

ASSEMBLY BILL

No. 171

January 20, 2005

An act to add Chapter 6.4 (commencing with Section 52059.1) to Part 28 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 171, Pupils

Existing law establishes various educational programs for pupils in elementary, middle, and high school to be administered by the State Department of Education.

This bill would establish the Comprehensive Pupil Learning Support System to ensure that each pupil will be a productive and responsible learner and citizen. The bill would require the State Department of Education to administer and implement the program through existing resources that are available to the department for the purposes of the program. The bill would require the department to adopt regulations to implement the program.

The bill would authorize each elementary, middle, and high school to develop a school action plan, as specified, based on guidelines to be developed by the State Department of Education. The bill would require each school action plan to, among other things, enhance the capacity of each school to handle transition concerns confronting pupils and their families, enhance home involvement, provide special assistance to pupils and families, and incorporate outreach efforts to the community.

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 hereby finds and declares all of
2 the following:

3 (a) The UCLA Center for Mental Health in Schools, the
4 WestEd Regional Educational Laboratory, the State Department
5 of Education, and other educational entities have adopted the
6 concept of learning support within ongoing efforts to address
7 barriers to pupil learning and to enhance healthy development.

8 (b) Learning supports are the resources, strategies, and
9 practices that provide physical, social, emotional, and intellectual
10 supports intended to enable all pupils to have an equal
11 opportunity for success at school. To accomplish this goal, a
12 comprehensive, multifaceted, and cohesive learning support
13 system should be integrated with instructional efforts and
14 interventions provided in classrooms and schoolwide to address
15 barriers to learning and teaching.

16 (c) There is a growing consensus among researchers,
17 policymakers, and practitioners that stronger collaborative efforts
18 by families, schools, and communities are essential to pupil
19 success.

20 (d) An increasing number of American children live in
21 communities where caring relationships, support resources, and a
22 profamily system of education and human services do not exist to
23 protect children and prepare them to be healthy, successful,
24 resilient learners.

25 (e) Especially in those communities, a renewed partnership of
26 schools, families, and community members must be created to
27 design and carry out system improvements to provide the
28 learning support required by each pupil in order to succeed.

29 (f) Learning support is the collection of resources, strategies
30 and practices, and environmental and cultural factors extending
31 beyond the regular classroom curriculum that together provide
32 the physical, emotional, and intellectual support that every pupil
33 needs to achieve high-quality learning.

34 (g) A school that has an exemplary learning support system
35 employs internal and external supports and services needed to
36 help pupils become good parents, good neighbors, good workers,
37 and good citizens of the world.

1 (h) The overriding philosophy is that educational success,
2 physical health, emotional support, and family and community
3 strength are inseparable.

4 (i) To implement the concept of learning supports, the state
5 must systematically realign and redefine existing resources into a
6 comprehensive system that is designed to strengthen pupils,
7 schools, families, and communities rather than continuing to
8 respond to these issues in a piecemeal and fragmented manner.

9 (j) Development of learning supports at every school is
10 essential in meeting the needs arising from the federal No Child
11 Left Behind Act of 2001 and the Individuals with Disabilities
12 Education Act. The state needs to ensure that each pupil is able to
13 read, write, and relate effectively, has self-worth, has
14 meaning-based learning opportunities, and has positive support
15 networks from their peers, teachers, pupil support professionals,
16 family members, and other school and community stakeholders.

17 (k) It is essential that each pupil becomes literate, confident,
18 caring, and capable of thinking critically, solving problems,
19 communicating effectively, and functioning as a contributing
20 member of society.

21 (l) The education climate in the public schools of the state, as
22 measured by overcrowded schools, absenteeism, increasing
23 substance and alcohol abuse, school violence, sporadic parental
24 involvement, dropouts, and other indicators, suggest that the state
25 is in immediate need of learning supports.

26 (m) A learning support system needs to be developed at every
27 school to ensure that pupils have essential support for learning,
28 from kindergarten to high school.

29 (n) A learning support system should encompass school-based
30 and school-linked activities designed to enable teachers to teach
31 and pupils to learn. It should include a continuum of
32 interventions that promote learning and development, prevent
33 and respond early after the onset of problems, and provide
34 correctional, and remedial programs and services. In the
35 aggregate, a learning support system should create a supportive
36 and respectful learning environment at each school.

