California Board of
PSYCHOLOGY

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MEMORANDUM

DATE	May 6, 2016
TO	Board of Psychology
FROM	Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #22 (a)(6) – Legislative Update – AB 2443 (Baker) Local Control and Accountability Plans (Improving Mental Health Access for Students)

Background:

This bill relates to Local Control and Accountability Plan (LCAP) by the governing board of a school district. Requires a description of the annual goals to be achieved for each of the state's delineated priorities for all pupils and certain subgroups of pupils. Adds to those factors the number of practicing school psychologist working on school climate issues.

Location: Assembly Appropriations Committee

Status: In Assembly Committee on Appropriations: To Suspense File.

Action Requested:
The Policy and Advocacy Committees recommendation is to recommend the full Board take a "Support" position.

Attachment A is the analysis of AB 2443 (Baker)
Attachment B is the language of AB 2443 (Baker)
Attachment C is the Assembly Appropriations Analysis of AB 2443 (Baker)

CALIFORNIA STATE BOARD OF PSYCHOLOGY

BILL ANALYSIS

BILL NUMBER: AB 2443 **VERSION:** AMENDED: APRIL 21, 2016

AUTHOR: BAKER (D) **SPONSOR:** AUTHOR

BOARD POSITION: NONE

SUBJECT: LOCAL CONTROL AND ACCOUNTABILITY PLANS: STATE PRIORITIES: SCHOOL CLIMATE: SCHOOL PSYCHOLOGISTS OR COUNSELORS.

Overview:

This bill would require each school district to include in its Local Control and Accountability Plan (LCAP), the extent to which pupils have access to school psychologists or counselors to address issues including, but not limited to, mental health concerns, conflict resolution, and bullying.

Existing Law:

In 2011, AB 114 amended the Education Code to mandate that the responsibility for the mental health of minors lie with the Local Education Agencies (LEAs) rather than the county mental health departments. In California, LEAs are school districts for public and charter schools, and can be either individual or groups of private schools. Every year, each school district is required to update its LCAP. The LCAP is one of the documents used in the Local Control Funding Formula, which is used to calculate the funding for each LEA.

One of the parts of the LCAP is the "School Climate." This measurement is taken from factors including pupil suspension and expulsion, sense of safety, and school connectedness. Currently these are the only factors that are required to be collected.

This Bill:

This bill would require that LEA's include the extent to which pupils have access to school psychologists or counselors to address issues including, but not limited to, mental health concerns, conflict resolution, and bullying into their yearly LCAP.

Comments:

Author's Intent.

Assembly Woman Baker chose this topic as the winner of a "There Ought to be a Law" contest in her district. The three students who recommended this spoke about the need for adequate access to mental health support for students.

Affect to the Board/Staff/Licensees

This bill would not have any effect on the Board, Staff, or Licensees

1) **Support**

The California Association of School Psychologists

2) **Opposition**

The California School Boards Association

3) **History**

04/27/16 In committee: Set, first hearing. Referred to APPR. suspense file.
04/25/16 Re-referred to Com. on APPR.
04/21/16 Read second time and amended.
04/20/16 From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 13).
04/06/16 In committee: Set, first hearing. Hearing canceled at the request of author.
03/08/16 Referred to Com. on ED.
02/22/16 Read first time.
02/21/16 From printer. May be heard in committee March 22.
02/19/16 Introduced. To print.

California LEGISLATIVE INFORMATION

AB-2443 Local control and accountability plans: state priorities: school climate: school psychologists or counselors.
(2015-2016)

AMENDED IN ASSEMBLY APRIL 21, 2016

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL **No. 2443**

Introduced by Assembly Member Baker

February 19, 2016

An act to amend Section 52060 of the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 2443, as amended, Baker. Local control and accountability plans: state priorities: school climate: school ~~psychologists.~~ *psychologists or counselors.*

Existing law requires the governing board of each school district to adopt a local control and accountability plan and requires the governing board of a school district to update its local control and accountability plan before July 1 of each year. Existing law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each of the state's delineated priorities, as specified, for all pupils and certain subgroups of pupils. Existing law includes school climate, as measured by certain factors, among the state priorities.

