

Date of Hearing: April 10, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 1858 (Ward) – As Amended March 12, 2024

SUBJECT: Comprehensive school safety plans: active shooters: armed assailants: drills

SUMMARY: Requires a school conducting active shooter drills to comply with specified actions, prohibits schools from conducting high-intensity drills; requires schools to use trauma-informed approaches in the design and execution of such drills; requires the California Department of Education (CDE) to post on its website best practices on school shooter or other armed assailant drills; and prohibits school districts, county offices of education (COEs), and charter schools from conducting a school shooter or other armed assailant drill unless it adopts policies that conform to the best practices developed by the CDE. Specifically, **this bill:**

- 1) Requires a school, if the school safety plan includes procedures to prepare for active shooters or other armed assailants by conducting a drill, to comply with specified actions.
- 2) Prohibits a school from conducting a “high-intensity drill” defined as a drill that includes simulations that mimic an actual school shooter or other armed assailant incidents, including, but not limited to, the use of real weapons, gunfire blanks, or explosions, theatrical makeup or other materials to give an image of blood or gunshot wounds, acting by an individual posing to be the assailant, acting by individuals posing as victims, or simulations that instruct pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.
- 3) Requires a school to ensure a trauma-informed approach in the design and execution of a drill including all of the following:
 - a) Age-appropriate and developmentally appropriate drill content and terminology developed with the involvement of school personnel, including school-based mental health professionals;
 - b) Notice to all parents and guardians of students, teachers, administrators, and school personnel subject to the drills in advance of the drill and of the drill’s expected length of time, at least seven days in advance of the drills;
 - c) The ability for parents or guardians to opt their child or children out of the drills;
 - d) An announcement to pupils and educators immediately before the start of the drills and an announcement to pupils, educators, and parents or guardians of students immediately after the drills have concluded; and
 - e) The provision of contact information for community-based resources, including local organizations with objectives to reduce gun violence or provide mental health counseling, to parents or guardians, students, and staff who are negatively impacted by the drills, and, where available, prioritizing school-based resources.
- 4) Requires school safety plans developed by charter schools to include all of the above provisions.

- 5) Requires the CDE, by June 15, 2025, to curate and post on its website best practices on school shooter or other armed assailant drills, including but not limited to, guidance for age-appropriate and developmentally appropriate drills, including age-appropriate and developmentally appropriate language, and staff training tools pertaining to school shooter or other armed assailant drills, for use by school districts, COEs, and charter schools providing instructional services to students in kindergarten or in any of grades 1 to 12.
- 6) Requires schools to comply with all the best practices established by the CDE.
- 7) Prohibits school districts, COEs, and charter schools from conducting a school shooter or other armed assailant drill unless it adopts policies that conform to the best practices developed by the CDE.
- 8) Technical and conforming changes.

EXISTING LAW:

- 1) Requires each school district or COE to be responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 through 12. (Education Code (EC) 32281)
- 2) Specifies that the schoolsite council or a school safety planning committee is responsible for developing the comprehensive school safety plan, in consultation with representatives from law enforcement agencies, fire departments, and other first responder entities, and requires that the comprehensive school safety plan be shared with law enforcement, the fire department, and other first responder entities. (EC 32281)
- 3) Specifies that the comprehensive school safety plan must include an assessment of the current status of school crime committed on school campuses and at school-related functions and identification of appropriate strategies and programs to provide or maintain a high level of school safety, and address the school's procedures for complying with existing laws related to school safety, including child abuse reporting procedures; disaster procedures; an earthquake emergency procedure system; policies regarding pupils who commit specified acts that would lead to suspension or expulsion; procedures to notify teachers of dangerous pupils; a discrimination and harassment policy; the provisions of any schoolwide dress code; procedures for safe ingress and egress of pupils, parents, and school employees to and from school; a safe and orderly environment conducive to learning; rules and procedures on school discipline; and procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. (EC 32282)
- 4) Requires the comprehensive school safety plan to be evaluated at least once a year. (EC 32282)
- 5) Encourages that, as school safety plans are reviewed, plans be updated 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. (EC 32282.1)

