

AMENDED IN ASSEMBLY MAY 4, 2004

AMENDED IN ASSEMBLY APRIL 14, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2569

Introduced by Assembly Member Yee

February 20, 2004

An act to add Chapter 6.4 (commencing with Section 52060) to Part 28 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2569, as amended, Yee. Comprehensive Pupil Learning Support System.

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 provide each pupil with a support system to ensure that each pupil will be a productive and responsible learner and citizen. The bill would ~~declare the intent of the Legislature that~~ *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 require 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. By imposing additional duties on school districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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 opportunity
- 11 for success at school. To accomplish this goal, a comprehensive,
- 12 multifaceted, and cohesive learning support system should be
- 13 integrated with instructional efforts and interventions provided in
- 14 classrooms and schoolwide to address barriers to learning and
- 15 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.



1 (d) An increasing number of American children live in
2 communities where caring relationships, support resources, and a
3 profamily system of education and human services do not exist to
4 protect children and prepare them to be healthy, successful,
5 resilient learners.

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

10 (f) Learning support is the collection of resources, strategies
11 and practices, and environmental and cultural factors extending
12 beyond the regular classroom curriculum that together provide the
13 physical, emotional, and intellectual support that every pupil
14 needs to achieve high-quality learning.

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

19 (h) The overriding philosophy is that educational success,
20 physical health, emotional support, and family and community
21 strength are inseparable.

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

27 (j) Development of learning supports at every school is
28 essential in meeting the needs arising from the federal No Child
29 Left Behind Act and the Individuals with Disabilities Education
30 Act. The state needs to ensure that each pupil is able to read, write,
31 and relate effectively, has self-worth, has meaning-based learning
32 opportunities, and has positive support networks from their peers,
33 teachers, pupil support professionals, family members, and other
34 school and community stakeholders.

35 (k) It is essential that each pupil becomes literate, confident,
36 caring, and capable of thinking critically, solving problems,
37 communicating effectively, and functioning as a contributing
38 member of society.

39 (l) The education climate in the public schools of the state, as
40 measured by overcrowded schools, absenteeism, increasing



1 substance and alcohol abuse, school violence, sporadic parental
2 involvement, dropouts, and other indicators, suggest that the state
3 is in immediate need of learning supports.

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

7 (n) A learning support system should encompass school-based
8 and school-linked activities designed to enable teachers to teach
9 and pupils to learn. It should include a continuum of interventions
10 that promote learning and development, prevent and respond early
11 after the onset of problems, and provide correctional, and remedial
12 programs and services. In the aggregate, a learning support system
13 should create a supportive and respectful learning environment at
14 each school.

15 (o) A learning support system is a primary and essential
16 component at every school, designed to support learning and
17 provide each pupil with an equal opportunity to succeed at school.
18 The learning support system should be fully integrated into all
19 school improvement efforts.

20 (p) The State Department of Education, other state agencies,
21 local school districts, and local communities all devote resources
22 to addressing learning barriers and promoting healthy
23 development. Too often these resources are deployed in a
24 fragmented, duplicative, categorical manner that results in misuse
25 of sparse resources and failure to reach all the pupils and families
26 in need of support. A learning support system will provide a
27 unifying concept and context for linking with other organizations
28 and agencies as needed and can be a focal point for braiding school
29 and community resources into a comprehensive, multifaceted, and
30 cohesive component at every school.

31 ~~(q) It is the intent of the Legislature that the Comprehensive~~
32 ~~Pupil Learning Support System (CPLSS) is implemented through~~
33 ~~existing personnel and program resources, without the need for~~
34 ~~additional or new appropriations.~~

35 ~~(r)~~

36 (q) It is the intent of the Legislature that the CPLSS is fully
37 integrated with other efforts to improve instruction and focuses on
38 maximizing the use of resources at individual schools and at the
39 district level. Collaborative arrangements with community



1 resources shall be developed with a view to filling any gaps in
2 CPLSS components.

3 SEC. 2. Chapter 6.4 (commencing with Section 52060) is
4 added to Part 28 of the Education Code, to read:

5

6 CHAPTER 6.4. COMPREHENSIVE PUPIL LEARNING SUPPORT
7 SYSTEM
8

9 52060. (a) There is hereby established the Comprehensive
10 Pupil Learning Support System (CPLSS). *The CPLSS shall be*
11 *implemented with existing personnel and program resources,*
12 *without the need for additional or new appropriations.*

13 (b) It is the intent of the Legislature in establishing the CPLSS
14 to provide all pupils with a support system to ensure that they will
15 be productive and responsible learners and citizens. It is further the
16 intent of the Legislature that the CPLSS ensure that pupils have an
17 equal opportunity to succeed at school and to do so in a supportive,
18 caring, respectful, and safe learning environment.

