

Date of Hearing: March 20, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 2565 (McCarty) – As Introduced February 14, 2024

SUBJECT: School facilities: interior locks

SUMMARY: Requires a school district, county office of education (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. Specifically, **this bill:**

- 1) Requires a local educational agency (LEA) serving pupils in kindergarten or any of grades 1 to 12, inclusive, 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, including, but not limited to, for purposes of usability or accessibility, to install interior locks on each door in that school facility or building.
- 2) States the requirement in (1), above, does not apply to doors that are locked from the outside at all times, doors with locks that lock from the inside, and pupil restrooms.
- 3) Defines “LEA” to mean a charter school, school district, or COE.

EXISTING LAW:

- 1) Requires, on and after July 1, 2011, all new construction projects submitted to the Division of State Architect (DSA) to include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Requires the locks to conform to the specifications and requirements set forth in Title 24 regulations. Exempts doors that are locked from the outside at all times and pupil restrooms from the requirement. (Education Code (EC) 17075.50)
- 2) Requires, if a governing board of a school district applies for state funding for a school modernization project for a school facility constructed before January 1, 2012, the governing board of the school district to include, as part of the 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, except projects that only propose to renovate, repair, or modernize the exterior of a school building, the school grounds, or the playing fields of a school. (EC 17583)
- 3) Defines the following terms:
 - a) “Addition” to mean an increase in permanently constructed floor area or volume of enclosed space placed immediately adjacent to or above and sharing use with an existing certified building. The addition may be of the same occupancy or a different occupancy and may be either structurally attached or structurally detached from the existing building. An existing building with an existing expansion joint, indicating that it was a previously added on to at one time in the past, is considered one single building.

- b) "Alteration" to mean any construction or renovation to an existing certified building other than reconstruction, rehabilitation, or addition.
 - c) "Maintenance" to mean and include ordinary upkeep or repair work such as replacements in kind, repainting, replastering, and reroofing. Requires reroofing to be limited to one additional application and is required to include an examination of the structural elements of the roof, walls, ceilings, and all other elements that may have suffered deterioration from moisture resulting from roof leaks. States that maintenance does not include work, other than repainting, on structural framing, or include the placement of large mechanical, electrical, or plumbing units or systems.
 - d) "Reconstruction" to mean the repair of damage to an existing certified school building.
 - e) "Rehabilitation" to mean the evaluation and resulting retrofit of an existing nonconforming building or a school building conforming to earlier code requirements or bring the building, or a portion thereof, into conformance with the safety standards of the currently effective regulations.
 - f) "Retrofit" to mean the construction of any new element or system, or the alteration of any existing element or system required for the rehabilitation of the building.
 - g) "School building" to mean including all structure and utility systems or facilities necessary to complete the complete functioning of the structures, used or designed to be used for instructional purposes, or intended to be entered by pupils or teachers for school purposes, or structures operated as school units, the failure of which would endanger pupils or teachers on school grounds or in school buildings. Includes examples of buildings that are not considered school buildings, including: greenhouses, barns not used for classroom instruction, and lighting poles less than 35 feet above the grade. (California Code of Regulations, Title 24 (24 CCR), Section 4-314)
- 4) Specifies the duties of a governing board of a school district and gives authority to the governing board to enter into contracts, establish funds, and make payments for the purpose of maintaining property.
- 5) Requires, under the Leroy F. Greene School Facilities Act of 1998, the State Allocation Board (SAB) to allocate to applicant school districts prescribed per-unhoused-pupil state funding for school facilities. Establishes the School Facility Program (SFP) under which the state provides general obligation bond or other funding for various school construction projects including new construction, modernization, hardship funding, supplemental funding for site development and acquisition, and programs to specifically address the construction needs of charter schools, and career technical education facilities. (EC 17070.10)
- 6) Requires the Department of General Services (DGS) to pass upon and approve or reject all plans for the construction or, if the estimated cost exceeds \$100,000, the alteration of any school building. (EC 17295 and 81133)
- 7) Generally requires the governing board of each school and community college district, before adopting construction or alteration plans, to submit the plans to DGS for approval and pay all associated fees. (EC 17295 and 81133)

- 8) Requires construction projects over \$200,399 (valuation threshold) to provide “an accessible path of travel” from the building entrance to the project location. (California Code of Regulations, Title 24 (24 CCR) § 11B-202.4)
- 9) Requires, when the adjusted construction cost, as defined, is less than or equal to the current valuation threshold, as defined, the cost of compliance with Section 11B-202.4 of 24 CCR to be limited to 20% of the adjusted construction cost of alterations, structural repairs or additions. When the cost of full compliance with Section 11B-202.4 would exceed 20%, compliance shall be provided to the greatest extent possible without exceeding 20%. (24 CCR § 11B-202.4)
- 10) Requires, if an area containing a primary function has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area, or a different area on the same path of travel, are undertaken within three years of the original alteration, the total cost of alterations to the primary function areas on that path of travel during the preceding three year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate. (Code of Federal Regulations, Title 28 (28 CFR) § 35.151)
- 11) States that an area that has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations for the preceding three-year period shall be considered in determining whether the cost threshold has been met. (24 CCR § 11B-202.4)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “It is unacceptable that so many students and school employees feel that simply coming to school may endanger their lives, and the statistics show their fears are not unwarranted. Schools should be a safe place, meant for learning and enrichment, not violence and devastation. Installing interior locks is a proven safety measure that will help save lives. Schools installing them as they undergo other construction projects is an efficient and productive plan.”