This bill would add to those factors the ~~number of practicing school psychologists working on school climate issues.~~ *extent to which pupils have access to school psychologists or counselors to address issues including, but not limited to, mental health concerns, conflict resolution, and bullying.*

To the extent the bill would impose additional duties on school districts, the 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.

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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 52060 of the Education Code is amended to read:

52060. (a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as defined in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

~~(C)Number of practicing school psychologists working on school climate issues.~~

(C) The extent to which pupils have access to school psychologists or counselors to address issues including, but not limited to, mental health concerns, conflict resolution, and bullying.

(D) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Date of Hearing: April 27, 2016

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez, Chair
AB 2443 (Baker) – As Amended April 21, 2016

Policy Committee: Education Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill adds student access to school psychologists or counselors to the indicators used to assess school climate for the purposes the Local Control Accountability Plan (LCAP). Specifically, this bill requires local education agencies (LEAs) to assess student access to counselors that can address issues such as mental health concerns, conflict resolution and bullying.

FISCAL EFFECT:

1) Unknown Proposition 98/GF state mandated costs to for LEAs to measure the accessibility of school psychologists and school counselors. This bill does not specify how LEAs will determine whether a counselor or school psychologist is accessible to students to address issues such as mental health concerns, conflict resolution or bullying. Many districts conduct annual school climate surveys and could incorporate this issue into an existing survey. Other schools may need to develop a new tool for evaluation of this component of school climate. Actual costs will depend upon how LEAs chose to measure this component of school climate and the types of claims districts submit to the Commission on State Mandates to implement this measure.

2) Significant Proposition 98/GF cost pressures, in the millions of dollars, for the state to provide funding to support the hiring of additional school counselors and school psychologists. The ratio of students per counselor in this state averages 945: 1, compared to the national average of 477: 1, ranking California last in the nation. The current student per psychologist ratio is even larger at 1,321: 1. On average, counselors are paid $130,000 to $150,000 per year. Adding even one additional counselor could be a significant cost to a school district.

COMMENTS:

1) **Background.** The Local Control Funding Formula (LCFF) was enacted to provide a more equitable distribution of education dollars—especially among districts with populations of low income pupils, English learners, and pupils in foster care—and to provide more local discretion over the use of those dollars. Accountability for the use of those dollars is achieved though the requirement to adopt and annually revise LCAPs. Each LCAP must address eight state priorities that include a mix of inputs (such as appropriate teacher assignment and level of parental involvement) and outputs (such as performance on academic assessments or English learner reclassification rates).

2) **Purpose.** One of the eight state priorities to be addressed by each LCAP is school climate, as measured by suspension rates; expulsion rates; and other measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness. This bill expands the school climate priority under the LCAP to include access to school psychologists and counselors that address issues such as mental health concerns, conflict resolution, and bullying. According to the author, school counselors can fill a vital role in helping identify and address mental health issues. Mental health issues among students include depression, bipolar disorder, schizophrenia, personality disorder, anxiety disorder, eating disorders, and alcohol/drug abuse. Measuring not only the number of available counselors and psychologists, but their ability to address these mental health issues, can be a key indicator of school climate.

3) **Comments.** School psychologists are only one of the many pupil support service personnel who work in schools to support the students' social, emotional, mental, behavioral, and physical needs. The availability of an array of support personnel is an indication of a school's capacity to meet a wide range of student needs. Research shows that when students have greater access to supportive personnel, they are likely to have better school performance.

4) **Opposition.** The California School Boards Association opposes this bill. They state that while it is important that schools consider the mental health and school climate needs of students, including this component in the LCAP is premature. The State Board of Education is currently developing the rubrics that school districts will use under the eight state priorities, including the rubrics to determine school climate. It would be more appropriate to wait for the SBE to finish its work before adding additional components that may, or may not, conflict with the actions that school districts need to include in their LCAPS.

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