

Date of Hearing: July 12, 2023

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
SB 671 (Portantino) – As Amended April 13, 2023

SENATE VOTE: 40-0

SUBJECT: School safety plans: dangerous, violent, or unlawful activities

SUMMARY: Requires school safety plans to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school. Specifically, **this bill:**

- 1) Requires comprehensive school safety plans of school districts and county offices of education (COEs) to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.
- 2) Requires school safety plans of charter schools, authorized by school districts or COEs, to include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.

EXISTING LAW:

- 1) Requires school districts and COEs to develop comprehensive school safety plans for each of its schools serving students in kindergarten through 12th grade. Authorizes a schoolsite council to delegate the responsibility for developing the plan to a school safety planning committee made up of the principal, or designee, a teacher, a parent of a child attending the school, a classified employee, and other members. Authorizes a small school district to develop a districtwide plan, rather than individual plans for each school. (Education Code (EC) 32281)
- 2) Requires the schoolsite council, or school safety committee, to consult with representatives of law enforcement, fire departments, and other first responder entities in the writing and development of the comprehensive school safety plan. (EC 32281)
- 3) 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).
- 4) 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).

- 5) Requires that the comprehensive school safety plan 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).
- 6) 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).
- 7) Requires the comprehensive school safety plan to be evaluated at least once a year (EC 32282).
- 8) Requires charter schools to develop school safety plans, as specified, and to update these plans by March 1st of each year. (EC 47605 and 47605.6)

FISCAL EFFECT: According to the Senate Appropriations Committee:

By requiring LEAs to add new procedures to their school safety plans, this bill could result in a reimbursable state mandate. The extent of these costs is unknown, but based on the existing Comprehensive School Safety Plan I and II mandates, the Proposition 98 General Fund costs could be in the tens of thousands to low hundreds of thousands of dollars each year. A precise amount would ultimately depend on the scope of the activities that LEAs would need to comply. This could also create additional, unknown cost pressure on the K-12 Mandates Block Grant.

COMMENTS:

Need for the bill. According to the author, "Keeping our children safe at school needs to be a top priority for all of us. While school safety plans endeavor to keep our students safe, tragic acts of violence remain all too common on our campuses. To ensure student safety, it's important that our schools are prepared to assess and respond to threats of violence on campus."

Background. Existing law specifies that school districts, COEs, and charter schools 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; behavioral policies such as discrimination and harassment policies; and procedures for conducting tactical responses to criminal incidents on school campuses. The school safety plan is developed by a school site council or a school safety planning committee.

K-12 violent incidents. The U.S. Secret Service and the U.S. Federal Bureau of Investigation (FBI) define a targeted attack or targeted violence as an attack that was planned for days, weeks, or months, serves a purpose, and seeks to accomplish objectives set by the attacker. Prior to 1998, targeted attacks were rare within the U.S. During the last 20 years, almost all targeted attacks at schools were perpetrated by students or former students. (Marjorie Stoneman Douglas High School Public Safety Commission Report, 2019).

Since April 20, 1999, when two high school students killed 12 students and 1 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 2012, in which 26 students and educators were killed; the 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida with 17 casualties; and the Uvalde school shooting in Texas in 2022 in which 19 children and 2 adults were killed.

