

AMENDED IN SENATE JUNE 2, 2015
AMENDED IN SENATE APRIL 23, 2015
AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 463

Introduced by Senator Hancock

February 25, 2015

An act to add Chapter 18.5 (commencing with Section 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~~ *stakeholders, as necessary*, and to be responsible for the development or identification of professional development activities that 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~~ *learning*, and trauma-informed practices have been shown
12 to address these needs while also significantly reducing suspension
13 and 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 to 2014, inclusive, found that, among other things: (1)
12 the discipline gap between white and African American pupils
13 decreased significantly for OUSD pupils who participated in
14 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~~ *grade pupils* at OUSD
17 schools with restorative justice programs, compared to an
18 11-percent increase in schools without such programs, and (3)
19 four-year graduation rates increased by 60 percent at OUSD's
20 restorative justice schools in the past three years, compared to 7
21 percent for other schools.

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

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

1 responsible decisions, establish positive relationships, and handle
2 challenging situations capably, has shown similar success. A
3 meta-analysis of 213 rigorous studies of SEL found that the
4 academic achievement scores of pupils receiving quality SEL
5 instruction were an average of 11 percentile points higher than
6 pupils who did not receive SEL instruction. In ~~2007–2008~~ 2007–08
7 in the Los Angeles Unified School District, 58 percent of the model
8 SEL schools showed 43 percent fewer discipline referrals, a
9 45-percent reduction in physically aggressive behavior, a
10 64-percent reduction in disruptive behavior, and at least 30 points
11 of growth in academic performance. An in-depth study found that
12 pupils who received SEL instruction had more positive attitudes
13 about school and improved an average of 11 percentile points on
14 standardized achievement tests compared to pupils who did not
15 receive that instruction. Secondary benefits of SEL include
16 improved graduation rates, reduced violence, and lowered
17 substance abuse. SEL is a tier one universal SW-PBIS strategy for
18 all pupils.

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

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

1 psychological, behavioral, and counseling services and support
2 that will increase their chances for academic improvement.

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

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

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

19

20 CHAPTER 18.5. SAFE AND SUPPORTIVE SCHOOLS TRAIN THE
21 TRAINER PROGRAM

22

23 53305. (a) To the extent that one-time funding is made
24 available in the Budget Act of 2015, the department shall apportion
25 funds to a designated county office of education to be the fiduciary
26 agent for the Safe and Supportive Schools Train the Trainer
27 Program. The designated county office of education shall be chosen
28 by the Superintendent from county offices of education that apply
29 for designation under this chapter. The designated county office
30 of education shall identify existing professional development
31 activities and train-the-trainer models. The designated county office
32 of education shall be responsible for the development or
33 identification of professional development activities that are to be
34 available as a statewide training resource. It is the intent of the
35 Legislature that the development or identification of this statewide
36 training resource will lead to the establishment of statewide
37 professional development support structures and a network of
38 trainers allowing for the development and expansion of the
39 Schoolwide Positive Behavior Interventions and Supports
40 (SW-PBIS) programs, restorative justice, social and emotional

1 learning (SEL), trauma-informed practice, and cultural competency
2 professional development in each region of the state, with a specific
3 focus on those regions that are underserved and do not have access
4 to 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), the University of California, San Francisco,~~
13 ~~Healthy Environments and Response to Trauma in Schools~~
14 ~~(HEARTS) project, Restorative Justice for Oakland Youth, the~~
15 ~~Restorative Schools Vision Project, the International Institute for~~
16 ~~Restorative Practices, and other nonprofit and public agencies to~~
17 ~~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: *stakeholders, as necessary.*~~

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