SENATE DOCKET, NO. 168 FILED ON: 1/11/2013

SENATE . . . . . No. 210

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to safe and supportive schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Katherine M. Clark	*Fifth Middlesex*
Martha M. Walz	*8th Suffolk*
Sal N. DiDomenico	*Middlesex and Suffolk*
William N. Brownsberger	*Second Suffolk and Middlesex*
Michael O. Moore	*Second Worcester*
Jennifer L. Flanagan	*Worcester and Middlesex*
Thomas M. Stanley	*9th Middlesex*
Michael F. Rush	*Norfolk and Suffolk*
Anthony W. Petruccelli	*First Suffolk and Middlesex*
Patricia D. Jehlen	*Second Middlesex*
Michael Barrett	*Third Middlesex*
Bruce J. Ayers	*1st Norfolk*
Sean Garballey	*23rd Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Denise Provost	*27th Middlesex*
John F. Keenan	*Norfolk and Plymouth*
Bruce E. Tarr	*First Essex and Middlesex*
Thomas M. McGee	*Third Essex*

SENATE DOCKET, NO. 168 FILED ON: 1/11/2013

SENATE . . . . . No. 210

By Ms. Clark, a petition (accompanied by bill, Senate, No. 210) of Katherine M. Clark, Martha M. Walz, Sal N. DiDomenico, William N. Brownsberger and other members of the General Court for legislation relative to safe and supportive schools. Education.

The Commonwealth of Massachusetts

An Act relative to safe and supportive schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to create safe and supportive school environments, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

WHEREAS, a paramount goal of the Commonwealth is to ensure that all children receive a high quality education that enables them to reach their full potential and become responsible citizens who positively contribute to their communities and the Commonwealth; and

WHEREAS, a safe and supportive learning environment is a necessary foundation for increasing academic achievement, enhancing healthy development, and improving educational outcomes for all children; and

WHEREAS, the Massachusetts Behavioral Health and Public Schools Task Force developed a framework and accompanying self-assessment tool that facilitates the creation of safe and supportive learning environments in schools;

THEREFORE, it shall be the policy of the Commonwealth to support and promote the statewide implementation of the safe and supportive schools framework in order to create safe, healthy and supportive learning environments in schools and districts across the Commonwealth.

SECTION 1. Chapter 69 of the General Laws, as amended by section 2 of chapter 240 of the acts of 2012, is hereby amended by adding after section 1O the following section:-

Section 1P. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:--

22 “Behavioral health”, the social, emotional, mental and behavioral wellbeing of all
23 students.

24 “Board”, the board of elementary and secondary education.

25 “Department”, the department of elementary and secondary education.

26 “Framework”, the safe and supportive schools framework established under subsection
27 (b).

28 “Safe and supportive school environment”, a safe, positive, healthy and inclusive whole-
29 school learning environment that (i) enables students to develop positive relationships with
30 adults and peers, regulate their emotions and behavior, achieve academic and non-academic
31 success in school and maintain physical and psychological health and well-being; and (ii)
32 integrates services and aligns initiatives that promote students’ behavioral health, including
33 social and emotional learning, bullying prevention, trauma sensitivity, dropout prevention,
34 truancy reduction, children’s mental health, the education of foster care and homeless youth, the
35 inclusion of students with disabilities, positive behavioral approaches that reduce suspensions
36 and expulsions and other similar initiatives.

37 “Self-assessment tool”, the safe and supportive schools self-assessment tool established
38 under subsection (b).

39 (b) The behavioral health and public schools framework developed under section 19 of
40 chapter 321 of the acts of 2008 shall henceforth be known as the safe and supportive schools
41 framework. The framework shall provide guidance and support to schools to help them create
42 safe and supportive school environments that improve education outcomes for all students, and
43 shall be organized according to central elements of school operations which shall include but not
44 be limited to: (i) leadership; (ii) professional development; (iii) access to resources and services;
45 (iv) academic and non-academic supports; (v) policies and protocols; and (vi) collaboration with
46 families. Each school district and individual public school shall implement the safe and
47 supportive schools framework in order to: (i) organize, integrate and sustain school and district-
48 wide efforts to create safe and supportive school environments and (ii) coordinate and align
49 student support initiatives.

