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Implementing Legal Strategies for Creating Safe and Supportive School Environments

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Introduction

Stopping the overuse of expulsion as an approach to discipline, closing the achievement gap, ending pernicious bullying, teaching social and emotional skills, and halting the school-to-jail pipeline require more than just adding new laws to old ones. They require safe and supportive school-wide cultures where all students can learn, behave appropriately, and form relationships with adults and peers. These learning environments recognize the connection between academic success and students who feel safe enough to make friends, form strong relationships with adults, and take risks in order to excel. They teach students how to self-regulate their emotions, behaviors, and attention so that it is possible for them to focus, behave appropriately, and learn.

However, creating such environments is not easy. More children than we ever imagined, according to the Adverse Childhood Experiences Study[1], have lived through adversities that range from abuse to homelessness, from community violence to domestic violence. When children enter school with expectations of danger resulting from these experiences, they may not be able to focus, behave appropriately, or learn at their optimal levels. Creating a safe and supportive school culture means addressing the role that trauma is playing in the lives of children.

Unfortunately, the laws regulating our schools are fragmented. They tend to be narrowly focused on particular issues, such as bullying or truancy prevention, while missing the source of many of these problems in students' traumatic experiences and the need for supportive school-wide communities. The Trauma and Learning Policy Initiative (TLPI) has been working on refocusing the effort, so that schools have the time and resources to integrate and align the many initiatives necessary to create supportive whole school environments and better develop a more holistic foundation for learning that can address the educational needs of all of their students, including those who may be traumatized. The TLPI experience suggests that by modifying laws to recognize the critical aspects of school operations that are involved in whole school culture change and the process of collaboration that is needed, conditions can be set for schools to create responsive and supportive school-wide cultures. These cultures can avoid the use of punitive approaches while recognizing the connections between social, emotional, and educational needs. This paper describes the development of an integrating educational framework organized by six elements of school operation, its incremental incorporation into various Massachusetts laws regarding bullying, truancy, and behavioral health, and various policies used to implement student support initiatives. The culmination of the paper is a description of the

recent enactment into law of an overarching "safe and supportive schools framework" that is based on these elements of school operations and designed to align and connect all of the initiatives.

Looking at Students Through a Trauma Lens
Adverse Childhood Experiences
A major breakthrough in understanding the obstacles children and schools face in achieving educational success came with the publication in 1998 of the Adverse Childhood Experiences Study.[2] [3] The study found that shockingly high numbers of adults reported abuse and/or challenging family experiences during childhood. It asked participants about their experiences in seven categories of childhood adversity: being subjected to physical, sexual, or psychological abuse; witnessing domestic violence; and living with a parent afflicted with a mental illness or involved in substance abuse or criminal behavior. More than half the adults stated that they had had experiences in at least one of these categories as children. If we consider the number of students who are or have been chronically bullied,[4] live with homelessness or in the proximity of community violence, are refugees from war-torn countries, are shuttled around in the foster care system, survive natural disasters, undergo multiple invasive medical procedures, or live with a parent traumatized by combat, we get a sense of the extraordinary amount and severity of the adversity that too many children are experiencing.[5,6] Recognizing the breadth and depth of the underlying challenges is essential to a discussion of any educational or public policy remedies.

The Trauma Response
It is important to recognize that trauma does not begin and end with a particular event – too often, it is an enduring response to overwhelming experiences.[7,8] Many factors, such as age, temperament, gender, and whether a child has an effective network of support, influence the response to stressful events. Not all children experiencing adverse events will develop a trauma response, and some children are more vulnerable than others. And no two children, even children from the same family who may have had the same traumatic experiences, will necessarily have the same response. However, research suggests that negative experiences can impact even the most resilient child's ability to be successful in school.[9]

The Impact of Trauma at School

The reader is referred to the first and second TLPI volumes, *Helping Traumatized Children Learn*,[10,11] for a detailed summary of neurobiological, psychological, and epigenetics studies showing that traumatic experiences can diminish concentration, memory, and the organizational and language abilities children need to succeed in school. For many children, traumatic experiences can lead to problems with academic performance, inappropriate behavior in the classroom, and difficulty forming relationships. Below is a brief summary from our publications.