37 (o) A learning support system is a primary and essential
38 component at every school, designed to support learning and
39 provide each pupil with an equal opportunity to succeed at

1 school. The learning support system should be fully integrated
2 into all school improvement efforts.

3 (p) The State Department of Education, other state agencies,
4 local school districts, and local communities all devote resources
5 to addressing learning barriers and promoting healthy
6 development. Too often these resources are deployed in a
7 fragmented, duplicative, categorical manner that results in misuse
8 of sparse resources and failure to reach all the pupils and families
9 in need of support. A learning support system will provide a
10 unifying concept and context for linking with other organizations
11 and agencies as needed and can be a focal point for braiding
12 school and community resources into a comprehensive,
13 multifaceted, and cohesive component at every school.

14 (q) It is the intent of the Legislature that the Comprehensive
15 Pupil Learning Support System (CPLSS) is fully integrated with
16 other efforts to improve instruction and focuses on maximizing
17 the use of resources at individual schools and at the district level.
18 Collaborative arrangements with community resources shall be
19 developed with a view to filling any gaps in CPLSS components.

20 SEC. 2. Chapter 6.4 (commencing with Section 52059.1) is
21 added to Part 28 of the Education Code, to read:

22
23 CHAPTER

24 6.4. COMPREHENSIVE PUPIL LEARNING SUPPORT SYSTEM
25

26 52059.1. (a) There is hereby established the Comprehensive
27 Pupil Learning Support System (CPLSS). The CPLSS shall be
28 implemented with existing personnel and program resources,
29 without the need for additional or new appropriations.

30 (b) It is the intent of the Legislature in establishing the CPLSS
31 to provide pupils with a support system to ensure that they will
32 be productive and responsible learners and citizens. It is further
33 the intent of the Legislature that the CPLSS ensure that pupils
34 have an equal opportunity to succeed at school and to do so in a
35 supportive, caring, respectful, and safe learning environment.

36 (c) It is the intent of the Legislature that these goals be
37 accomplished by involving pupils, teachers, pupil support
38 professionals, family members, and other school and community
39 stakeholders in the development, daily implementation,
40 monitoring, and maintenance of a learning support system at

1 every school and by braiding together the human and financial
2 resources of relevant public and private agencies.

3 52059.2. The department shall facilitate the establishment of
4 the CPLSS by doing all of the following:

5 (a) Developing standards and strategic procedures to guide the
6 establishment of the CPLSS component at each school.

7 (b) Providing ongoing technical assistance, leadership training,
8 and other capacity building supports.

9 (c) Rethinking the roles of pupil services personnel and other
10 support staff for pupils and integrating their responsibilities into
11 the educational program in a manner that meets the needs of
12 pupils, teachers, and other educators.

13 (d) Detailing procedures for establishing infrastructure
14 mechanisms between schools and school districts.

15 (e) Coordinating with other state agencies that can play a role
16 in strengthening the CPLSS.

17 (f) Ensuring that the CPLSS is integrated within the
18 organization of the department in a manner that reflects the
19 school action plans developed by schools pursuant to subdivision
20 (a) of Section 52059.3.

21 (g) Enhancing collaboration with state agencies and other
22 relevant resources to facilitate local collaboration and braiding of
23 resources.

24 (h) Including an assessment of the CPLSS in all future school
25 reviews and accountability reports.

26 52059.3. (a) Each elementary, middle, and high school may
27 develop a CPLSS component by developing a school action plan
28 based on the guidelines developed by the department pursuant to
29 Section 52059.2.

30 (b) Each school action plan shall be developed with the
31 purpose of doing all of the following:

32 (1) Enhance the capacity of teachers to address problems,
33 engage and re-engage pupils in classroom learning, and foster
34 social, emotional, intellectual, and behavioral development. The
35 component of the school action plan required by this paragraph
36 shall emphasize ensuring that teacher training and assistance
37 includes strategies for better addressing learning, behavior, and
38 emotional problems within the context of the classroom.
39 Interventions may include, but not be limited to, all of the
40 following:

1 (A) Addressing a greater range of pupil problems within the
2 classroom through an increased emphasis on strategies for
3 positive social and emotional development, problem prevention,
4 and accommodation of differences in the motivation and
5 capabilities of pupils.

6 (B) Classroom management that emphasizes re-engagement of
7 pupils in classroom learning and minimizes over-reliance on
8 social control strategies.

