

AMENDED IN SENATE APRIL 23, 2015

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~~ 53305) 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~~ *responsible for the development or identification of* professional development activities that ~~will~~ *are intended to* lead to ~~the establishment of~~ 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 500,000 suspensions in  
4 the 2013–14 school year. In California, pupils of color are  
5 disproportionately subjected to out-of-school suspensions. African  
6 American pupils are three times more likely to be suspended than  
7 all other groups. Native Americans have the second highest  
8 suspension rate in the state. Studies have also shown that pupils  
9 of color are disciplined more harshly than other pupils, resulting  
10 in serious, negative educational consequences. Exclusionary school  
11 removals cause a number of correlated negative educational,  
12 economic, and social problems, including school avoidance,  
13 increased likelihood of dropping out, and involvement with the  
14 juvenile justice system. This civil rights in education crisis has  
15 come to be known as the school-to-prison pipeline.

16 (b) Unfortunately, too many youth, particularly pupils of color  
17 and other vulnerable groups of pupils, such as foster youth, who  
18 have been subjected to significant trauma are suspended from  
19 school each year. The American Academy of Pediatrics has found  
20 that suspension can increase stress and may predispose pupils to  
21 antisocial behavior and even suicidal ideation. Psychologists have  
22 similarly found that disciplinary exclusion policies can increase  
23 pupil shame, alienation, rejection, and breaking of healthy adult  
24 bonds, thereby exacerbating negative mental health outcomes for  
25 young people. Removing pupils from school through disciplinary  
26 exclusion also increases the risk that they will become victims of  
27 violent crime.

1 (c) The local control funding formula identifies school climate  
2 as a state priority. However, there are a number of school districts  
3 in hard-to-serve locations in the state that do not have access to,  
4 and are not served by, professionals who have training in  
5 research-based, schoolwide strategies that can address pupil social,  
6 emotional, and mental health learning needs. The demand for  
7 trainers and training in these practices in California has exceeded  
8 the supply.

9 (d) Schoolwide Positive Behavior Interventions and Supports  
10 (SW-PBIS) programs, restorative justice, social and emotional  
11 learning and trauma-informed practices have been shown to address  
12 these needs while also significantly reducing suspension and  
13 expulsion rates.

14 (e) SW-PBIS can provide a comprehensive and collaborative  
15 prevention and intervention framework for schools to improve  
16 academic and behavioral outcomes for all pupils. Recent research  
17 from Orange County has shown that in school districts where  
18 SW-PBIS has been implemented there has been a 26-percent drop  
19 in in-school suspensions, a 55-percent drop in out-of-school  
20 suspensions, and a 30-percent drop in expulsions. Schools that  
21 have established and maintained SW-PBIS systems with integrity  
22 have teaching and learning environments that are less reactive,  
23 aversive, punitive, dangerous, and exclusionary, are more engaging,  
24 responsive, preventive, productive, and participatory, address  
25 classroom management and disciplinary issues such as attendance,  
26 cooperation, participation, and meeting positive expectations,  
27 improve support for pupils whose behavior requires more  
28 specialized or intensive assistance for emotional and behavioral  
29 disorders and mental health issues, and maximize academic  
30 engagement and achievement for all pupils.

31 (f) Restorative justice or restorative practices are a set of  
32 principles and practices grounded in the values of showing respect,  
33 taking responsibility, and strengthening relationships. Restorative  
34 justice is a healing practice that both prevents and responds to  
35 harmful behaviors. When harm occurs at a schoolsite, restorative  
36 justice focuses on repair of harm and prevention of reoccurrence.  
37 Restorative practice, which builds upon restorative justice and  
38 applies in the school context, is used to build a sense of school  
39 community and resolve conflict by repairing harm and restoring  
40 positive relationships through the use of regular restorative circles

1 where pupils and educators work together to set academic goals,  
2 develop core values for the classroom community, and resolve  
3 conflicts. Practices such as peacemaking circles and restorative  
4 conferences are designed to help pupils take responsibility for their  
5 actions and repair the harm they may have caused. Through this  
6 process, pupils learn how to interact and manage their relationships.  
7 A restorative justice approach enables school personnel to intervene  
8 more effectively, increasing support without compromising  
9 accountability. A recent study regarding implementation of  
10 restorative justice in the Oakland Unified School District (OUSD)  
11 from 2011–2014 *2011 to 2014, inclusive*, found that, among other  
12 things: (1) the discipline gap between white and African American  
13 pupils decreased significantly for OUSD pupils who participated  
14 in restorative justice programs, but stayed the same for pupils who  
15 did not participate in these programs, (2) there was a 128-percent  
16 increase in the reading levels of 9th graders at OUSD schools with  
17 restorative justice programs, compared to an 11-percent increase  
18 in schools without such programs, and (3) four-year graduation  
19 rates increased by 60 percent at OUSD’s restorative justice schools  
20 in the past three years, compared to 7 percent for other schools.