- 6) Authorizes the portions of a school safety plan that include tactical responses to criminal incidents to be developed by school district or COE administrators in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of school district or COE employees, if they choose to participate. Authorizes the school district or COE to elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents. (EC 32281)
- 7) Defines “tactical responses to criminal incidents” as steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrators. (EC 32281)
- 8) Requires the petition to establish a charter school to include the development of a school safety plan with specified safety topics, including procedures for conducting tactical responses to criminal incidents. (EC 47605, 47605.5)
- 9) Requires the CDE to collect, and LEAs to provide, data pertaining to lockdown or multi-option response drills conducted at schoolsites, and for the CDE to provide a report to the Legislature by November 1, 2021, of the findings and recommendations from the study. (EC 32289.5)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “School shooter drills have become an unfortunate reality of our time. We recognize these drills as necessary for students to be safe and prepared on school campuses, but unlike fire and earthquake drills, school shooter drills vary significantly. They can be as basic as modified lockdown drills, but can also be excessively intense with simulated gunfire, fake blood, no warning of a drill taking place, and subject matter inappropriate for the ages of students participating.”

Increasing violent incidents on school campuses. Since the shooting at Columbine High School in 1999, more than 338,000 students in the U.S. have experienced gun violence at school, and in 2022 there were 46 school shootings, more than in any year since Columbine. In 2022, 34 students and adults died while more than 43,000 children were exposed to gunfire at school (Cox, 2024).

According to the CDE, in 2018 California had the highest number of violent incidents of all states, reaching 157, and it was the worst year for gun-related incidents in schools across the nation since 1970. The increase in shooter/intruder incidents in and around school sites underscores the urgency of recommending procedures for preparing for and responding to violent acts.

By one estimate, 95% of U.S. schools perform lockdown drills as part of their emergency response plans each year. Their widespread use has been one response to calls for improved safety and security in schools, as the drills aim to help prevent future attacks or, in the event that one occurs, to minimize the loss of life. Nonetheless, calls to end the use of lockdown drills have been raised, often based on concerns about their effects on the safety and psychological well-

being of students and adults who participate. Despite the widespread use of lockdown drills, research on the impact of such practices is sparse. (Schildkraut, 2020)

Expanding responses to school violence. In 2013, the U.S. Department of Education recommended expanding the lockdown-only approach for schools to an options-based approach that allows school staff to make more independent decisions about how to protect their students depending upon evolving circumstances, for example, evacuating the building rather than staying locked in a classroom.

These approaches include the “Run, Hide, Fight” model that was originally developed for adults in response to workplace violence. This expansion has spurred a range of approaches to armed assailant drills and an increase in the number of schools conducting drills with varying degrees of intensity. In some instances, drills are conducted with insufficient consideration of the potential psychological impact or appropriateness of a particular drill based on the developmental level or psychological risk factors of the participants. (National Association of School Psychologists (NASP) and National Association of School Resource Officers (NASRO), 2014)

The primary purposes of an armed assailant drill are to provide law enforcement and school leadership and staff the opportunity to practice skills and protocols and to identify and correct areas of weakness in knowledge, communication, coordination, and decision-making. The goal of the drills is to empower participants and save lives. As the focus of such drills expands to include all staff and students, the potential for causing harm to participants expands as well. The level of drill intensity (e.g. use of loud gun fire and airsoft guns), extent of warning that a drill will occur, and whether participation is required or voluntary may affect reactions to the experience. Additionally, an individual’s cognitive and developmental levels, personality, history of adverse or traumatic experiences, and psychological make-up are among the many factors that influence the potential for harm. (NASP and NASRO, 2014)

Lockdown and multi-option drills in California schools. SB 541 (Bates) Chapter 786, Statutes of 2019, required the CDE to collect, and LEAs to provide data pertaining to lockdown or multi-option response drills conducted at schoolsites within school districts, COEs, and charter schools serving students in kindergarten or grades 1 to 12 and requires the CDE to submit a report to the Legislature. The report was published in November 2021.

The CDE report notes, “Lockdowns are an important part of school safety and crisis preparedness that will lead to various reactions and levels of traumatization. It is imperative to understand that perceived threats can be as impactful as real incidents on students and staff. It is important to attend to the developmental and psychological welfare of students and staff during all phases of lockdown and other emergency response drills to help minimize unintended harm.” Active shooter drills generally fall within one of two categories:

- **Traditional lockdowns** involve removing students and staff from the threat of an active shooter by locating them in locked classrooms or other secure areas. Once inside a classroom, individuals are instructed to turn off all the lights; move as far away from the doors and windows as possible; minimize physical exposure and seek protective cover; remain calm and quiet; and wait for an all clear from a credible source. Individuals in a hallway, cafeteria, or outside the school are directed to enter the nearest classroom and

follow the same protocol. These traditional lockdowns are reported to be the most common practice used by schools in response to school shootings.