Academics

Learning to read, write, take part in a discussion, and solve mathematical problems requires an ability to trust, organize, comprehend, remember, and produce work. Another prerequisite for achieving classroom competency is the ability to self-regulate attention, emotions, and behavior. Not surprisingly, trauma resulting from overwhelming experiences has the power to disturb a student's development of these foundations for learning.[12] It can undermine the acquisition of language and communication skills, thwart the establishment of a coherent sense of self, compromise the ability to attend to classroom tasks and instructions, interfere with the ability to organize and remember new information, and hinder the grasping of cause-and-effect relationships – all of which are necessary to process information effectively.[13–14]

Behavior

Unfortunately, many traumatized children develop behavioral coping mechanisms that can frustrate educators and evoke exasperated reprisals – reactions that both strengthen the child's expectations of confrontation and danger and reinforce a negative self-image. Many of the effects of traumatic experiences on classroom behavior originate from the same problems that create academic difficulties: the inability to self-regulate emotions, distorted perceptions of the behaviors and feelings of others, and the inability to process social cues and convey feelings in an appropriate manner.[15–16] This behavior can be highly confusing to educators, and children suffering from the behavioral impacts of trauma are often profoundly misunderstood. Too often, they receive punitive responses from adults. Whether a child who has experienced traumatic events externalizes (acts out) or internalizes (withdraws; is numb, frozen, or depressed), his or her behavioral response to traumatic events can lead

to lost learning opportunities and strained relationships with teachers and peers.

Relationships

Children's struggles with traumatic stress and their insecure relationships with adults outside school can adversely affect their relationships with school personnel and with peers. Research has demonstrated that social and emotional skills are highly correlated with academic success.[17] However, preoccupied with their physical and psychological safety, children who have experienced traumatic events may be distrustful of adults and/or fellow students and unsure of the security of the school setting in general. They may suffer delays in the development of the kind of healthy interpersonal relationships with their teachers and peers that they so desperately need in order to be successful at school.[18,19]

Weaving an Understanding of Trauma Into School Culture

We will not always know which children may have been traumatized by adverse experiences. Researchers tell us that the best way to meet their needs is to create an environment where all children, including those who have been traumatized, can be successful.[20,21]

Recent research on epigenetics – the study of how environmental influences can affect, both positively and negatively, whether and how children's genes are expressed – supports this view. A working paper by the National Scientific Council on the Developing Child[22] states that "supportive environments and rich learning experiences generate positive epigenetic signatures [and] that … the stimulation that occurs in the brain through active use of learning and memory circuits can result in epigenetic changes that establish a foundation for more effective learning capacity in the future."

Schools, which are communities for children, hold tremendous potential to play a powerful role in helping children go on to be successful, despite any adversity they may have endured.[23] In a school-wide safe, supportive culture, all students are encouraged to form positive connections to adults and peers throughout the school day – in the classroom, cafeteria, and hallway, during after-school activities, and on the bus. They are helped in their effort to self-regulate emotions that might lead to unacceptable behaviors.[24] In a safe and supportive environment, achieving success in academic and extracurricular activities is recognized as being extremely important for helping students move beyond their negative experiences. This requires being honest with them about the gaps in their learning and a willingness to address them without reducing

their learning burdens or "dumbing down" the curriculum. Their physical safety is essential, but so are their emotional, social, and academic safety and their health and well-being. Children who are supported in these key areas are more likely to overcome adversity and be successful in school.[25–26]

Adults in the school must share an understanding about how trauma can interfere with social, emotional, and academic learning. Breaking down the barriers to learning that trauma can create must be at the center of the educational effort on a school-wide basis. Addressing these issues as part of a special program or with one teacher is just not enough. Individual teachers cannot do it alone. The entire school community must work together so that all students feel safe and encouraged to achieve at their highest levels. It is critical that no student feel marginalized or stigmatized, and that trauma sensitivity be woven into school activities throughout the day. [27]

Fragmented laws do not support the holistic practice needed for trauma sensitivity.
Our educational system is highly regulated at the local, state, and federal levels. Educators often have to struggle to implement holistic approaches to learning in a system that has been fragmented by individual legal responses to academics, anti-bullying, social skill development, positive discipline, truancy and dropout prevention, and more.

There are many reasons for this fragmentation. Legislators, and the lawyers who draft the laws, must often respond through the political process to urgent issues like a suicide resulting from bullying, a violent act at a school, excessive suspension and expulsion of students, or reports of low reading scores. This often results in specific regulatory requirements and individual funding streams to meet them. Each area of policy making has its own experts who justifiably call for specific elements to be included in statutes related to their particular concerns. In addition, those representing students with disabilities, gender issues, or English language learning needs advocate for specialized treatment for their constituency, addressing critical needs but also increasing the fragmented quality of legislative remedies.

