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AB-1029 Comprehensive school safety plans. (2017-2018)

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CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

NO. 1029

Introduced by Assembly Member Weber

February 16, 2017

An act to amend Sections 32281 and 32282.1 of, and to add Section 32288.5 to, the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1029, Weber. Comprehensive school safety plans.

Existing law provides that each school district and county office of education is responsible for the development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires a schoolsite council or a school safety planning committee comprised of specified members to write and develop a comprehensive school safety plan relevant to the needs and resources of a particular school, and exempts a small school district from this requirement if certain conditions are met. Existing law authorizes a school district or county office of education to elect to have the portions of the plan that include tactical responses to criminal incidents to be developed by the administrators of the school district or county office of education in consultation with law enforcement officials.

This bill would require the comprehensive school safety plan to be aligned with the school climate state priority and the local control and accountability plan. The bill would add to the list of members on the school safety planning committee one or more individuals with expertise in the social-emotional health of children and youth, as specified.

Existing law states that the Legislature encourages all comprehensive school safety plans, to the extent that resources are available, to include specified guidelines relating to the roles and responsibilities of various professionals, and encourages the guidelines developed to include specified strategies and prioritize certain services and programs.

This bill would add community schools among the priorities. The bill would require the State Department of Education to post certain information relating to best practices for community school models, restorative justice programs, and certain other programs on its Internet Web site and to provide technical assistance and professional development to educators and administrators.

By imposing new duties on school districts and county offices of education, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 32281 of the Education Code is amended to read:

32281. (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive. The comprehensive school safety plan shall be aligned with the school climate state priority and the local control and accountability plan.

(b) (1) The schoolsite council established pursuant to former Section 52012, as it existed before July 1, 2005, or Section 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.

(2) The schoolsite council may delegate this responsibility to a school safety planning committee made up of the following members:

(A) The principal or the principal's designee.

(B) One teacher who is a representative of the recognized certificated employee organization.

(C) One parent whose child attends the school.

(D) One classified employee who is a representative of the recognized classified employee organization.

(E) One or more individuals with expertise in the social-emotional health of children and youth, including, but not limited to, restorative justice practitioners, community school coordinators, or mental health professionals. For purposes of this article, "community school" means a public school that participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships with one or more community partners for the delivery of community services that may be provided at the schoolsite to the pupils, families, and community members.

(F) Other members, if desired.

(3) The schoolsite council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

(4) In the absence of a schoolsite council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) (1) Subdivision (b) shall not apply to a small school district if the small school district develops a districtwide comprehensive school safety plan that is applicable to each schoolsite.

(2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the schoolsite of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an

ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime" shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not have its schoolsite council develop and write those portions of its comprehensive school safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the schoolsite. The portions of a comprehensive school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if he or she chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, "tactical responses to criminal incidents" means steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrator or perpetrators.

(3) Nothing in this subdivision precludes the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials pursuant to Section 54957 of the Government Code to approve a tactical response plan developed in consultation with those officials pursuant to this subdivision. Any vote to approve the tactical response plan shall be announced in open session following the closed session.

(4) Nothing in this subdivision shall be construed to reduce or eliminate the requirements of Section 32282.

SEC. 2. Section 32282.1 of the Education Code is amended to read:

32282.1. (a) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans to include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses, if the school district uses these people.

(b) The guidelines developed pursuant to subdivision (a) are encouraged to include both of the following:

(1) Primary strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, community schools, restorative and transformative justice programs, and positive behavior interventions and support.

(2) Consistent with paragraph (2) of subdivision (a) of Section 32282, protocols to address the mental health care of pupils who have witnessed a violent act at any time, including, but not limited to, any of the following:

(A) While on school grounds.

(B) While going to or coming from school.

(C) During a lunch period whether on or off campus.

(D) During, or while going to or coming from, a school-sponsored activity.

SEC. 3. Section 32288.5 is added to the Education Code, to read:

32288.5. The department shall post on its Internet Web site, and shall annually update, a list of programs that are recognized as best practices for community school models, restorative justice programs, and other programs that advance social-emotional learning, positive behavior supports, culturally responsive practices, and trauma-informed strategies. The department shall provide technical assistance and professional development relating to these programs and practices to educators and administrators.

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