- **Multi-option responses** have been recommended by numerous law enforcement and education organizations in recent years. Different agencies use varying protocols and acronyms, but all include three basic components:
 - Fleeing the scene if possible;
 - If unable to flee, barricading in a room with available objects, such as desks or chairs, to prevent the shooter from making entry; and
 - As a last resort, distracting and actively resisting by throwing objects and/or swarming the gunman.

Other types of drills may include the following:

- **Drop-cover-hold:** A standard response to earthquakes. Drop where you are onto your hands and knees. Cover your head and neck with one arm and hand. Hold on to the shelter, and to head and neck until shaking stops;
- **Shelter-in-place:** An action for all students, staff, and visitors to take shelter in a safe location indoors until there is an “all clear” release or direction to evacuate due to chemical, radiological, or environmental threat, active aggressor/shooter, severe weather, or other threat;
- **Evacuation:** The immediate and urgent movement of students, faculty, staff, and visitors away from a threat or actual occurrence of a hazard due to fire, explosion, violent incidents, or other threats to immediate or local surroundings;
- **Reverse evacuation:** The movement of all students, faculty, and staff who are outside of buildings into a designated indoor area in a safe and efficient manner due to severe weather, chemical, or environmental threats, active assailant/shooter situations, or other hazards; and
- **Reunification:** A safe, orderly, and documented reunion of students and families/guardians in the event of an emergency evacuation or school closing due to an active aggressor/shooter, or damage to school property.

A research study published in the *Journal of School Violence* (Jonson et al, 2018) reported on simulations of responses to active shooter situations and concluded that simulation drills informed by a multi-option response protocol were found to end more quickly and result in fewer people being shot. Other research showed that experiencing an active shooter drill in high school was associated with significant increases in student fear, inflated perceptions of risk, and a decrease in perceptions of school safety. (Huskey, 2020)

Types of drills in California schools. The CDE report published in November 2021 included the following findings, based upon a survey of public schools, with 145 responses:

- 93% of schools conduct one or more lockdown drills per school year (63% of these conduct 2 or more drills, 33% conduct 3-4 drills, and 5% conduct 5 or more drills per year);
- 42% of schools conduct one or more multi-option drills per school year (68% of these conduct 1-2 drills, 17% conduct 3-4 drills, and 15% conduct 5 or more drills per year);
- 88% of schools conduct one or more drop-cover-hold drills per school year;
- 82% of schools conduct one or more shelter-in-place drills per school year;
- 79% of schools conduct evacuation drills one or more times per school year;
- 32% of schools conduct one or more reverse evacuation drills per school year; and
- 29% of schools conduct one or more reunification drills per school year.

The survey also found that a large majority of schools conducted drill preparation training for school staff at least once during the school year and that a majority of schools provide mental health or counseling services regarding training impacts to educators. These services include access to professional mental health/trauma-informed specialists and/or written materials with warnings about sensitive content.

Survey respondents reported the following impacts of the drills conducted:

- 99% said the drills and strategies used are age-appropriate for students;
- 17% reported that students were emotionally impacted by the training and/or drills, including students who were scared and anxious, young students crying, and students who were fearful/anxious as they believed the incidents were real as the drills were unannounced;
- 86% reported that educators exhibited or reported impacts from these activities, including feeling anxious about possible incidents as well as during simulations, being disturbed by required viewing of active shooter videos, personal discomfort about being barricaded behind locked doors with students, and resentment and anxiety about preparing or training with law enforcement; and
- 71% of schools' training protocols and procedures have not been modified as a result of these reported incidents, while the 29% of schools who have modified these procedures report having forewarned staff and students, allowing time for mental health consultations, and making accommodations for students with disabilities.

Best practices for active shooter drills. A 2014 guidance document authored by the NASP and NASRO identifies key elements in planning and conducting active shooter drills. They note that such drills have the potential to empower staff and save lives, but also have the potential to cause harm to participants. Among their recommendations are the following:

- Include mental health professionals on school safety teams;

- Tailor the drill to the context of the school environment;
- Ensure physical and psychological safety, skills, and knowledge acquisition; and
- Give all participants advance warning and the ability to opt-out.