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

35 (h) Social and emotional learning (SEL), which is a process that  
36 occurs through teaching in the classroom and reinforcement  
37 throughout the schoolday to help pupils acquire and effectively  
38 apply the knowledge, attitudes, and skills necessary to recognize  
39 and manage emotions, develop caring and concern for others, make  
40 responsible decisions, establish positive relationships, and handle

1 challenging situations capably, has shown similar success. A  
2 meta-analysis of 213 rigorous studies of SEL found that the  
3 academic achievement scores of pupils receiving quality SEL  
4 instruction were an average of 11 percentile points higher than  
5 pupils who did not receive SEL instruction. In 2007–2008 in the  
6 Los Angeles Unified School District, 58 percent of the model SEL  
7 schools showed 43 percent fewer discipline referrals, a 45-percent  
8 reduction in physically aggressive behavior, a 64-percent reduction  
9 in disruptive behavior, and at least 30 points of growth in academic  
10 performance. An in-depth study found that pupils who received  
11 SEL instruction had more positive attitudes about school and  
12 improved an average of 11 percentile points on standardized  
13 achievement tests compared to pupils who did not receive that  
14 instruction. Secondary benefits of SEL include improved  
15 graduation rates, reduced violence, and lowered substance abuse.  
16 SEL is a tier one universal SW-PBIS strategy for all pupils.

17 (i) In order to ensure that all pupils flourish academically, school  
18 districts must establish equitable discipline practices and behavioral  
19 interventions that promote positive social-emotional development  
20 and that prevent and respond to negative behaviors in order to  
21 reengage disconnected pupils. School psychologists, social  
22 workers, and mental health counselors play a critical role in  
23 implementing school-based educationally related counseling  
24 services and positive behavior systems and supports that create  
25 and reinforce positive school cultures of achievement for all pupils,  
26 including those at risk of academic failure.

27 (j) The local control funding formula has been passed in an  
28 effort to reform school finance and to direct funding directly to  
29 at-risk pupil populations as outlined in Section 42238.07 of the  
30 Education Code. This section states that the regulations shall  
31 require a school district “to increase or improve services for  
32 unduplicated pupils.” Research shows that efforts to improve  
33 school climate, safety, and learning are not separate endeavors.  
34 They must be designed, funded, and implemented as a  
35 comprehensive schoolwide approach. School districts must work  
36 to ensure through their local control and accountability plans that  
37 pupils have access to universal, targeted, and individualized  
38 psychological, behavioral, and counseling services and support  
39 that will increase their chances for academic improvement.

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

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

SEC. 2. Chapter 18.5 (commencing with Section ~~53320~~) 53305) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 18.5. SAFE AND SUPPORTIVE SCHOOLS TRAIN THE  
TRAINER PROGRAM

~~53320.~~

53305. (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 *of education* that apply for designation under this chapter. *The designated county office of education shall identify existing professional development activities and train-the-trainer models.* The designated county office of education shall be ~~in charge of establishing specific~~ *responsible for the development or identification of* professional development activities that ~~will lead to~~ *are to be available as a statewide training resource. It is the intent of the Legislature that the development or identification of this statewide training resource will lead to the establishment of* 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),

1 trauma-informed practice, and cultural competency professional  
2 development in each region of the state, with a specific focus on  
3 those regions that are underserved and do not have access to  
4 trainers in these research-based approaches.

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

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

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

29 (2) Creating regional conferences and workshops on  
30 implementation that would provide free training for school and  
31 school district teams.

32 (3) Establishing stipends for release time for school personnel  
33 attending these conferences.

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

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

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

5 (7) Developing statewide methods for collecting and  
6 disseminating best practices in implementing research-based  
7 strategies.

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

10 (9) Developing specific professional development and  
11 professional learning communities for teachers utilizing these  
12 practices in their classes.

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

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