Key provisions of the bill. This bill requires 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. Therefore, this bill expands the existing requirements for locks that allow school doors to be locked from the inside by requiring interior locks to be added when an existing school district or COE school facility is altered for any purpose, thus beginning to close the gap of classroom doors that do not currently have interior locks due to not being required by new construction (as required by AB 211 (Mendoza), Chapter 430, Statutes of 2010), or those as a part of a modernization project (as required by AB 3205 (O'Donnell), Chapter 401, Statutes of 2018). Further, this bill requires charter schools to add interior locks when the charter school 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.

School safety. Since April 20, 1999, when two high school students killed 12 students and one teacher and wounded 23 others before committing suicide at Columbine High School in Colorado, school safety has been a major concern in schools across the country. Since then, more shootings have taken place at schoolsites, including Sandy Hook Elementary School in Newtown Connecticut in December 2012 where 26 students and educators were killed, and recently, the February 14, 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida with 17 casualties.

Conversations regarding school safety are taking place throughout the nation. Marjory Stoneman Douglas students have spurred student marches in Washington, D.C., and in many states demanding stricter gun control policies. Other proposed strategies for school safety include hiring police officers, installing metal detectors, arming teachers, and other infrastructure improvements.

According to K-12 School Shooting Database, a catalog of school shooting incidents maintained by independent researcher David Riedman, and the U.S. News & World Report, in 2023 the United States experienced 346 total incidents (defined to include all of the following: incidents in which a gun is fired on school property, incidents in which a bullet hits school property [whether or not school is in session], incidents in which a gun is brandished but not fired, and incidents in which there are no victims are also included). Of those incidents, there were 191 victims wounded, and 57 killed. California and Ohio tied for the most incidents among states last year (25 each), and California experienced 18 causality victims.

Polls indicate fear of school shootings. According to a 2018 Public Policy Institute of California (PPIC) Statewide Survey, 73% of adults and 82% of public school parents say they are “very” or “somewhat concerned” about school shootings. Similarly, a 2022 Pew Research Center survey of parents and teenagers found 69% of teenagers aged 13-17 “extremely worried,” “very worried,” or “somewhat worried” about a shooting in their schools. According to a 2023 PPIC Statewide Survey, nearly two in three Californians are concerned about the threat of a mass shooting in the area they live in, including about a quarter who are very concerned.

Lockdowns. In situations where an active shooter is on campus, schools will employ lockdowns to keep students in and perpetrators out. Teachers in schools without locks on doors that can be locked from the inside must go outside to lock their doors, leaving them and their students vulnerable to threats or attacks.

Door locks and other security hardware. According to the 2018 DSA and DGS resource, *A Guide and Checklist for Emergency Preparedness and Classroom Security*, all locking/security hardware is required to be tested and listed to adopted national standards. Building codes, fire codes, and life safety regulations require users to have the ability to readily unlatch the door from inside the classroom with one motion without the use of a key, tool, or special knowledge or effort to facilitate immediate egress from the classroom or area. In addition, California building code accessibility regulations require doors to have the following features:

- A smooth surface on the bottom 10 inches of the push side of the door;
- Door operating hardware located between 34 and 44 inches above the floor;

- Door hardware that operates without requiring tight grasping, tight pinching, or twisting of the wrist; and
- A maximum of 5 pounds of force to operate door hardware.

Many schools already have locks that lock from the inside. All new schools already have locks that lock from the inside. AB 211 (Mendoza), Chapter 430, Statutes of 2010, requires, as a condition for state facilities bond funds, all new construction projects submitted to the DSA on and after July 1, 2011, to include locks that allow a door to be locked from the inside of a classroom or any room that accommodates five or more people. California Building Standards Codes under Title 24 regulations authorize the use of locks that are connected to the latching mechanism of the door so that the lock is automatically disengaged without the use of a key or requirement of special knowledge or effort (e.g., a thumbturn lock (slide bolt) above a door lever that unlocks when the lever is turned in one motion).

The majority of California school buildings are more than 25 years old. AB 3205 (O'Donnell), Chapter 401, Statutes of 2018, requires a local governing board seeking state school bond funds for modernization of school facilities built prior to 2012 to include, in those projects, locks that allow classroom doors to be locked from the inside. Doors that are locked at all times, doors that already have locks that lock from the inside, and pupil restrooms are exempted from the requirement. According to the National Center on Education Statistics from the 2019-20 school year, about 1 in 4 public schools in the United States lack classroom doors that can be locked from the inside. The state does not collect this information from California schools.