19 (c) These goals shall be accomplished by involving pupils,
20 teachers, pupil support professionals, family members, and other
21 school and community stakeholders in the development, daily
22 implementation, monitoring, and maintenance of a learning
23 support system at every school and by braiding together the human
24 and financial resources of relevant public and private agencies.

25 52061. The department shall facilitate the establishment of
26 the CPLSS by doing all of the following:

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

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

31 ~~(e) Realigning credentialing of pupil services professionals to~~
32 ~~comport with the CPLSS component.~~

33 (c) *Rethinking the roles of pupil services personnel and other*
34 *support staff for pupils and integrating their responsibilities into*
35 *the educational program in a manner that meets the needs of*
36 *pupils, teachers, and other educators.*

37 (d) Detailing procedures for establishing infrastructure
38 mechanisms between schools and school districts.

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



1 (f) Ensuring that the CPLSS is integrated within the
2 organization of the department in a manner that reflects the school
3 action plans developed by schools pursuant to subdivision (a) of
4 Section 52062.

5 (g) Enhancing collaboration with state agencies and other
6 relevant resources to facilitate local collaboration and braiding of
7 resources.

8 (h) Including an assessment of the CPLSS of each school in all
9 future school reviews and accountability reports.

10 52062. (a) Each elementary, middle, and high school shall
11 develop a CPLSS component by developing a school action plan
12 based on the guidelines developed by the department pursuant to
13 Section 52061.

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

16 (1) Enhance the capacity of teachers to address problems,
17 engage and re-engage pupils in classroom learning, and foster
18 social, emotional, intellectual, and behavioral development. The
19 component of the school action plan required by this paragraph
20 shall emphasize ensuring that teacher training and assistance
21 includes strategies for better addressing learning, behavior, and
22 emotional problems within the context of the classroom.
23 Interventions may include, but not be limited to, all of the
24 following:

25 (A) Addressing a greater range of pupil problems within the
26 classroom through an increased emphasis on strategies for positive
27 social and emotional development, problem prevention, and
28 accommodation of differences in the motivation and capabilities
29 of pupils.

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

33 (C) Collaboration with pupil support staff and the home in
34 providing additional assistance to foster enhanced responsibility,
35 problem solving, resilience, and effective engagement in
36 classroom learning.

37 (2) Enhance the capacity of schools to handle transition
38 concerns confronting pupils and their families. The component of
39 the school action plan required by this paragraph shall emphasize
40 ensuring that systems and programs are established to provide



1 supports for the many transitions pupils, their families, and school
2 staff encounter. Interventions may include, but are not limited to,
3 all of the following:

- 4 (A) Welcoming and social support programs for newcomers.
- 5 (B) Before, during, and afterschool programs to enrich
6 learning and provide safe recreation.
- 7 (C) Articulation programs to support grade transitions.
- 8 (D) Addressing transition concerns related to vulnerable
9 populations, including, but not limited to, those in homeless
10 education, migrant education, and special education programs.
- 11 (E) Vocational and college counseling and school-to-career
12 programs.
- 13 (F) Support in moving to postschool living and work.
- 14 (G) Outreach programs to re-engage truants and dropouts in
15 learning.

16 (3) Respond to, minimize the impact of, and prevent crisis. The
17 component of the school action plan required by this paragraph
18 shall emphasize ensuring that systems and programs are
19 established for emergency, crisis, and followup responses and for
20 preventing crises at a school and throughout a complex of schools.
21 Interventions may include, but are not limited to, all of the
22 following:

- 23 (A) Establishment of a crisis team to ensure immediate
24 response when emergencies arise, and to provide aftermath
25 assistance as necessary and appropriate so that pupils are not
26 unduly delayed in re-engaging in learning.
- 27 (B) Schoolwide and school-linked prevention programs to
28 enhance safety at school and to reduce violence, bullying,
29 harassment, abuse, and other threats to safety in order to ensure a
30 supportive and productive learning environment.
- 31 (C) Classroom curriculum approaches focused on preventing
32 crisis events, including, but not limited to, violence, suicide, and
33 physical or sexual abuse.

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



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

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

7 (C) Improved systems for communication and connection
8 between home and school.