Programs created in response to these important but narrowly defined needs do not always connect to or support one another or become integrated into the culture of the school. Thus, many important initiatives that could make a school safe and supportive often remain stand-alone, inefficient programs competing with one another for resources.[28] Further exacerbating the problem is that federal funding linked to these discrete

programs may require specialized staffing at the state level that makes it hard for state educational agencies to assist schools in addressing issues holistically.

From the school perspective, many of the actions that need to be taken to address a variety of problems, such as bullying and truancy, are strikingly similar. But when narrowly tailored laws do not recognize the important relationships between them, the capacity of schools to proactively create the kind of school-wide culture that forms the foundation for academic achievement, particularly for the most vulnerable students, can be undercut.

Modifying the laws to allow a shared organizational structure in which educators can transcend these defined boundaries while still addressing the legal requirements of each initiative and each population can provide more cost-effective and comprehensive solutions.

The Flexible Framework

The TLPI has been advocating in Massachusetts for a flexible framework that can serve as an organizational tool for addressing legally created barriers to holistic practice. This framework is not derived from a new legal mandate but from the ways schools are run and the actual operational requirements of schools: leadership, professional development, access to services, academic and non-academic activities, policies and protocols, and parent engagement.

Structuring laws around these components of operations can create efficiencies between new initiatives and enable schools to make the initiatives work in tandem, allowing each to benefit from the others and lessening the burden on educators. It helps schools incorporate new approaches and services that address problems early. And it better addresses the needs of traumatized students and those with higher levels of challenge, creating a stronger foundation for learning.

Ensuring that positive change in school culture is effective in creating environments in which all children can flourish requires also that educators assess their own local needs and modify local barriers that can get in the way of good practice.[29] The TLPI is committed to advocating that schools have the time and support to allow this locally driven process of change to take place.

Origins of the Flexible Framework

In Massachusetts, building consensus among education stakeholders regarding the need for a shared integrative framework did not happen

overnight. It was an iterative process involving multiple constituencies who, with the help of advocates, spoke up at critical points to their legislators and policy makers. Teachers, parents, students, superintendents, principals, professors, providers of community mental health, hospitals, and staff at the state department of elementary and secondary education (the department) were instrumental in identifying the need for a framework, helping to define its components, and demonstrating its benefits to schools and policy makers.

The consensus development process for the statewide framework had its beginnings in 2000, when key legislators, working with educational advocates, passed a line item offering grants "to assist school districts with the development and establishment of in-school regular education programs and services to address the … needs of children whose behavior interferes with learning, particularly those who are suffering from the traumatic effects of exposure to violence." In 2004, the legislature codified the program as Massachusetts General Laws Chapter 69 Section 1N (b), which became known as "trauma-sensitive schools" grants. The legislation established goals but did not prescribe how these goals were to be met.

Educators in schools receiving grants began to experiment with a series of different approaches, many of them specialized programs, such as adding a counselor, that could run only for the duration of the grant funding. The Morse School in Cambridge, however, understood the importance of infusing school-wide trauma sensitivity into every aspect of the school day. The principal explained that this meant setting up various committees to integrate trauma-sensitive approaches to education into professional development, services offered both in school and by outside providers, classroom activities, and policies and procedures. By observing how its conceptual approaches were implemented in the school, the TLPI was able to revise and refine its policy recommendations. The result was the "flexible framework" and the implementation strategies published in Chapter 2 of Volume 1 of *Helping Traumatized Children Learn*.[7]

Seeing the benefits of this school-wide approach to trauma sensitivity at the Morse School, the department began to ask future rounds of grantees to infuse trauma sensitivity into the key elements of school operations as defined by the framework, rather than simply use the funding for isolated programming. As a result, more schools and districts came to use and see the benefits of a whole-school approach.