9 (C) Collaboration with pupil support staff and the home in
10 providing additional assistance to foster enhanced responsibility,
11 problem solving, resilience, and effective engagement in
12 classroom learning.

13 (2) Enhance the capacity of schools to handle transition
14 concerns confronting pupils and their families. The component of
15 the school action plan required by this paragraph shall emphasize
16 ensuring that systems and programs are established to provide
17 supports for the many transitions pupils, their families, and
18 school staff encounter. Interventions may include, but are not
19 limited to, all of the following:

20 (A) Welcoming and social support programs for newcomers.

21 (B) Before, during, and afterschool programs to enrich
22 learning and provide safe recreation.

23 (C) Articulation programs to support grade transitions.

24 (D) Addressing transition concerns related to vulnerable
25 populations, including, but not limited to, those in homeless
26 education, migrant education, and special education programs.

27 (E) Vocational and college counseling and school-to-career
28 programs.

29 (F) Support in moving to postschool living and work.

30 (G) Outreach programs to re-engage truants and dropouts in
31 learning.

32 (3) Respond to, minimize the impact of, and prevent crisis.
33 The component of the school action plan required by this
34 paragraph shall emphasize ensuring that systems and programs
35 are established for emergency, crisis, and followup responses and
36 for preventing crises at a school and throughout a complex of
37 schools. Interventions may include, but are not limited to, all of
38 the following:

39 (A) Establishment of a crisis team to ensure immediate
40 response when emergencies arise, and to provide aftermath

1 assistance as necessary and appropriate so that pupils are not
2 unduly delayed in re-engaging in learning.

3 (B) Schoolwide and school-linked prevention programs to
4 enhance safety at school and to reduce violence, bullying,
5 harassment, abuse, and other threats to safety in order to ensure a
6 supportive and productive learning environment.

7 (C) Classroom curriculum approaches focused on preventing
8 crisis events, including, but not limited to, violence, suicide, and
9 physical or sexual abuse.

10 (4) Enhance home involvement. The component of the school
11 action plan required by this paragraph shall emphasize ensuring
12 there are systems, programs, and contexts established that lead to
13 greater involvement to support the progress of pupils with
14 learning, behavior, and emotional problems. Interventions may
15 include, but are not limited to, all of the following:

16 (A) Interventions that address specific needs of the caretakers
17 of a pupil, including, but not limited to, providing ways for them
18 to enhance literacy and job skills and meet their basic obligations
19 to the children in their care.

20 (B) Interventions for outreaching and re-engaging homes that
21 have disengaged from school involvement.

22 (C) Improved systems for communication and connection
23 between home and school.

24 (D) Improved systems for home involvement in decisions and
25 problemsolving affecting the pupil.

26 (E) Enhanced strategies for engaging the home in supporting
27 the basic learning and development of their children to prevent or
28 at least minimize learning, behavior, and emotional problems.

29 (5) Outreach to the community in order to build linkages. The
30 component of the school action plan required by this paragraph
31 shall emphasize ensuring that there are systems and programs
32 established to provide outreach to and engage strategically with
33 public and private community resources to support learning at
34 school of pupils with learning, behavior, and emotional
35 problems. Interventions may include, but are not limited to, all of
36 the following:

37 (A) Training, screening, and maintaining volunteers and
38 mentors to assist school staff in enhancing pupil motivation and
39 capability for school learning.

1 (B) Job shadowing and service learning programs to enhance
2 the expectations of pupils for postgraduation opportunities.

3 (C) Enhancing limited school resources through linkages with
4 community resources, including, but not limited to, libraries,
5 recreational facilities, and postsecondary education institutions.

6 (D) Enhancing community and school connections to heighten
7 a sense of community.

8 (6) Provide special assistance for pupils and families as
9 necessary. The component of the school action plan required by
10 this paragraph shall ensure that there are systems and programs
11 established to provide or connect with direct services when
12 necessary to address barriers to the learning of pupils at school.
13 Interventions may include, but are not limited to, all of the
14 following:

15 (A) Special assistance for teachers in addressing the problems
16 of specific individuals.

17 (B) Processing requests and referrals for special assistance,
18 including, but not limited to, counseling or special education.

19 (C) Ensuring effective case and resource management when
20 pupils are receiving direct services.

