

HOUSE No. 04284

The Commonwealth of Massachusetts

HOUSE, July 10, 2012

The committee on Education to whom was referred the petition (accompanied by bill, House, No. 1962) of Martha M. Walz and others for legislation to ensure behavioral health and safety in the public schools, reports recommending that the accompanying bill (House, No. 4284) ought to pass.

For the committee,

ALICE HANLON PEISCH.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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:

- 1 WHEREAS, a paramount goal of the Commonwealth is to ensure that all children receive a high
2 quality education that enables them to reach their full potential and become responsible citizens
3 who positively contribute to their communities and the Commonwealth; and
- 4 WHEREAS, a safe and supportive learning environment is a necessary foundation for increasing
5 academic achievement, enhancing healthy development, and improving educational outcomes
6 for all children; and
- 7 WHEREAS, the Massachusetts Behavioral Health and Public Schools Task Force developed a
8 Framework and accompanying assessment tool that facilitates the creation of safe and supportive
9 learning environments in schools;
- 10 THEREFORE, it shall be the policy of the Commonwealth to support and promote the statewide
11 implementation of the safe and supportive schools framework in order to create safe, healthy,
12 and supportive learning environments in schools and districts across the Commonwealth.

13 SECTION 1. Chapter 69 of the General Laws, as appearing in the 2010 Official Edition, is
14 hereby amended by adding after section 1N the following section:-

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

17 “Assessment tool”, the safe and supportive schools assessment tool established pursuant to
18 subsection (b).

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

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

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

22 “Framework”, the safe and supportive schools framework established pursuant to subsection
23 (b).

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

33 (b) The behavioral health and public schools framework developed pursuant to section 19 of
34 chapter 321 of the Acts of 2008 shall henceforth be known as the safe and supportive schools
35 framework. Each school district and individual public school shall implement the safe and
36 supportive schools framework in order to: (i) organize, integrate, and sustain school and district-
37 wide efforts to create safe and supportive school environments; and (ii) coordinate and align
38 student support initiatives.

39 The self-assessment tool developed by the behavioral health and public schools task force
40 pursuant to section 19 of chapter 321 of the Acts of 2008 shall henceforth be known as the safe
41 and supportive schools assessment tool. Schools shall use the assessment tool to: (i) assess their
42 capacity to create and sustain safe and supportive school environments for all students; (ii)
43 identify areas where additional school-based action, efforts, guidance and support are needed in
44 order to create and maintain safe and supportive school environments; and (iii) create action
45 plans to address the areas of need identified by the assessment.

46 The board shall develop procedures for updating, improving or refining the safe and supportive
47 schools framework and the safe and supportive schools assessment tool, in consultation with the
48 safe and supportive schools commission established under subsection (f).

49 (c) Each school shall develop and update an action plan to create and maintain a safe and
50 supportive school environment for all students. Said action plan shall be developed by the school
51 principal, in consultation with the school council established pursuant to section 59C of chapter
52 71, and shall be incorporated into the annual school improvement plan required under section 11
53 of chapter 69; provided, however, that the district superintendent may approve an alternative
54 process and schedule for developing school action plans. Nothing in this section shall be

55 construed as limiting the ability of the school principal to appoint a team for the purpose of
56 developing the school's action plan; provided that such team shall include a broad representation
57 of the school and local community and the principal shall make every effort to include teachers
58 and other school personnel, parents, students and representatives from community-based
59 agencies and providers.

60 School action plans shall be designed to address the areas of need identified through the use of
61 the assessment tool described in subsection (b), and shall include the following: (i) action steps
62 and strategies for addressing the areas of need identified by the assessment; (ii) a timeline for
63 implementing said strategies and action steps; (iii) outcome goals and indicators for evaluating
64 the effectiveness of the initiatives and strategies set forth in the plan; and (iv) a process and
65 schedule for reviewing the plan annually and updating it at least once every three years.

66 (d) Each school district shall include in its three-year district improvement plan required under
67 section 11 of chapter 69 a description of the steps the district will take to support the district-wide
68 implementation of the safe and supportive schools framework and to facilitate regional
69 coordination with behavioral health providers and other community organizations.

70 Each district shall publish on its website all school action plans created pursuant to subsection (c)
71 for each school in the district.

72 (e) The department shall facilitate and oversee the statewide implementation of the safe and
73 supportive schools framework. The department shall: (i) provide technical assistance to schools
74 on using the assessment tool and developing school action plans, and to districts on coordinating
75 with community service providers and developing strategies to facilitate the district-wide
76 implementation of the framework; (ii) develop and disseminate model protocols and practices

77 identified in the framework; (iii) establish a “Safe and Supportive Schools” grant program,
78 subject to appropriation, wherein grantees shall pilot and share with other schools an effective
79 process for developing and implementing school action plans; (iv) update its website to include
80 the framework, the assessment tool, best practices, and other information related to the
81 implementation of the framework; (v) host regional trainings for schools and districts, subject to
82 appropriation; and (vi) provide administrative support to the safe and supportive schools
83 commission established under subsection (f), subject to appropriation. Nothing in this section
84 shall be construed as limiting the ability of the department to contract with individuals, external
85 partners or other entities to support the functions established under this section; provided further,
86 that the department shall consider opportunities for education collaboratives or other regional
87 service organizations to coordinate and disseminate training, technical assistance, and
88 information to school districts on the implementation of the framework.