50 The self-assessment tool developed by the behavioral health and public schools task force
51 under section 19 of chapter 321 of the acts of 2008 shall henceforth be known as the safe and
52 supportive schools self-assessment tool. The self-assessment tool shall be organized according to
53 the elements of the framework and shall be used by schools to: (i) assess their capacity to create
54 and sustain safe and supportive school environments for all students; (ii) identify areas where
55 additional school-based action, efforts, guidance and support are needed in order to create and
56 maintain safe and supportive school environments; and (iii) create action plans to address the
57 areas of need identified by the assessment.

58 The board shall develop procedures for updating, improving or refining the safe and
59 supportive schools framework and the safe and supportive schools self-assessment tool, in
60 consultation with the safe and supportive schools commission established under subsection (f).

61 (c) Each school shall develop and update an action plan to create and maintain a safe and
62 supportive school environment for all students. The action plan shall be developed by the school
63 principal, in consultation with the school council established under section 59C of chapter 71,
64 and shall be incorporated into the annual school improvement plan required under section 1I;
65 provided, however, that the district superintendent may approve an alternative process and
66 schedule for developing school action plans. Nothing in this section shall be construed as
67 limiting the ability of the school principal to appoint a team for the purpose of developing the
68 school's action plan; provided, however, that such team shall include a broad representation of
69 the school and local community and the principal shall make every effort to include teachers and
70 other school personnel, parents, students and representatives from community-based agencies
71 and providers.

72 School action plans shall be designed to address the areas of need identified through the
73 use of the self-assessment tool described in subsection (b), and shall include the following: (i)
74 action steps and strategies for addressing the areas of need identified by the assessment; (ii) a
75 timeline for implementing the action steps and strategies; (iii) outcome goals and indicators for
76 evaluating the effectiveness of the initiatives and strategies set forth in the plan, which may
77 include attendance and graduation rates, bullying incidences, number of student suspensions,
78 expulsions and office referrals, truancy and tardiness rates, time spent on learning and other
79 measures of school success; and (iv) a process and schedule for reviewing the plan annually and
80 updating it at least once every 3 years.

81 (d) Each school district shall include in its 3 year district improvement plan required
82 under section 1I a description of the steps the district will take to support the district-wide
83 implementation of the safe and supportive schools framework and to facilitate regional
84 coordination with behavioral health providers and other community organizations.

85 Each district shall publish on its website all school action plans created under subsection
86 (c) for each school in the district.

87 (e) The department shall facilitate and oversee the statewide implementation of the safe
88 and supportive schools framework. The department shall: (i) provide technical assistance to
89 schools on using the self-assessment tool and developing school action plans, and to districts on
90 coordinating with community service providers and developing strategies to facilitate the
91 district-wide implementation of the framework; (ii) develop and disseminate model protocols
92 and practices identified in the framework; (iii) establish a "Safe and Supportive Schools" grant
93 program, subject to appropriation, wherein grantees shall pilot and share with other schools an
94 effective process for developing and implementing school action plans; (iv) update its website to

95 include the framework, the self-assessment tool, best practices and other information related to
96 the implementation of the framework; (v) host regional trainings for schools and districts, subject
97 to appropriation; and (vi) provide administrative support to the safe and supportive schools
98 commission established under subsection (f), subject to appropriation. Nothing in this section
99 shall be construed as limiting the ability of the department to contract with individuals, external
100 partners or other entities to support the functions established under this section; provided,
101 however, that the department shall consider opportunities for education collaboratives or other
102 regional service organizations to coordinate and disseminate training, technical assistance and
103 information to school districts on the implementation of the framework.

