

Date of Hearing: April 25, 2018

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 1983 (Waldron) – As Amended March 15, 2018

SUBJECT: School safety: school district facilities and emergency practices: security assessment

SUMMARY: Requires school districts to work with local law enforcement to conduct full security assessments of school facilities and emergency practices. Specifically, **this bill:**

- 1) Requires a school district, before the commencement of the 2019-20 school year to contract with a local law enforcement agency to provide a full security assessment of the school district's facilities and emergency practices.

EXISTING LAW:

- 1) Requires each school district or county office of education (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 (EC 32281).
- 2) Specifies that the schoolsite council or a school safety planning committee is responsible for developing the comprehensive school safety plan (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; and rules and procedures on school discipline (EC 32282).
- 4) 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 he or she chooses 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).
- 5) 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).

- 6) Requires the comprehensive school safety plan to be evaluated at least once a year (EC 32282).
- 7) 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).
- 8) Requires the comprehensive school safety plan to be submitted annually to the school district or COE for approval and requires a school district or COE to notify the CDE by October 15 of every year of any school that is not in compliance (EC 32288).

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

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

“A large majority of schools are not prepared for internal or external threats. California law requires a School Site Council or a Safety Planning Committee to create a Comprehensive School Safety Plan. However, safety plans are not required, but only recommended, to include procedures for threat assessments, lock downs, securing the school, and response to active shooters. Additionally, law enforcement officers are not a required member on safety committees and school personnel are not required to work with law enforcement agencies in implementing school safety plans, but are only required to consult with a law enforcement representative.

Law enforcement officers and school personnel represent highly trained professionals who have the welfare of students and school community in mind. Law enforcement officers and school personnel should be required to work together in conducting full security assessments and in creating and implementing feasible threat assessment procedures. The current lack of collaboration between schools and law enforcement agencies leads to confusion and chaos when responding to threats detailed within the safety plan and threats that are entirely excluded from a school’s safety plan. Additionally, new technologies are available, at reasonable cost, to enable secure perimeters and safe ingress/egress on campuses that may be properly utilized with the guidance of law enforcement.”

Comprehensive school safety plans requirements. School districts and county offices of education (COE) are responsible for the overall development of school safety plans. Each school is required to develop a school safety plan that includes procedures, and policies to ensure student and staff safety at a school site. The components of the plan range from 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 a school to submit the school safety plan to the school district or COE for approval. The SPI is authorized to impose a fine of not more than \$2,000 against a school district or COE for any willful failure to make any required report. According to the

CDE, there has been no report of noncompliance by schools and no district or COE has been fined for willfully failing to report a school that has not developed a school safety plan.

School violence prevention audit. An audit by the California State Auditor, released in 2017, cites FBI data showing that active shooter incidents became more common between 2000 and 2015, and kindergarten through grade 12 facilities and higher education institutions have been the second most common location for these shootings to occur, both nationally and within California.

Committee amendments. School districts and county offices of education have the authority to elect not to disclose those portions of the comprehensive school safety policy that include tactical responses to criminal incidents. ***Committee staff recommend*** that the bill be amended to authorize schools to elect not to disclose the results of the full security assessment, in the interest of protecting the pupils, staff, and school property.

State law does not require charter schools to have safety plans, but charter petitions must include procedures the school will follow to ensure the safety of pupils and staff. ***Committee staff recommend*** that the bill be amended to require the governing board of a charter school to conduct the full security assessment of the facilities and emergency practices of all schools within its jurisdiction.

Committee staff recommend that the bill be amended to also apply these provisions to schools operated by county offices of education.

Similar and prior legislation. AB 1747 (Rodriguez) of this session expands the required elements of school safety plans, including procedures to respond to active shooter situations, requires schools to conduct annual active shooter drills, and requires the CDE to provide additional guidance and oversight of safety plans. This bill is pending before the Assembly Appropriations Committee.

AB 3205 (O'Donnell) of this session requires school districts to install indoor classroom locks in schools built before 2012. This bill is pending before this committee.

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

SB 49 (Lieu) requires school safety plans to include procedures related to response to a person with a gun on campus, extends from annually to every third year the frequency of review of safety plans, and requires charter school petitions to include a description of a school safety plan, as specified. This bill was held in the Assembly Appropriations Committee in 2013.

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

None on file

Opposition

None on file

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