The 2021 CDE report on school safety drills included a review of literature and recommendations on best practices, noting that planning for such drills must consider age and developmental levels of students, students with physical and intellectual disabilities, as well as language access for students and families who speak languages other than English. The best practices cited include the following actions to be taken in preparing for, during, and after conducting a drill.

Preparing for a lockdown drill should include working with local law enforcement; providing an overview to staff of what to expect during drills; announcing the drill ahead of time in an age-appropriate manner; training staff to recognize traumatic stress reactions and in supporting students experiencing such effects; informing parents that drills will take place during the school year; and consider posting a social media message when conducting lockdown drills to help prevent fear, confusion, and possible community reactions.

During a lockdown drill, school officials should provide direct, clear information and emphasize the importance of following adult directions; staff should reassure stressed students; everyone should remain silent and silence cell phones; communicate clearly if there is imminent danger or not; execute a pre-established communication plan to parents to reassure families that their children are safe and to remind them of reunification strategies and locations; and to have a designated crisis team member monitor social media to correct misinformation and provide updates.

Following a lockdown drill, schools are urged to encourage post-event discussions with students and staff about feelings, reactions, experiences, and concerns; to request feedback from those impacted by the drill; evaluate feedback and modify strategies as needed; and offer mental health crisis intervention and learn to recognize trauma-related behaviors and reactions.

Recommended Committee Amendments. Staff recommend that the bill be amended as follows:

- 1) Remove the prohibition on a school district, COE, or charter school conducting a school shooter or other armed assailant drill unless it adopts policies that conform to the best practices identified by the CDE.
- 2) Encourage, rather than require, school districts, COEs, and charter schools to adopt policies conforming to the best practices identified by the CDE.

Arguments in support. The Alameda County Office of Education writes, “With rising incidences of gun violence on school campuses, students and staff must be prepared to respond to school shooters. While school shooter drills have been implemented across the state, these drills widely vary between districts and individual schools, due to open parameters on methods and purpose and a lack of standards for providing communication and resources to parents, students, or employees.

A lack of standardization for school shooter drills leads to troubling consequences. Drills that simulate shooter incidences by using simulated fire and realistic weapons can severely traumatize students, staff and parents, especially if they are issued without prior notification. Preparation activities should be accompanied by uniform notification procedures to prevent confusion, protect mental health, and ensure that drills maximize their intended outcome to provide information and close gaps. AB 1858 will require the California Department of Education to provide structured procedural guidelines that focus on preparedness, open communication, and trauma-minimization.”

Related legislation. AB 2565 (McCarty) of the 2023-24 session would require a school district, COE, and charter school that undertakes a project to build a new school facility or building, or to renovate, repair, modernize, or otherwise alter an existing school facility or building for any purpose to install interior locks on each door in that school facility or building.

SB 541 (Bates), Chapter 786, Statutes of 2019, requires the CDE to collect, and LEAs to provide, data pertaining to lockdown or multi-option response drills conducted at schoolsites within school districts, COEs, and charter schools serving students in kindergarten or grades 1 to 12 and requires the CDE to submit a report to the Legislature by November 1, 2021 relative to that data.

AB 1747 (Rodriguez), Chapter 806, Statutes of 2018, requires charter schools to develop a school safety plan, including procedures for conducting tactical responses to criminal incidents; requires comprehensive school safety plans to include procedures for conducting tactical responses to criminal incidents; increases the CDE’s responsibilities relating to school safety plans; and requires schoolsite councils to also consult with the fire department and other first responder entities in the writing and development of the comprehensive school safety plan.

AB 3205 (O’Donnell), Chapter 401, Statutes of 2018, requires a school district seeking state school facilities bond funds to include, as part of a modernization project, locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside of the room.

AB 58 (Rodriguez) of the 2015-16 Session would have made each COE the entity responsible for the overall development of all comprehensive school safety plans and required school safety plans to include procedures in response to individuals with guns on school campuses. This bill was held in the Senate Appropriations Committee.

AB 549 (Jones-Sawyer), Chapter 422, Statutes of 2013, encourages all school safety plans, to the extent that resources are available, 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 campus, if the school district uses these people.

AB 680 (Block), Chapter 438, Statutes of 2011, authorizes a school district or COE, in consultation with law enforcement officials, to choose not to 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 and authorizes, instead, school district and COE administrators to write those portions of the school safety plan.

REGISTERED SUPPORT / OPPOSITION:

Support

Alameda County Office of Education
Everytown for Gun Safety Action Fund
San Diegans for Gun Violence Prevention

Opposition

None on file

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