Legislation and the Consensus-Building Process

Based on the experience with the grant program, the legislature took the next step in 2008 by incorporating into its omnibus An Act Relative to Children's Mental Health (Chapter 321 of the Acts of 2008), a mandate setting up a "task force on behavioral health and public schools" to be chaired by the commissioner of elementary and secondary education. Section 19 of the law. The Law required the department to set up a Task force to "build a framework that promotes collaboration between schools and behavioral health services and promotes supportive school environments…" This framework was to create environments where:

> children with behavioral health needs can form relationships with adults and peers, regulate their emotions and behaviors, and achieve academic and nonacademic school success and reduces truancy and the numbers of children dropping out of school;

The law was explicit in requiring that the framework be organized by the five school operations. It stated:

The framework shall address:

> (i) leadership by school administrators to create structures within schools that promote collaboration between schools and behavioral health providers within the scope of confidentiality laws;

> (ii) professional development for school personnel and behavioral health service providers that: clarifies roles and promotes collaboration within the scope of confidentiality laws; increases cultural competency; increases school personnel's knowledge of behavioral health symptoms, the impact of these symptoms on behavior and learning, and the availability of community resources; enhances school personnel's skills to help children form meaningful relationships, regulate their emotions, behave appropriately and succeed academically, and to work with parents who may have behavioral health needs; increases providers' skills to identify school problems and to provide consultation, classroom observation and support to school personnel, children and their families; and increases school personnel's and providers' knowledge of the impact of trauma on learning, relationships, physical well being and behavior, and

> of school-wide and individual approaches that help traumatized children succeed in school;
> (iii) access to clinically, linguistically and culturally-appropriate behavioral health services, including prevention, early intervention, crisis intervention, screening, and treatment, especially for children transitioning to school from other placements, hospitalization, or homelessness, and children requiring behavioral health services pursuant to special education individual education plans;
> (iv) effective academic and non-academic activities that build upon students' strengths, promote success in school, maximize time spent in the classroom and minimize suspensions, expulsions, and other removals for students with behavioral health challenges;
> (v) policies and protocols for referrals to behavioral health services that minimize time out of class, [maximize] safe and supportive transitions to school, consultation and support for school staff, confidential communication, appropriate reporting of child abuse and neglect under section 51A of chapter 119 of the General Laws, and discipline that focuses on reducing suspensions and expulsions and that balances accountability with an understanding of the child's behavioral health needs and trauma.

It is important to note that the first act of the task force was to add a sixth critical element to the framework: family engagement. Another important part of this law was its recognition that a mandate to use the framework was not enough; evaluation tools would need to be developed and used that would assist schools to engage in a collaborative process to accomplish the law's goals. The task force was thus called upon to:

> develop a tool based on the framework to assess the capacity of schools to collaborate with behavioral health services and provide supportive school environments that can improve outcome measures such as rates of suspensions, expulsions and other punitive responses, hospitalizations, absenteeism, tardiness, truancy and drop-out rates, time spent on learning and other measures of school success.

This assessment tool was first to be piloted in at least 10 schools. The task force was then required to carry out a state-wide assessment of the effectiveness of the law's requirements so that it could make

recommendations to the legislature for improving the capacity of schools to implement the framework state-wide. To carry out this mandate, the task force developed the Behavioral Health and Public Schools Self-Assessment Tool for Schools, which is composed of questions to help schools evaluate each of the six elements of school operation in the context of best practices to improve behavioral health.

Answering the questions required that groups of educators meet together. The task force piloted the tool and held focus groups for feedback before carrying out the more formal statewide assessment. The results were very positive. Many school staff members informed the task force that this was the first time they had been asked to assess the barriers to a positive school culture in a structured, collaborative way and that it had led them to creative, cross-cutting ideas for solutions. Several educators said that the process of using the tool was very positive because it gave them the imprimatur to put the issue of school culture and behavioral health on the front burner in the face of so many competing priorities.

The commissioner of education chaired and convened the task force regularly over two years, inviting a broad array of parents, state agencies, school administrators, educators, mental health providers, advocates, and experts from universities and local hospitals to participate. After a statewide assessment of the tool had been conducted in 39 schools, the department placed the Behavioral Health and Public Schools Self-Assessment Tool on an interactive Web site (bhps321.org). The Website gives the department the capacity to gather data in aggregate form from schools so that the patterns of need and where assistance from the department may be helpful can be determined.

While the task force was producing its report, a tragic suicide due to bullying resulted in the development of a 2010 law, An Act Relative to Bullying in Schools (https://malegislature.gov/Laws/SessionLaws/Acts/2010/Chapter92). This law took a comprehensive approach. Without naming the framework, it contained a paragraph with specific requirements in each of the framework elements. All schools in the state were required to develop a comprehensive Model Bullying Prevention and Intervention Plan to implement these requirements. To assist schools, the department was required to develop a model plan "consistent with the Behavioral Health and Public Schools Framework." The resulting Model Bullying Prevention and Intervention Plan (lpi.jacksonwhelan.netdna-cdn.com/wp-content/uploads/2013/07/Model-Bullying-Prevention-and-Intervention-Plan.pdf), organized according to the six elements of school operations,

was received enthusiastically by schools and districts, most of which adopted it in whole. The success of the Model Bullying Prevention and Intervention Plan gave the idea of an integrative operational framework new impetus, encouraging the department to incorporate the approach into other policies.

