

Date of Hearing: April 10, 2019

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1624 (Robert Rivas) – As Amended March 25, 2019

**SUBJECT:** School climate: surveys: report

**SUMMARY:** Requires the California Department of Education, the Department of Health Care Services, and the Department of Public Health to provide a report to the Legislature no later than March 1, 2020, on how to monitor certain measures of pupil behaviors, available school supports, and school climate and engagement, using a survey tool. Also requires that the report identify ongoing funding sources and recommendations for schools to conduct annual surveys and requires that data collected from such surveys be used to support local school and community agency planning efforts. Specifically, **this bill:**

- 1) Requires the California Department of Education (CDE), in collaboration with the State Department of Health Care Services (DHCS), and the State Department of Public Health (CDPH), to submit a report to the Legislature, the Governor, and the Department of Finance by March 1, 2020, on how to monitor, using a survey as specified, all of the following:
  - a) A pupil's use of marijuana and other drugs, tobacco, and alcohol.
  - b) The full range of academic, behavioral, and social support available to pupils.
  - c) School climate and student engagement throughout the state.
- 2) Requires the report above, to include both of the following:
  - a) The identification of specific and ongoing funding sources that can be used to conduct the survey, including any moneys that may be available in the Youth Education, Prevention, Early Intervention, and Treatment (YEPEIT) Account, pursuant to the legalization of adult use of cannabis.
  - b) A recommended implementation plan that can provide local educational agencies (LEAs), including charter schools, with the tools and resources to administer annual surveys to pupils, parents, and teachers, on the sense of safety and school connectedness using funds identified above.
- 3) Requires that data collected from the survey be used to support local control and accountability planning (LCAP), statewide policy, and analysis, and requires that the non-personally identifiable data be made available to all cities and counties and to their respective behavioral health agencies for their consideration, for purposes of informing local analysis, planning, prevention, and treatment activities.
- 4) Requires the CDE to identify the core questions in the survey that cannot be removed from the survey, and requires any district that has received funding for the purpose of conducting a survey, pursuant to this section, to administer the survey using all core questions identified by the CDE.

- 5) Specifies that the requirement to submit a report to the Legislature will become inoperative on March 1, 2024.
- 6) Requires that the report submitted to the Legislature comply with Government Code 9795 requirements, regarding the mode of transmittal, format of the document, and public accessibility.

**EXISTING LAW:**

- 1) Requires school districts, charter schools, and county offices of education to adopt Local Control and Accountability Plans (LCAPs) each year, and requires the LCAPs to address eight state priorities, including school climate, as measured by all of the following:
  - a) Pupil suspension rates.
  - b) Pupil expulsion rates.
  - c) Other local measures, including surveys of pupils, parents, and teacher on the sense of safety and school connectedness. (EC 52060)
- 2) Specifies that no test, questionnaire, survey, or examination containing any questions about the pupil's personal beliefs or practices in sex, family life, morality, and religion, or any questions about the pupil's parents' or guardians' beliefs and practices in sex, family life, morality, and religion, shall be administered to any pupil in kindergarten or grades 1 to 12, inclusive, unless the parent or guardian of the pupil is notified in writing that this test, questionnaire, survey, or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take this test, questionnaire, survey, or examination. (EC 51513)
- 3) Authorizes anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, to be administered to any pupil in grades 7 to 12. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a passive consent ("opt-out") process. A school district shall not require active parental consent ("opt-in") for these tests, questionnaires, or surveys in grades 7 to 12, inclusive. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, given the opportunity to review the test, questionnaire, or survey if they wish, notified of their right to excuse their child from the test, questionnaire, or survey, and informed that in order to excuse their child they must state their request in writing to the school district. (EC 51938)
- 4) Establishes effective January 1, 2018, a cannabis excise tax to be imposed upon purchasers of cannabis or cannabis products sold in this state at the rate of 15 percent of the average market price of any retail sale by a cannabis retailer (Revenue & Taxation Code (RTC) 34011).
- 5) Specifies that the Controller is to disburse funds in the California Cannabis Tax Fund, after disbursing funds for specified purposes, to disburse 60 percent of the remaining funds into the Youth Education, Prevention, Early Intervention and Treatment (YEPEIT) account to DHCS for programs for youth designed to educate about, and to prevent, substance abuse

disorders and to prevent harm from substance use. Requires the DHCS to enter into interagency agreements with the CDPH and the CDE to implement and administer these programs. Specifies that these programs may include, but are not limited to, the following:

- a) Prevention and early intervention services to recognize and reduce risks associated with substance use and the early signs of problematic use and substance abuse disorders.
- b) Grants to schools for student assistance programs designed to prevent and reduce substance abuse, and improve school retention and performance, by supporting students who are at risk of dropping out of school and promoting alternatives to suspension or expulsion.
- c) Grants to programs for outreach, education, and treatment for homeless youth and out-of-school youth with substance use disorders.
- d) Access and linkage to care provided by county behavioral health programs for youth who have, or are at risk of developing, a substance use disorder.
- e) Youth-focused substance use disorder treatment programs, which utilize a two-generation approach with the capacity to treat youth and adults together.
- f) Programs to assist individuals, as well as families and friends, to reduce the stigma associated with substance use including seeking substance use disorder services. (RTC 34019)

**FISCAL EFFECT:** Unknown

**COMMENTS:** This bill requires CDE, DHCS, and CDPH to prepare a report for the Legislature with recommendations for survey instrument for LEAs to use in conducting the climate surveys required as a part of their LCAP process, as well as to monitor rates of drug, tobacco, and alcohol use among students, and to track the availability of student supports. Also requires the report to identify specific sources of funding that may be available to LEAs to conduct the mandated surveys, including any moneys that may be available from the YEPEIT account. Finally, the bill requires the CDE to identify core questions in the identified survey that may not be removed by LEAs in the administration of the survey.

***Need for the bill.*** According to the author, “ The legalization of marijuana in California raises significant health concerns related to teenage drug use. Unfortunately, not all districts are administering common survey questions needed to yield accurate regional and local data to effectively monitor and address drug use, school climate and student engagement. This bill requires the CDE, DHCS, and CDPH to develop a plan, including the identification of specific funding, to provide LEAs with the tools and resources they need to administer annual surveys to pupils, parents, and teachers. Schools, cities, counties and communities need to know where resources are most needed and AB 1624 will address the blind spots we now have.”

***What is school climate?*** There is no clear definition of school climate. A 2013 report, A Climate for Academic Success (Voight, Austin & Hansen) identified common themes in research around school climate, including:

- Order, safety, and discipline
- Academic supports
- Personal and social relationships
- School facilities
- School connectedness.

This study reports that there is evidence to suggest that these factors have an important role to play in turning around unsuccessful schools and that a positive school climate has been associated with higher academic achievement and healthy behavioral outcomes for students.

The CDE's School Conditions and Climate Work Group (CCWG) 2017 report recommends the following definition:

“School Conditions and Climate refers to the character and quality of school life. This includes the values, expectations, interpersonal relationships, materials and resources, supports, physical environment, and practices that foster a welcoming, inclusive, and academically challenging environment. Positive school conditions and climate ensure people in the school community (students, staff, family, and community) feel socially, emotionally, and physically safe, supported, connected to the school, and engaged in learning and teaching.”

School districts, COEs, and charter schools are currently required to report on school climate, as one of the eight state priorities within their LCAP, based upon rates of suspension and expulsion, as well as “other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.”

***School climate recommendations.*** The CCWG also makes the following recommendations for state implementation:

- Establish a School Conditions and Climate Validity and Reliability Technical Design Group responsible for developing the criteria to vet school conditions and climate surveys, and vetting the surveys that would appear on the CDE menu of state-vetted and state-supported survey tools.
- Provide a menu of state-vetted and state-supported survey tools and instruments to LEAs.
- Require the survey tools to cover four research based school conditions and climate domains and related constructs: safety, relationships, conditions for teaching and learning, and empowerment.
- Include useful tools, resources, and supports about school conditions and climate within the developing statewide system of support to build the capacity of system actors as they endeavor to improve school conditions and climate.

***The California Healthy Kids Survey (CHKS)*** is an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency. It is administered to students at grades

five, seven, nine, and eleven. It enables schools and communities to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence. The CHKS is part of a comprehensive data-driven decision-making process on improving school climate and student learning environment for overall school improvements. It is focused on five important areas for guiding school improvement:

- Student connectedness, learning engagement/motivation, and attendance.
- School climate, culture, and conditions.
- School safety, including violence perpetration and victimization/bullying.
- Physical and mental well-being and social-emotional learning.
- Student supports, including resilience-promoting developmental factors (caring relationships, high expectations, and meaningful participation).