21 (D) Connecting with community service providers to fill gaps
22 in school services and enhance access for referrals.

23 (c) The development, implementation, monitoring, and
24 maintenance of the school action plan shall include, but not be
25 limited to, all of the following components:

26 (1) Ensuring effective school mechanisms for assisting
27 individuals and families with family decisionmaking and timely,
28 coordinated, and monitored referrals to school and community
29 services when indicated.

30 (2) A mechanism for an administrative leader, support staff for
31 pupils, and other stakeholders to work collaboratively at each
32 school with a focus on strengthening the school action plan.

33 (3) A plan for capacity building and regular support for all
34 stakeholders involved in addressing barriers to learning and
35 promoting healthy development.

36 (4) Compliance with the guidelines developed by the
37 department pursuant to Section 52059.2.

38 (5) Accountability reviews.

39 (6) Minimizing duplication and fragmentation between school
40 programs.

1 (7) Preventing problems and providing a safety net of early
2 intervention.

3 (8) Responding to pupil and staff problems in a timely
4 manner.

5 (9) Connecting with a wide range of school and community
6 stakeholder resources.

7 (10) Recognizing and responding to the changing needs of all
8 pupils while promoting the success and well-being of each pupil
9 and staff member.

10 (11) Creating a supportive, caring, respectful, and safe
11 learning environment.

12 52059.4. Each school with a CPLSS school action plan shall
13 integrate the CPLSS school action plan with other school safety
14 plans, school improvement plans, or other programs to improve
15 instruction, and focus on maximizing its use of available
16 resources at the individual school level and the school district
17 level in order to implement this program. The school action plan
18 shall reflect all of the following:

19 (a) School policies, goals, guidelines, priorities, activities,
20 procedures, and outcomes relating to implementing the CPLSS.

21 (b) Effective leadership and staff roles and functions for the
22 CPLSS.

23 (c) A thorough infrastructure for the CPLSS.

24 (d) Appropriate resource allocation.

25 (e) Integrated school/community collaboration.

26 (f) Regular capacity building activity.

27 (g) Delineated standards, quality and accountability indicators,
28 and data collection procedures.

29 52059.5. (a) For the purposes of this section, “complex of
30 schools” means a group of elementary, middle, or high schools
31 associated with each other due to the natural progression of
32 attendance linking the schools.

33 (b) To ensure that the CPLSS is developed cohesively,
34 efficiently uses community resources, and capitalizes on
35 economies of scale, CPLSS infrastructure mechanisms shall be
36 established at the school and district level.

37 (c) Complexes of schools are encouraged to designate a pupil
38 support staff member to facilitate a family complex CPLSS team
39 consisting of representatives from each participating school.

1 (d) Each school district implementing a CPLSS shall establish
2 mechanisms designed to build the capacity of CPLSS
3 components at each participating school, including, but not
4 limited to, providing technical assistance and training for the
5 establishment of effective CPLSS components.

6 52059.6.(a) The department shall evaluate the success of the
7 CPLSS component according to the following criteria:

8 (1) Improved systems for promoting prosocial pupil behavior
9 and the well-being of staff and pupils, preventing problems,
10 intervening early after problems arise, and providing specialized
11 assistance to pupils and families.

12 (2) Increasingly supportive, caring, respectful, and safe
13 learning environments at schools.

14 (3) Enhanced collaboration between the school and
15 community.

16 (4) The integration of the CPLSS component with all other
17 school improvement plans.

18 (5) Fewer inappropriate referrals of pupils to special education
19 programs or other special services.

20 (b) The department shall consider all of the following in
21 evaluating the success of the CPLSS component:

22 (1) Pupil attendance.

23 (2) Pupil grades.

24 (3) Academic performance.

25 (4) Pupil behavior.

26 (5) Home involvement.

27 (6) Teacher retention.

28 (7) Graduation rates.

29 (8) Literacy development.

30 (9) Other indicators required by the federal No Child Left
31 Behind Act of 2001 (20 U.S.C. Sec. 6301 et. seq.) and included
32 in the California Healthy Kids Survey.

33 SEC. 3. A local educational agency may use funds made
34 available pursuant to Title I of the No Child Left Behind Act of
35 2001 (20 U.S.C. Sec. 6301 et seq.), to the extent allowable for
36 the purposes of implementing this act, if approved by a schoolsite
37 council.