Building on the success of the Model Bullying Prevention and Intervention Plan, the department used the elements of the framework to provide guidance on how to implement two other measures in the 2010 anti-bullying law, An Act Relative to Bullying in Schools, that were not originally required by law to be organized by the framework elements. The first of these consisted of provisions in Sections 7 and 8 of th anti-bullying law, successfully advocated for by special education interests, requiring that if an evaluation by an Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing."

The department used the six elements in the Massachusetts Behavioral Health and Public Schools Framework as an organizational structure for developing for developing a guidance titled "Addressing the Needs of Students with Disabilities in the IEP and in School Bullying Prevention and Intervention Efforts" (http://www.doe.mass.edu/bullying/considerations-bully.html). The framework provided an easy organizational structure for developing approaches that allowed special education teams to consider school-wide inclusion approaches, as well as supports and services for students with disabilities to address bullying. Because the elements of school operations were used in both the Model Bullying Prevention and Intervention Plan and in the special education guidance, users found increased clarity regarding ways to ensure that students with disabilities benefited from both. The whole-school approach of the framework spawned creative ways to make the school-wide environment safe for students with disabilities, while also providing approaches to address individual children's challenges. A consensus was developing around the use of the framework in addressing the needs of all students, whether or not they were suffering the effects of traumatic experiences.

A second provision in the 2010 anti-bullying law called for the department to develop a curriculum to address social and emotional learning, making the critical connection between teaching social skills and addressing bullying. The department chose to organize its Guidelines on

Implementing Social and Emotional Learning (SEL) Curricula according to the framework, demonstrating that a coordinated approach to SEL and anti-bullying measures for regular and special education was possible.

After the bullying prevention provisions were in place, the Behavioral Health and Public Schools Task Force presented its final report to the legislature in August 2011, which contained several recommendations. (The report may be accessed at http://tlpi.jacksonwhelan.netdna-cdn.com/wp-content/uploads/2013/07/BHPS-Task-Force-Full-Final-Report.pdf.) Advocacy to incorporate these recommendations into law began almost immediately. The lead legislative sponsor of the anti-bullying law, Martha M. Walz, was familiar with the framework from the success of the Model Bullying Prevention and Intervention Plan. She filed a bill entitled An Act Relative to Safe and Supportive Schools, asking that several of the recommendations of the Behavioral Health and Public Schools Task Force, including a call for a regularly updated statewide safe and supportive schools framework and assessment tool, a commission, technical assistance from the department, a safe and supportive schools grant program, and a requirement that each school complete an action plan, be codified into law. While the hearings were being held before the Joint Committee on Education and the bill was vetted over the course of four years, the legislature took the initiative to insert the Behavioral Health and Public Schools Framework into a second key law.

In 2012, after many years of advocacy by the Children's Mental Health Campaign, the legislature passed an omnibus law to reform the then current Child in Need of Services law. As part of that law, the department was required to adopt regulations establishing a truancy prevention program certification process. Like the anti-bullying law, the truancy certification was required to be "consistent with the Behavioral Health and Public Schools Framework."

In advance of passing legislation calling for an overarching framework, the legislature in 2013 set aside funding in fiscal years 2014 and 2015 through a budgetary line item (line item 7061-9612 of the Massachusetts budget) providing $200,000 for a "safe and supportive schools" grant program, which had been called for in the pending bill. The purpose of the grant program was to:

> "pilot and share an effective process for school and district teams to develop and implement safe and supportive school-wide action plans; provided, that said action plans shall be based on all elements of the framework and self-assessment

> tool created pursuant to section 19 of chapter 321 of the acts of 2008 …"

Seventeen schools received grants in fiscal year 2014. These provide new support for schools to use the assessment tool and collaborate by sharing approaches to creating positive school environments. Early recipients of the grant include the Boston public schools and the Reading public schools, which became active supporters of the framework. Leadership in both of these districts was instrumental in gathering momentum for passage of the provisions of An Act Relative to Safe and Supportive Schools.

