and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably, has shown similar success. A meta-analysis of 213 rigorous studies of SEL found that the academic achievement scores of pupils receiving quality SEL instruction were an average of 11 percentile points higher than pupils who did not receive SEL instruction. In 2007–2008 in the Los Angeles Unified School District, 58 percent of the model SEL schools showed 43 percent fewer discipline referrals, a 45-percent reduction in physically aggressive behavior, a 64-percent reduction in disruptive behavior, and at least 30 points of growth in academic performance. An in-depth study found that pupils who received SEL instruction had more positive attitudes about school and improved an average of 11 percentile points on standardized achievement tests compared to pupils who did not receive that instruction. Secondary benefits of SEL include improved graduation rates, reduced violence, and lowered substance abuse. SEL is a tier one universal SW-PBIS strategy for all pupils.

~~(h)~~

(i) In order to ensure that all pupils flourish academically, school districts must establish equitable discipline practices and behavioral

1 interventions that promote positive social-emotional development  
2 and that prevent and respond to negative behaviors in order to  
3 reengage disconnected pupils. School psychologists, social  
4 workers, and mental health counselors play a critical role in  
5 implementing school-based educationally related counseling  
6 services and positive behavior systems and supports that create  
7 and reinforce positive school cultures of achievement for all pupils,  
8 including those at risk of academic failure.

9 ~~(i)~~

10 (j) The local control funding formula has been passed in an  
11 effort to reform school finance and to direct funding directly to  
12 at-risk pupil populations as outlined in Section 42238.07 of the  
13 Education Code. This section states that the regulations shall  
14 require a school district “to increase or improve services for  
15 unduplicated pupils.” Research shows that efforts to improve  
16 school climate, safety, and learning are not separate endeavors.  
17 They must be designed, funded, and implemented as a  
18 comprehensive schoolwide approach. School districts must work  
19 to ensure through their local control and accountability plans that  
20 pupils have access to universal, targeted, and individualized  
21 psychological, behavioral, and counseling services and support  
22 that will increase their chances for academic improvement.

23 ~~(j)~~

24 (k) SW-PBIS, restorative justice, trauma-informed practices,  
25 and SEL can support the local control and accountability plan  
26 priority areas of school climate and pupil engagement by providing  
27 local schools and school districts in hard-to-serve areas with the  
28 research-based framework and strategies to produce targeted pupil  
29 behavioral and academic outcomes.

30 ~~(k)~~

31 (l) Restorative practices, trauma-informed practices, and social  
32 and emotional learning can be incorporated into the tiered  
33 framework of SW-PBIS to help pupils gain critical social and  
34 emotional skills, receive support to help transform trauma-related  
35 responses, and create places where pupils can understand the  
36 impact of their actions and develop meaningful consequences for  
37 repairing harm to the school community.

38 SEC. 2. Chapter 18.5 (commencing with Section 53320) is  
39 added to Part 28 of Division 4 of Title 2 of the Education Code,  
40 to read:

CHAPTER 18.5. SAFE AND SUPPORTIVE SCHOOLS TRAIN THE  
TRAINER PROGRAM

53320. (a) To the extent that one-time funding is made available in the Budget Act of 2015, the department shall apportion funds to a designated county office of education to be the fiduciary agent for the Safe and Supportive Schools Train the Trainer Program. The designated county office of education shall be chosen by the Superintendent from county offices that apply for designation under this chapter. The designated county office of education shall be in charge of establishing specific professional development activities that will lead to statewide professional development support structures and a network of trainers allowing for the development and expansion of the Schoolwide Positive Behavior Interventions and Supports (SW-PBIS) programs, restorative justice, social and emotional learning (SEL), trauma-informed practice, and cultural competency professional development in each region of the state, with a specific focus on those regions that are underserved and do not have access to trainers in these research-based approaches.

(b) The designated county office of education shall consult with the Regional K-12 Student Mental Health Initiative, the National Alliance on Mental Illness, the California Technical Assistance Center on SW-PBIS, *the California Association of School Psychologists*, the California County Superintendents Educational Services Association, the California Mental Health Directors Association, Collaborative for Academic, Social, and Emotional Learning (CASEL), UCSF Healthy Environments and Response to Trauma in Schools (HEARTS) project, Restorative Justice for Oakland Youth, *the Restorative Schools Vision Project*, the International Institute for Restorative Practices, and other nonprofit and public agencies to effectively implement these strategies throughout the state and nationally. The designated county office of education shall also select an advisory committee made up of stakeholders and professionals who have participated in the development and expansion of these programs to assist in the planning and implementation of this program.

(c) Within the context of a state-level plan, funding shall be targeted to all of the following critical activities:

1 (1) Explaining the importance of linking research-based  
2 strategies with local control funding formula planning and local  
3 control and accountability plans, specifically with respect to the  
4 school climate and pupil engagement state priority areas.

5 (2) Creating regional conferences and workshops on  
6 implementation that would provide free training for school and  
7 school district teams.

8 (3) Establishing stipends for release time for school personnel  
9 attending these conferences.

10 (4) Developing best practices of current district level systems  
11 and ensuring that these best practices are widely disseminated.

12 (5) Establishing a cohort of free or low-cost trainers and coaches  
13 who can be available to work directly with local school districts  
14 in hard-to-serve areas that are seeking to implement research-based  
15 strategies.

16 (6) Developing a network of educators who are effectively  
17 implementing these practices and willing to provide coaching and  
18 training to other schools and school districts, particularly in  
19 hard-to-serve areas.

20 (7) Developing statewide methods for collecting and  
21 disseminating best practices in implementing research-based  
22 strategies.

23 (8) Developing evaluation tools to measure the effectiveness of  
24 research-based strategies.

25 (9) Developing specific professional development and  
26 professional learning communities for teachers utilizing these  
27 practices in their classes.

28 (d) The Legislative Analyst's Office shall review the impacts  
29 of this professional development effort and shall report to the  
30 Governor and the Legislature on or before June 30, 2019, on the  
31 breadth and best practices of the training and any pupil outcomes  
32 impacted by this training effort.

33 (e) Any funding allocated for this program shall be expended  
34 on or before January 1, 2019.