In an interview on Good Morning America days after the Marjory Stoneman Douglas shooting, a student said, “We have had meetings and teachers talking about what to do in these type of situations, actually, pretty recently and had initiatives to lock all the doors, and, I think, honestly, that worked and easily saved a couple hundred if not a thousand lives because all those doors were locked.”

One of the key recommendations of a commission established to review school security following the Sandy Hook Elementary School shooting was to require all new or renovated school buildings to have classroom doors that lock from the inside. Sandy Hook Elementary school’s classroom doors had to be locked from the outside. Fourteen children were killed in one classroom and a teacher and six students were killed inside another classroom.

Adding a requirement to add interior door locks will likely generate significant cost to schools, and may require additional review. The Committee may wish to consider that the requirements of this bill will generate significant costs to the school district, COE, or charter school, and may generate additional review by the DSA:

- Although the costs of the various types of interior locks may vary, schools will need to contemplate the cost of the lock, potentially replacing the door, installation fees, and other upgrades that may be required as a component of the addition of the interior lock. There is no funding specific to this requirement included in this bill.
- Specified alteration, reconstruction or small new construction projects on existing K-12 schoolsites, may be exempt from DSA plan review and approval and, construction observation. However, for specified projects, if the final project cost exceeds the

specified cost thresholds, the project may no longer be exempt and will require submittal to DSA for approval and construction oversight. (DSA Interpretation of Regulations (IR) A-22)

- When specified characteristics of new construction projects in existing school buildings exceed specified spending thresholds (in many cases 50% of its replacement value), a rehabilitation of the existing building is required. The additional cost of interior locks to a reconstruction, alteration, or addition of an existing school building may extend a project to over 50% of its replacement value. (DSA IR EB-4)
- The cost of adding interior locks to a school building may extend a project beyond the “valuation threshold” (\$200,399 for the year 2024) and require an “accessible path of travel” be provided. Similar federal requirements are in place to provide an accessible path of travel in order to meet the requirements of the Americans with Disabilities Act. When construction projects costs are less than or equal to the “valuation threshold,” the cost of the required improvements is limited to 20% of the construction cost; however, when construction costs are more than the valuation threshold, the cost of the required improvements may exceed 20%.

Recommended Committee Amendments. *Staff recommends the bill be amended* to refine which projects would initiate the requirement to add interior locks to school buildings.

- Align terms related to making changes to a school building with existing requirements in 24 CCR, including: addition, alteration, maintenance, reconstruction, rehabilitation, retrofit, and school building (see EXISTING LAW section, above).
- Specify that the interior locks requirement not apply to the maintenance of a school facility for individual projects or tasks under \$20,000.
- Require the interior locks to conform to the specifications and requirements set forth in 24 CCR.
- Require, for projects seeking a state modernization through the SFP, and that were submitted to the DSA for approval on or after January 1, 2025, the interior lock requirements to apply on or after January 1, 2025 in order to acknowledge projects that are already underway and being filed with DSA for review or OPSC for funding so those projects will not have to start over with their plans in order to meet the requirements of this bill.

Related legislation. AB 3205 (O'Donnell), Chapter 401, Statutes of 2018, requires the governing board of a school district seeking state school facilities bond funds for projects that propose to renovate, repair, or modernize the interior of a school building to include, as part of the 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. Requires the locks to conform to the specifications and requirements set forth in Title 24 of the California Code of Regulations. Exempts doors that are locked from the outside at all times, doors that already lock from the inside, and pupil restrooms.

AB 677 (Dodd), of the 2015-16 Session, would have required, if a bond were passed by voters on or after January 1, 2016, all modernization projects submitted to the DSA to include locks that

allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. The bill would have also required all higher education institutions to include locks that lock from the inside on all new construction projects. This bill was held in the Assembly Appropriations Committee.

SB 316 (Block), of the 2013-14 Session, would have required, on or after January 1, 2016, all modernization projects submitted to the DSA to include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. The bill also directed the SAB to adjust modernization grants to reflect the associated cost of installing locks. The bill was held in the Assembly Appropriations Committee.

AB 85 (Mendoza), of the 2011-2012 Session, would have required all K-12 modernization projects that include rehabilitation in a classroom or a room with an occupancy of five or more and all community college district new construction projects to install locks that can be locked from the inside. The bill was held on the Assembly Appropriations Committee's suspense file.

AB 211 (Mendoza), Chapter 430, Statutes of 2010, requires, as a condition for state facilities bond funds, all new construction projects submitted to the DSA on and after July 1, 2011, to include locks that allow a door to be locked from the inside of a classroom or any room that accommodates five or more people.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

Analysis Prepared by: Marguerite Ries / ED. / (916) 319-2087