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

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

14 (5) Outreach to the community in order to build linkages. The
15 component of the school action plan required by this paragraph
16 shall emphasize ensuring that there are systems and programs
17 established to provide outreach to and engage strategically with
18 public and private community resources to support learning at
19 school of pupils with learning, behavior, and emotional problems.
20 Interventions may include, but are not limited to, all of the
21 following:

22 (A) Training, screening, and maintaining volunteers and
23 mentors to assist school staff in enhancing pupil motivation and
24 capability for school learning.

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

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

30 (D) Enhancing community and school connections to heighten
31 a sense of community.

32 (6) Provide special assistance for pupils and families as
33 necessary. The component of the school action plan required by
34 this paragraph shall ensure that there are systems and programs
35 established to provide or connect with direct services when
36 necessary to address barriers to the learning of pupils at school.
37 Interventions may include, but are not limited to, all of the
38 following:

39 (A) Special assistance for teachers in addressing the problems
40 of specific individuals.



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

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

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

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

10 ~~(1) Reframing the roles and functions of support staff for~~
11 ~~pupils, including, but not limited to, the roles of school~~
12 ~~psychologists, school counselors, school social workers, and~~
13 ~~school nurses.~~

14 ~~(2)–~~

15 (1) Ensuring effective school mechanisms for assisting
16 individuals and families with family decisionmaking and timely,
17 coordinated, and monitored referrals to school and community
18 services when indicated.

19 ~~(3)–~~

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

23 ~~(4)–~~

24 (3) A plan for capacity building and regular support for all
25 stakeholders involved in addressing barriers to learning and
26 promoting healthy development.

27 ~~(5)–~~

28 (4) Compliance with the guidelines developed by the
29 department pursuant to Section 52061.

30 ~~(6)–~~

31 (5) Accountability reviews.

32 ~~(7)–~~

33 (6) Minimizing duplication and fragmentation between school
34 programs.

35 ~~(8)–~~

36 (7) Preventing problems and providing a safety net of early
37 intervention.

38 ~~(9)–~~

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

40 ~~(10)–~~



1 (9) Connecting with a wide range of school and community
 2 stakeholder resources.

3 ~~(11)~~

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

7 ~~(12)~~

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

10 52063. Each school shall integrate the CPLSS school action
 11 plan with other programs to improve instruction. Each school shall
 12 focus on maximizing its use of available resources at the individual
 13 school level and the school district level in order to implement this
 14 program. The school action plan shall be integrated into any
 15 existing school improvement plans and shall reflect all of the
 16 following:

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

19 (b) Effective leadership and staff roles and functions for the
 20 CPLSS.

21 (c) A thorough infrastructure for the CPLSS.

22 (d) Appropriate resource allocation.

23 (e) Integrated school/community collaboration.

24 (f) Regular capacity building activity.

25 (g) Delineated standards, quality and accountability indicators,
 26 and data collection procedures.

27 52064. (a) For the purposes of this section, “complex of
 28 schools” means a group of elementary, middle, or high schools
 29 associated with each other due to the natural progression of
 30 attendance linking the schools.

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

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

38 (d) Each school district shall establish mechanisms designed to
 39 build the capacity of CPLSS components at each school,



1 including, but not limited to, providing technical assistance and
2 training for the establishment of effective CPLSS components.

3 52065. The department shall evaluate the success of the
4 CPLSS component of each school according to the following
5 criteria:

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

10 (2) Increasingly supportive, caring, respectful, and safe
11 learning environments at schools.

12 (3) Enhanced collaboration between the school and
13 community.

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

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

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

20 (1) Pupil attendance.

21 (2) Pupil grades.

22 (3) Academic performance.

23 (4) Pupil behavior.

24 (5) Home involvement.

25 (6) Teacher retention.

26 (7) Graduation rates.

27 (8) Literacy development.

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

31 ~~SEC. 3.—It is the intent of the Legislature that school districts
32 may use federal funds made available for planning, developing,
33 and coordinating school and community resources to improve
34 teaching and learning for the purposes of this act.~~

35 *SEC. 3. A local educational agency shall use funds made
36 available pursuant to Title I of the No Child Left Behind Act of
37 2001 (20 U.S.C. Sec. 6301 et seq.) for the purposes of
38 implementing this act.*

39 SEC. 4. Notwithstanding Section 17610 of the Government
40 Code, if the Commission on State Mandates determines that this



1 act contains costs mandated by the state, reimbursement to local
2 agencies and school districts for those costs shall be made pursuant
3 to Part 7 (commencing with Section 17500) of Division 4 of Title
4 2 of the Government Code. If the statewide cost of the claim for
5 reimbursement does not exceed one million dollars (\$1,000,000),
6 reimbursement shall be made from the State Mandates Claims
7 Fund.

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