89 (f) There shall be a safe and supportive schools commission to advise the department on the
90 statewide implementation of the safe and supportive schools framework. The commission shall
91 consist of 17 members: 1 of whom shall be the commissioner of elementary and secondary
92 education, or his designee, who shall serve as co-chair; 1 of whom shall be the secretary of
93 education, or his designee; 1 of whom shall be a school superintendent appointed by the
94 Massachusetts Association of School Superintendents; 1 of whom shall be a school committee
95 member appointed by the Massachusetts Association of School Committees; 1 of whom shall be
96 a school principal appointed jointly by the Massachusetts Secondary School Administrators’
97 Association and the Massachusetts Elementary Schools Principals Association; 1 of whom shall
98 be teacher appointed jointly by the Massachusetts Teachers Association and the American
99 Federation of Teachers Massachusetts; 1 of whom shall be a director of special education or

100 director of student support services appointed by the Massachusetts Administrators for Special
101 Education; 1 of whom shall be an executive director of an education collaborative appointed by
102 the Massachusetts Organization of Education Collaboratives; 1 of whom shall be a school
103 psychologist appointed by the Massachusetts Schools Psychologists Association, who shall serve
104 as co-chair; 1 of whom shall be a school social worker appointed by the Massachusetts Chapter
105 of the National Association of Social Workers; 1 of whom shall be a school adjustment
106 counselor or guidance counselor appointed by the Massachusetts School Counselors Association;
107 1 of whom shall be a school nurse appointed by the Massachusetts School Nurse Organization; 1
108 of whom shall be an advocate with experience in education, behavioral health and the impact of
109 trauma on learning appointed by Massachusetts Advocates for Children; 1 of whom shall be a
110 representative of the Parent/Professional Advocacy League appointed by the Parent/Professional
111 Advocacy League; and 3 members to be appointed by the secretary of education: 1 of whom
112 shall be a representative from the behavioral health and public schools task force who
113 participated in the development and statewide evaluation of the assessment tool; 1 of whom shall
114 be a representative from a community-based organization that provides mental health services to
115 schools; and 1 of whom shall be a representative from a non-mental health community-based
116 organization that provides services to youth and families. In selecting commission appointees,
117 priority shall be given to individuals who either participated on the behavioral health and public
118 schools task force or who represent schools that have experience implementing the safe and
119 supportive schools framework.

120 The commission shall: (i) investigate and make recommendations to the board on updating,
121 improving, and refining the framework and the assessment tool as appropriate; (ii) identify
122 strategies for increasing schools' capacity to carry out the administrative functions identified by

123 the behavioral health and public schools task force; (iii) propose steps for improving schools’
124 access to clinically, culturally and linguistically appropriate services; (iv) identify and
125 recommend evidenced-based training programs and professional development for school staff on
126 addressing students’ behavioral health and creating safe and supportive learning environments;
127 (v) identify federal funding sources that can be leveraged to support the statewide
128 implementation of the framework; (vi) develop recommendations on best practices for
129 collaboration with families, including families of children with behavioral health needs; and (vii)
130 examine and recommend model approaches for integrating school action plans, required under
131 subsection (c), with school improvement plans and for using the framework to organize other
132 school and district improvement processes.

133 The commission may collect and review data and feedback from schools as they complete the
134 assessment tool and develop school action plans, and may convene stakeholders to facilitate
135 solutions to challenges as they arise during the implementation process. The commission may
136 request from the department such information and assistance as may be necessary to complete its
137 investigation.

138 The commission shall consult with and solicit input from various persons and groups, including,
139 but not limited to: the office of the Child Advocate; the department of early education and care;
140 the department of children and families; the department of mental health; the department of
141 public health; the department of youth services; the department of developmental services; and
142 any other parties or entities the commission deems appropriate.

143 SECTION 2. Subsections (b) through (d), inclusive, of section 10 of chapter 69 of the General
144 Laws shall be effective as of June 30, 2016.

145 SECTION 3. The department of elementary and secondary education shall begin providing
146 technical assistance required under subsection (e) of section 10 of chapter 69 of the General
147 Laws on or before September 1, 2014.

148 SECTION 4. The safe and supportive schools commission established pursuant to subsection (f)
149 of section 10 of chapter 69 of the General Laws shall conduct its first meeting not more than 90
150 days after the effective date of this act, and shall meet no less than 4 times annually. The
151 commission shall prepare and submit an annual progress report concerning the commission's
152 activities with appropriate recommendations, together with drafts of legislation necessary to
153 carry out such recommendations, if any, on or before December 31 each year. The commission
154 shall submit such annual report to the governor and the clerks of the senate and the house of
155 representatives, who shall forward the same to the chairs of the joint committee on education, the
156 chairs of the joint committee on mental health and substance abuse, the chairs of the joint
157 committee on children, families and persons with disabilities, and the chairs of the house and
158 senate committees on ways and means. The first three annual reports shall include
159 recommendations regarding: (i) federal funding sources that can be leveraged to support the
160 statewide implementation of the safe and supportive schools framework; (ii) training programs
161 and professional development for school staff on creating safe and supportive learning
162 environments; (iii) improving access to clinically, culturally, and linguistically appropriate
163 services; and (iv) addressing the administrative functions necessary to carry out the
164 implementation of the safe and supportive schools framework. The commission shall continue to
165 submit such annual reports through December 31, 2023, after which the commission shall be
166 terminated.