104 (f) There shall be a safe and supportive schools commission to collaborate with and
105 advise the department on the statewide implementation of the framework. The commission shall
106 also support and provide feedback on the statewide implementation of the framework by the
107 department. The commission shall consist of 17 members: 1 of whom shall be the commissioner
108 of elementary and secondary education, or his designee, who shall serve as co-chair; 1 of whom
109 shall be the secretary of education, or his designee; 1 of whom shall be a school superintendent
110 appointed by the Massachusetts Association of School Superintendents; 1 of whom shall be a
111 school committee member appointed by the Massachusetts Association of School Committees; 1
112 of whom shall be a school principal appointed jointly by the Massachusetts Secondary School
113 Administrators' Association and the Massachusetts Elementary School Principals Association; 1
114 of whom shall be teacher appointed jointly by the Massachusetts Teachers Association and the
115 American Federation of Teachers Massachusetts; 1 of whom shall be a director of special
116 education or director of student support services appointed by the Massachusetts Administrators
117 for Special Education; 1 of whom shall be an executive director of an education collaborative
118 appointed by the Massachusetts Organization of Education Collaboratives; 1 of whom shall be a
119 school psychologist appointed by the Massachusetts School Psychologists Association; 1 of
120 whom shall be a school social worker appointed by the Massachusetts Chapter of the National
121 Association of Social Workers; 1 of whom shall be a school adjustment counselor or guidance
122 counselor appointed by the Massachusetts School Counselors Association; 1 of whom shall be a
123 school nurse appointed by the Massachusetts School Nurse Organization; 1 of whom shall be an
124 advocate with experience in education, behavioral health and the impact of trauma on learning
125 appointed by Massachusetts Advocates for Children; 1 of whom shall be a representative of the
126 Parent/Professional Advocacy League appointed by the Parent/Professional Advocacy League;
127 and 3 members to be appointed by the secretary of education: 1 of whom shall be a former
128 member of the behavioral health and public schools task force who participated in the
129 development and statewide evaluation of the self-assessment tool; 1 of whom shall be a former
130 member of the behavioral health and public schools task force with experience implementing the
131 framework; and 1 of whom shall be a representative from a community-based organization that
132 provides services as part of the children's behavioral health initiative and that provides mental
133 health services in schools. The commission shall select a co-chair from among its appointees. In
134 selecting commission appointees, priority shall be given to individuals who either were members

135 of the behavioral health and public schools task force or who represent schools that have
136 experience implementing the framework.

137 The commission shall: (i) investigate and make recommendations to the board on
138 updating, improving and refining the framework and the self-assessment tool as appropriate; (ii)
139 identify strategies for increasing schools' capacity to carry out the administrative functions
140 identified by the behavioral health and public schools task force; (iii) propose steps for
141 improving schools' access to clinically, culturally and linguistically appropriate services; (iv)
142 identify and recommend evidenced-based training programs and professional development for
143 school staff on addressing students' behavioral health and creating safe and supportive learning
144 environments; (v) identify federal funding sources that can be leveraged to support the statewide
145 implementation of the framework; (vi) develop recommendations on best practices for
146 collaboration with families, including families of children with behavioral health needs; and (vii)
147 examine and recommend model approaches for integrating school action plans, required under
148 subsection (c), with school improvement plans and for using the framework to organize other
149 school and district improvement processes.

150 The commission may collect and review data and feedback from schools as they
151 complete the self-assessment tool and develop school action plans, and may convene
152 stakeholders to facilitate solutions to challenges as they arise during the implementation process.
153 The commission may request from the department such information and assistance as may be
154 necessary to complete its work.

155 The commission shall consult with and solicit input from various persons and groups,
156 including, but not limited to: (i) the office of the child advocate; (ii) the department of early
157 education and care; (iii) the department of children and families; (iv) the department of mental
158 health; (v) the department of public health; (vi) the department of youth services; (vii) the
159 department of developmental services; and (viii) any other parties or entities the commission
160 deems appropriate.

161 SECTION 2. Subsections (b) through (d), inclusive, of section 1P of chapter 69 of the
162 General Laws shall be effective as of June 30, 2016.

163 SECTION 3. The department of elementary and secondary education shall begin
164 providing technical assistance required under subsection (e) of section 1P of chapter 69 of the
165 General Laws on or before September 1, 2014.

166 SECTION 4. The safe and supportive schools commission established under subsection
167 (f) of section 1P of chapter 69 of the General Laws shall conduct its first meeting not more than
168 90 days after the effective date of this act, and shall meet no less than 4 times annually. The
169 commission shall prepare and submit an annual progress report concerning the commission's
170 activities with appropriate recommendations, together with drafts of legislation necessary to
171 carry out such recommendations, if any, on or before December 31 each year. The commission

172 shall submit such annual report to the governor and the clerks of the senate and the house of
173 representatives, who shall forward the same to the chairs of the joint committee on education, the
174 chairs of the joint committee on mental health and substance abuse, the chairs of the joint
175 committee on children, families and persons with disabilities, and the chairs of the house and
176 senate committees on ways and means. The first 3 annual reports shall include recommendations
177 regarding: (i) federal funding sources that can be leveraged to support the statewide
178 implementation of the safe and supportive schools framework; (ii) training programs and
179 professional development for school staff on creating safe and supportive learning environments;
180 (iii) improving access to clinically, culturally and linguistically appropriate services; and (iv)
181 addressing the administrative functions necessary to carry out the implementation of the safe and
182 supportive schools framework. The commission shall continue to submit such annual reports
183 through December 31, 2023, after which the commission shall be terminated.