Massachusetts Establishes the Safe and Supportive Schools Framework in Law

On August 13, 2014, Governor Deval Patrick signed an omnibus law to reduce gun violence. Recognizing the importance of safe and supportive schools in reducing violence, the governor and the legislature took the unprecedented step of including major provisions of the pending An Act Relative to Safe and Supportive Schools – importantly, the provision requiring the department to develop a statewide "safe and supportive schools framework." These provisions are codified in [Massachusetts General Laws Chapter 69 Section1P](#) (a).

The law begins with a two-part definition of a safe and supportive school. The first part is centered on students' needs.

> The term "safe and supportive schools" shall mean schools that foster a safe, positive, healthy and inclusive whole-school learning environment that (i) enables students to develop positive relationships with adults and peers, regulate their emotions and behavior, achieve academic and non-academic success in school and maintain physical and psychological health and well-being.

The second part of the definition recognizes the need of schools to align the broad range of student support initiatives that have resulted from too many fragmented laws. It states that a safe and supportive school environment:

> (ii) integrates services and aligns initiatives that promote students' behavioral health, including social and emotional learning, bullying prevention, trauma sensitivity, dropout prevention, truancy reduction, children's mental health, foster care and homeless youth education, inclusion of students with disabilities, positive behavioral approaches

that reduce suspensions and expulsions and other similar initiatives.

Recognizing the challenges of implementing this vision, the legislature took a next step to support schools by codifying the Massachusetts Behavioral Health and Public Schools Framework and Self-Assessment Tool and requiring the department to create a system of supports at the state level to assist schools in this work.

The Safe and Supportive Schools Framework and Self-Assessment Tool
In the new legislation, the department is required to develop, maintain, and update what will now be called the safe and supportive schools framework and the safe and supportive schools assessment tool. The stated purpose of the framework is to "provide guidance and support to schools to assist with the creation of safe and supportive schools that improve education outcomes for students" (Section 6 (b)). Using language similar to that of the previous laws on bullying prevention and truancy prevention, the safe and supportive schools framework is to be "consistent with the framework recommended by the Behavioral Health and Public Schools Task Force."

The self-assessment tool, which had been found so valuable in the statewide assessment, is to be used by schools to:

> (i) assess their capacity to create and sustain safe and supportive school environments for all students;
> (ii) identify areas where additional school-based action, efforts, guidance and support are needed to create and maintain safe and supportive school environments; and
> (iii) create action plans to address the areas of need identified by the assessment.

By making the safe and supportive schools framework consistent with the Behavioral Health and Public Schools Task Force Framework, the legislation can build on the original work without limiting the capacity for change in response to innovative ideas and approaches. Specialists in anti-bullying, positive discipline, truancy, and other areas will be needed to continue developing the process of integrating approaches important in these areas with the current iteration of the framework, which is currently focused on a very broad definition of behavioral health. To this end, the board of education is required to develop procedures for "updating, improving or refining" both the safe and supportive schools framework and the safe and supportive schools self-assessment tool, in consultation with a safe and supportive schools commission. Subject to appropriation, the department will provide technical assistance to schools, staff the safe and

supportive schools commission, oversee the safe and supportive schools grant program, hold conferences, and maintain the framework and assessment tool on its Web site.

The Safe and Supportive Schools Commission
The safe and supportive schools commission was established by this law to "collaborate with and advise the department on the feasibility of statewide implementation of the framework." The commission is co-chaired by the commissioner and another member chosen by the 18 commission members. Its purpose is to bring to the department the extensive expertise that resides within the state so that it can play a critical role in implementation. Lead associations and advocacy groups have appointed parents, teachers, a school committee member, a superintendent, an elementary and a secondary principal, a special education director, a teacher, a school psychologist, a school social worker, an adjustment counselor, a school nurse, and an advocate. Outside providers and three members of the Behavioral Health and Public Schools Task Force were also appointed. Duties of the commission include the following:

> (i) investigating and making recommendations to the board on updating, improving, and refining the framework and self-assessment tool;
> (ii) collecting and reviewing data and feedback from schools on the use of the self-assessment tool; and
> (iii) making annual reports to the governor and the legislature and drafting legislation necessary to carry out its recommendations. The first three reports must include at a minimum the following:
>> a. strategies for increasing schools' capacity to carry out the administrative functions that may be necessary to implement the frameworks statewide;
>> b. professional development needed to create safe and supportive schools
>> c. steps for improving schools' access to clinically, culturally, and linguistically appropriate services.

