

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1029 (Weber) – As Introduced February 16, 2017

**SUBJECT:** Comprehensive school safety plans

**SUMMARY:** Requires changes to the composition of the comprehensive school safety plan and the membership of the safety committee, and requires CDE to share best practices for social-emotional learning programs and practices, and to provide technical assistance to local education agencies (LEAs). Specifically, **this bill:**

- 1) Requires the comprehensive school safety plan to be aligned with the school climate state priority in the LCAP.
- 2) Requires school safety planning committees, responsible for completing the comprehensive school safety plan, include a community school coordinator or restorative justice program practitioner and a mental health professional.
- 3) Defines community school as 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.
- 4) Removes the exemption that authorized small school districts to complete a single comprehensive school safety plan applicable to each schoolsite in the district.
- 5) Requires school administrators to consult with law enforcement in the development of those portions of the school safety plan that include tactical responses to criminal incidents.
- 6) Requires the school safety 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.
- 7) Requires CDE to post on its website, and update annually, 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.
- 8) Requires CDE to provide technical assistance and professional development relating to these programs and practices to educators and administrators.

**EXISTING LAW:**

- 1) Expresses the intent of the Legislature that all California public schools operated by school districts develop a comprehensive school safety plan, in consultation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and others interested in the prevention of campus crime and violence. (EC 32280)

- 2) Requires each school district and county office of education to be responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any grades 1 to 12. (EC 32281)
- 3) Assigns responsibility for the development of a comprehensive school safety plan to the school site council and authorizes the council to delegate this responsibility to a school safety planning committee made up of the following members: principal or designee, one teacher, one parent with a child at the school, one classified employee, and other members, if desired. (EC 32281)
- 4) Authorizes small schools districts, with fewer than 2,501 units of average daily attendance, to develop a districtwide comprehensive school safety plan that is applicable to each schoolsite.
- 5) Authorizes school officials to consult with law enforcement in the development of those portions of the plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the schoolsite, and to elect not to disclose these portions of the plan.
- 6) Specifies that the comprehensive school safety plan shall 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 that will 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; and the rules and procedures on school discipline (EC 32282).
- 7) Encourages all school safety 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. The guidelines may include primary strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support, as well as to address the mental health care of pupils who have witnessed a violent act. (EC 32282.1)
- 8) Requires each school to report on the status of its school safety plan each July and to include key elements in the annual school accountability report card (SARC). (EC 32286)
- 9) Authorizes the Superintendent of Public Instruction (SPI) to notify the school district or the county office of education regarding a willful failure of a school to comply with the annual report of the school safety plan and to make an assessment of not more than two thousand dollars against that school district or county office of education; and authorizing this to be deducted from future apportionments. (EC 32287).

- 10) Requires each school to forward its comprehensive school safety plan to the school district or county office of education for approval, once it has been presented at a public meeting at the schoolsite by the schoolsite council or school safety planning committee. (EC 32288)
- 11) Establishes the Learning Communities for School Success Program to implement the K–12 education portion of the Safe Neighborhoods and Schools Act, as approved as Proposition 47 by the voters at the November 4, 2014, statewide general election. Requires CDE to administer grants and coordinate assistance to LEAs in identifying and implementing evidence-based, nonpunitive programs and practices designed to keep the most vulnerable pupils in school. (EC 33430 - 33436)

**FISCAL EFFECT:** Unknown. The Office of Legislative Counsel has keyed this bill as a state-mandated local program.

**COMMENTS:**

*Need for the bill.* According to the author:

“School violence has become intolerably commonplace in the United States. Several of the leading causes of violent behavior by students are bullying, lack of positive social and emotional supports within the home, and zero tolerance school policies. To address these causes, it is necessary that educators and administrators be given the tools needed to address school violence and the underlying causes of such violence.

School-based restorative justice programs, which are based on indigenous means of community building in schools, are increasingly being recognized as promising methods to address underlying causes of school violence. Restorative Justice Programs offer alternatives to suspensions that are effective in repairing harm or conflict, reducing student risk behaviors, violence and increase building community.

By requiring a restorative justice practitioner, a community schools coordinator, or mental health professional as a part of school safety planning committees, the increased diversity of perspectives will provide greater opportunity for school communities to develop comprehensive strategies to address the outcomes of disruptive or violent behavior as well as the causes for such behavior

By requiring CDE to post models of best practices, educators and administrators will have access to resources on practices that have been shown to reduce violence and criminal activities on campuses. The provision of technical assistance and professional development in these practices will assist educators with effective implementation of strategies that reduce school violence, truancy, dropout rates, and chronic absenteeism.”

***Comprehensive school safety plans.*** Existing law requires each school to develop a school safety plan that includes processes, procedures, and policies to ensure student and staff safety at a school site. The components of the plan range from daily processes, such as procedures for safe ingress and egress of pupils, parents and school employees; to disaster and emergency procedures such as those during and after earthquakes; to behavioral policies such as discrimination and harassment policies. The school safety plan is developed by a school site

council or a school safety planning committee. Current law requires the following members of the school safety committee: principal or designee, one teacher, one parent with a child at the school, one classified employee, and other members, if desired.

This bill would require the addition of a restorative justice practitioner or a community schools coordinator as well as a mental health professional to school safety committees. *The committee may wish to consider* whether these specific requirements are overly prescriptive and may be limiting for schools, such as those in small or rural communities. It may be difficult for such schools to identify individuals meeting these descriptions to serve on the school safety committee on an on-going basis.

**Staff recommends** an amendment to remove the three specific professions and replace with language such as: one or more individuals with expertise in social-emotional health issues of children and youth, including, but not limited to, restorative justice practitioners, community school coordinators, or mental health professionals.