The CDE encourages schools and districts serving students in 5-12 grades to administer the CHKS to provide data metrics for their LCAP. As a funding condition, districts receiving Tobacco-Use Prevention Education (TUPE) funding are required to conduct the CHKS at least once every two years. For all other districts and schools, participation in any of these surveys is voluntary.

The CHKS is a companion tool to the California School Staff Survey for staff and the California School Parent Survey for parents. Together, they form the California School Climate, Health, and Learning Survey System.

The California School Staff Survey assesses the perceptions and experiences of K-12 teachers, administrators, and other school personnel. It is intended for use for all grades. The results are intended to address problems relating to low teacher recruitment, morale and retention; guide professional development and school improvement efforts; and determine the degree to which staff perceptions align with the attitudes and experiences of students and parents.

The California School Parent Survey measures parent involvement, which is one of the eight state priorities to be addressed in an LEA's LCAP. The survey measures parent perceptions about the school's learning environment, school climate, student supports, and parent outreach and involvement efforts. The survey also provides data on the scope and nature of parent involvement at the school.

According to the CDE, "at the heart of the CHKS is a research-based core module that provides valid indicators to promote student engagement and achievement, safety, positive development, health, and overall well-being. In addition, there are supplementary modules to choose from at the secondary school level that ask detailed questions on specific topics. These include more in-depth questions on school climate; resiliency and youth development; social emotional health and learning; tobacco use; alcohol and other drug use; safety/violence; physical health; sexual behavior; after school activities; gang awareness; lesbian, gay, bisexual, and transgender school

experiences; and military connected school. Districts can also customize their questions in a custom module targeting topics of local interest.”

**Recommended amendments.** *The Committee recommends* that the bill be amended as follows:

- 1) Require that the recommended survey methodologies be evidence-based, and include methods to enable the identification of, and monitoring of, measureable goals at the state and local levels, including but not limited to, reductions in substance abuse disorders among youth, increased school graduation rates, decreased rates of suspensions and expulsions, as required for programs funded under the YEPEIT account.
- 2) Remove reference linking the requirement to use all core questions in the survey to funding received through the YEPEIT account.

**Arguments in support.** According to Fight Crime: Invest in Kids:

“LCFF requires inclusion of goals and actions related to “other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.” Despite this requirement, currently not enough schools are using school climate surveys, and even where surveys are used, too many districts are failing to incorporate surveys into their Local Control and Accountability Plans (LCAPs), as the LCFF statute requires. The widespread failure to effectively incorporate surveys into district LCAPs is demonstrated by Fight Crime: Invest in Kids’ analysis of year 2017-18 LCAP annual updates from the State’s 50 largest districts. This analysis found that:

- Only 50% of districts include express goals related to both safety and connectedness, both of which are required under LCFF;
- Only 24% of districts include goals related to student, teacher and parent surveys, all of which are required under LCFF; and
- 20% of districts have no school climate survey related goals at all.

AB 1624 would help provide districts with the resources needed to conduct annual surveys, to better monitor use of marijuana and other drugs and comply with LCFF requirements on the use of school climate surveys. Furthermore, it would help better enable comparisons across districts to identify best practices for improving school climate.”

**Prior and related legislation.**

AB 2820 (McCarty) of the 2017-18 Session would have established the Community Engagement and School Climate for Continuous Improvement Block Grant to invest in the development of skills, practices, and capacity of school communities for meaningful stakeholder engagement and assessment of school climate for continuous improvement processes. This bill was held in the Senate Education Committee.

AB 2167 (Muratsuchi) of the 2013-14 Session would have established the CHKS as a voluntary comprehensive pupil self-report data collection system that addresses school climate, campus safety, and pupil health risks and behaviors. Would have authorized a school district to

administer the CHKS to pupils in grades 5, 7, 9 and 11, and to conduct both of the following supplemental surveys: the California School Parent Survey, which assesses the perceptions of parents related to school climate, parent outreach, and pupil achievement; and the California School Climate Survey, which is a staff survey to guide school improvement efforts to foster positive learning and teaching environments. This bill was held in the Assembly Appropriations Committee.

AB 1368 (Pan) of the 2011-12 Session, would have established the CHKS, intended to collect data on pupil perceptions of school climate, school safety, and pupil health. Would have required, to the extent that funding is made available, a school district to administer the CHKS on a biennial basis to pupils in grades 5, 7, 9, and 11. This bill was held in the Assembly Appropriations Committee.

**REGISTERED SUPPORT / OPPOSITION:****Support**

California State PTA  
Fight Crime: Invest In Kids

**Opposition**

None on file

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