The legislature's requirement that the commission report include drafts of proposed legislation should help ensure that the key stakeholders in the state reach consensus on what is needed for implementation.

School and District Action Plans

The final version of the bill retains the language that advocates had sought about each school's use of the self-assessment tool for creating and implementing an action plan that would be incorporated into school improvement plans already required under law (Massachusetts General Laws Section 57C) and district-wide action plans that would support schools. However, the language made clear that creating an action plan would be subject to appropriation and a vote of the school committee of each city or town. This was a response to concerns on the part of the school committee association about costs and the fear of a new mandate.

Thus, the action plans will be voluntary, leaving the commission, parents, educators, advocates, department, and others to educate, encourage, and support rather than require compliance. Responsibility will be placed on those working in schools to advocate with their local school committees and to join with others in requesting additional funding as needed. The effort to have every school develop an action plan will by necessity become a community organizing effort based on conferences, sharing of ideas, model protocols from the grantee schools, and the easily accessible tool on the department of elementary and secondary education Web site. The legislature sought to facilitate this process by allotting $500,000 in FY16 for the department to create a community of practice by holding conferences, providing planning grants to schools and technical assistance schools, and staffing the Commission.

Discussion

The law as signed by the governor puts in place an infrastructure for creating safe and supportive schools at both the state and local levels. By asking the department to provide technical assistance, the state should be able to support schools as they shift their operations. This gives schools an opportunity to state their needs to a commission as part of a formal consensus-building process.

A significant question is whether individual schools and districts understand the benefits of the framework enough to put the safe and supportive schools framework and self-assessment tool to use – given that the law does not require them to do so as a mandate. The gathering of data through the online self-assessment tool will yield critical information about what is needed across the state from those schools choosing to take part, but it will not provide as much data as would full compliance. Some school committees will vote for creating school-wide action plans, while others, perhaps in districts where they are needed most, may opt not to participate.

Opponents of the law were successful in their campaign to make the action plan subject to both appropriation and a vote of the school committee. Advocates responded that developing the plan can be cost-free if professional development time is set aside during the school day or if school councils already mandated to develop school improvement plans set additional goals to address the importance of developing a whole-school culture. They pointed out that schools do not need to choose implementation actions that cost money. Clearly, however, although supportive of the framework, the opponents were not in consensus that every school has to develop a plan.

Given this objection, it is fair to ask whether a mandate at the local level would actually move implementation forward any more quickly than setting up the structure and supporting voluntary compliance. As the consensus process moves forward, its successes and challenges will continue to be evaluated. The safe and supportive schools framework will be put in place. Experts from across the state will bring new expertise in a variety of areas, from bullying to truancy to social emotional learning and trauma sensitivity. Additional work needs to be done to develop and expand both the framework and the assessment tool. The safe and supportive schools commission will hold hearings, learn from the grantee schools, analyze the data from schools that do use the tool, and make recommendations to the legislature, along with developing drafts for proposed legislation. With the appointment of lead stakeholders to the commission, it is hoped that they will play leadership roles within their own constituencies. With additional funding from the legislature, the department of elementary and secondary education can hold conferences, share model protocols on its Web site, and entice districts to complete the plans by constantly improving the self-assessment tool and making it user-friendly. Also, the legislature has offered an open door to the commission, inviting drafts of consensus-based legislation as needed.

Advocacy has played a major role in progress to date in the effort to create safe and supportive school environments, and advocacy will be needed in each step of the process to ensure that students receive the desired benefits. However, advocacy must come from those both inside and outside the educational system. Schools have been given support to create safe and supportive environments. Educators, parents, and students will need to join together with the more traditional advocates, the department, and all willing educational stakeholders to push this work forward. The creation of safe and supportive school environments, at its core, calls for a social movement. It is likely that mobilization would have been necessary whether the mandate had passed or not.

One question frequently asked by those inside and outside Massachusetts is whether the process of building consensus on a shared integrating framework based on school operations, and inserting it into laws, needs to take so long. In our experience, developing holistic practices in education takes time and requires acclimating as many stakeholders as possible to the ease of using a framework approach. The lead state education agency is, of course, a critical stakeholder, as are the legislature, unions, parents, and educational associations as building consensus continues. We hope that our work provides the kind of example that will make further progress happen on a faster time line.

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