***Aligning the school safety plan with LCAP.*** This bill requires that each school's comprehensive safety plan be aligned with the school climate state priority within the school district's LCAP. Each school district, county office of education, and charter school is required to prepare a LCAP, which describes how they intend to meet annual goals for all pupils, with specific activities to address state and local priorities. Priority 6: School Climate is to be measured by all of the following: pupil suspension rates, pupil expulsion rates, and other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

***Increasing burden on small school districts.*** Current law exempts schools within small school districts, namely those with fewer than 2,501 units of daily average attendance, from the requirement for a comprehensive school safety plan, if the district develops a districtwide comprehensive school safety plan that is applicable to each schoolsite.

This bill would remove this exemption, and thus require each of the schools in a small school district to prepare a comprehensive school safety plan. *The committee may wish to consider* whether this is necessary or whether the current practice of a districtwide plan is sufficient, given concerns regarding the capacity of small school districts.

**Staff recommends** amending the bill to revert to current law, which allows small school districts to develop a single, districtwide comprehensive school safety plan which applies to all schoolsites, rather than having each school develop a plan.

***Mandating versus encouraging elements of the plan.*** This bill **requires** school administrators to consult with law enforcement in the development of those portions of the school safety plan that include tactical responses to criminal incidents. Current law **authorizes** school districts and county offices of education to consult with law enforcement officials and specifies that the portions of a school safety plan that include tactical responses to criminal incidents may be developed by administrators in consultation with law enforcement officials. The author and sponsor did not provide any evidence that schools are not consulting with law enforcement officials in the development of these portions of the safety plan.

**Staff recommends** amending the bill to revert to current law which authorizes school officials to consult with law enforcement officials in developing those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

Current law **encourages** all school safety 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. This bill would make this a **requirement**. The author or sponsor did not provide any evidence that current plans do not include these clear guidelines.

**Staff recommends** amending the bill to revert to current language encouraging school safety plans to include clear guidelines for the roles and responsibilities of specified professionals on school campuses.

***CDE to provide best practices and technical assistance.*** The bill requires CDE to post 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 bill also requires the CDE to provide technical assistance and professional development relating to these programs and practices.

***Arguments in support:*** Supporters note that existing law requires the school safety plan to include various components including strategies for reacting to natural disasters, school violence or other events that would jeopardize the safety of pupils, parents and school employees. Adding a community schools coordinator, restorative justice practitioner, and/or a mental health professional to the school safety committee would assist schools in developing proactive strategies to curtail or eliminate acts of school violence before they occur by addressing the social-emotional needs of students and incorporating discipline policies that are consistent, fair and equitable.

***Prior legislation:***

AB 1014 (Thurmond) and SB 527 (Liu) of the 2015-16 Session establish a grant program to implement the Proposition 47 (2016) requirement to direct 25% of the funds to K-12 schools to reduce truancy and support students who are at risk of dropping out of school or are victims of crime. School districts, COEs and charter schools are eligible to apply for three years of grant funding for planning, implementation, and evaluation of activities in support of evidence-based, nonpunitive programs and practices to keep students in school, consistent with the LEA's goals established in the LCAP.

AB 1271 (Bonta), Chapter 794, Statutes of 2014 Encourages the guidelines in a school safety plan for the roles and responsibilities of mental health professionals, community intervention professional, school counselors, school resource officers, and police officers on school campuses to include 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: while on school grounds; while going to or coming from school; during a lunch period whether on or off campus; and, during, or while going to or coming from, a school-sponsored activity.

AB 549 (Jones-Sawyer), Chapter 422, Statutes of 2011 encourages the school safety plan, as it is reviewed and updated, to include guidelines on the roles and responsibilities of mental health and community intervention professionals, school counselors, school resource officers and police

officers on the school campus. The guidelines may include strategies to create positive school climates and culture and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support.

AB 680 (Block), Chapter 438, Statutes of 2011 authorizes a school district or county office of education to develop portions of the comprehensive school safety plans, that include tactical responses to criminal incidents, outside of the existing process involving the schoolsite council, and allows districts to choose not to disclose those portions of the plan that includes tactical responses to criminal incidents.

AB 58 (Rodriguez) of the 2015-16 Session, would have made changes to school safety plans, including requiring a charter petition to include a school safety plan; specifying that “tactical responses to criminal incidents” include procedures related to individuals with guns on school campuses; requiring each superintendent of a school district and county office to provide written notification to the CDE certifying that each of its schools has complied with the development of the plan or reporting on the status of the plan; requiring principals and superintendent of school districts to keep copies, and make available, the most recent comprehensive school safety plan; and modified the requirement that each school annually report on the status of its school safety plan in the school accountability report card. The bill was held in Senate Appropriations.

AB 2519 (Calderon) of the 2015-16 Session would have expanded required components of the comprehensive school safety plan to include any other strategies aimed at the prevention of, response to, and education about, potential incidents involving crime, violence, or medical emergency on the school campus; expanded the scope of the safety plan to apply to activities before and after school; and added a coach, if one exists at a school, to the list of required members of a school safety planning committee. The bill was held in Senate Appropriations.

AB 2698 (Weber) of the 2015-16 Session would have required high-need schools to complete a school climate assessment and to incorporate strategies to address issues raised through the LCAP process. The bill was held in Assembly Appropriations.

AB 2489 (McCarty) of the 2015-16 Session would have required the CDE to evaluate school districts' implementation of restorative justice practices, and either develop standard models or recommendations for effective implementation. This bill was held in Assembly Appropriations.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

California Federation of Teachers (Sponsor)  
American Civil Liberties Union of California  
California Catholic Conference Inc.  
Coalition for Restorative Schools  
Courage Campaign  
Public Counsel

##### **Opposition**

None on file

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