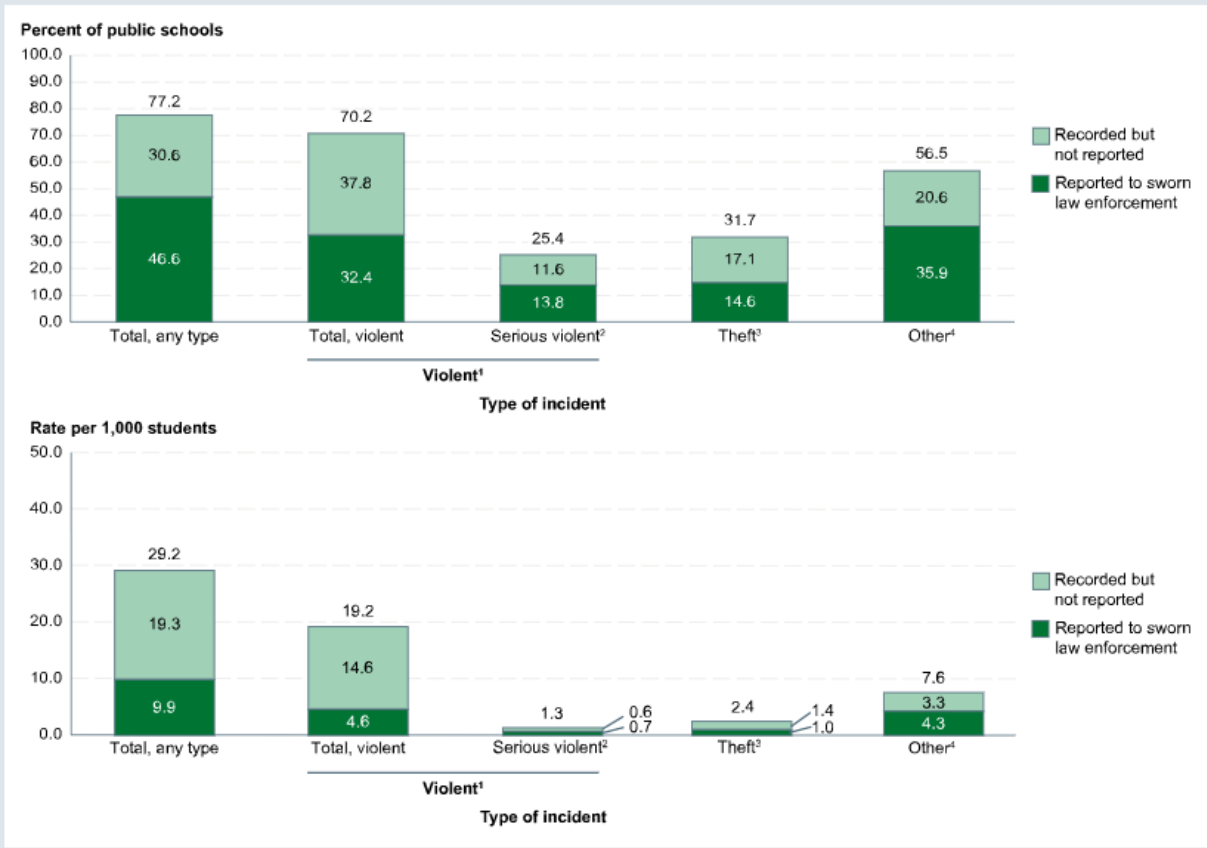
The K-12 School Shooting Database, maintained by the Center for Homeland Defense and Security at the Naval Postgraduate School, documents when a gun is brandished, is fired, or a bullet hits school property for any reason. The database tracks incidents at K-12 schools since 1970. They have documented 1,994 school shootings nationally resulting in 650 fatalities and 1,860 injuries. The number of incidents has grown substantially from less than 25 incidents annually in 1970 to over 300 incidents in 2022. Approximately 43% of the shooters involved in these incidents were students.

According to the National Center for Education Statistics:

- From July 1, 2018, through June 30, 2019, a total of 39 school-associated violent deaths occurred in the United States, including students, staff, and other nonstudent school-associated victims;
- During the 2019–20 school year, 77% of public schools recorded that one or more incidents of crime had taken place, amounting to 1.4 million incidents. This translates to a rate of 29 incidents per 1,000 students enrolled in 2019–20;
- In 2019–20, 47% of schools reported one or more incidents of crime to sworn law enforcement, amounting to 482,400 incidents, or 10 incidents per 1,000 students enrolled; and
- In 2019, about 5% of students ages 12–18 reported that they had been afraid of an attack or harm at school during the school year.

Nationally 77% of public schools reported one or more incidents of crime in 2019-20. Data from the national School Survey on Crime and Safety (SSOCS) surveyed public school principals about the number of incidents of crimes, including violent incidents, serious violent incidents, thefts, and other incidents during the 2019-20 school year. They were also asked about the number of incidents reported to law enforcement. Overall, 77.2% of schools reported one or more incidents, down from 85% in 2009-10. Data shown below shows that, in the 2019-20 school year, 70.2% of public schools experienced violent incidents, and 25.4% recorded serious violent incidents.

Figure 1. Percentage of public schools recording one or more incidents of crime at school and rate of incidents per 1,000 students, by type of incident and whether the incident was reported to sworn law enforcement: School year 2019–20



Source: USDOE , National Center for Education Statistics, 2019-20 School Survey on Crime and Safety, 2020

Polls indicate fear of school shootings. A 2018 Public Policy Institute of California (PPIC) survey found that 73% of adults and 82% of public school parents say they are “very” or “somewhat concerned” about school shootings. Similarly, a 2018 Pew Research Center survey of parents and teenagers found 57% of teenagers aged 13-17 “very worried” or “somewhat worried” about a shooting in their schools, and 63% of parents saying they were at least somewhat worried about the possibility of a shooting happening at their child’s school.

Responding to threats of school violence. Numerous commissions have been established in response to school shootings and have developed recommendations to prevent and/or respond to such incidents. These recommendations include the following:

- Interoperable communication to facilitate rapid deployment of first responders;
- Implementing programs to develop a safe school culture, including threat assessment teams and an anonymous tip telephone line;
- Information related to juveniles should be shared among law enforcement, courts, probation, schools, social services and mental health agencies;
- Programs aimed at peers’ reporting should be implemented as peers are the most likely source of information;

- Gun violence by youth often involves weapons from home, and home security for weapons should be strengthened;
- Increasing background checks related to firearm purchase and ownership as well as mandatory registration of firearms;
- A statewide common database that includes school floor plans should be developed and accessible to planners and first responders; and
- Classroom and safe-haven areas that lock from the inside. (Marjory Stoneman Douglas High School Public Safety Commission Report, 2019)

This bill does not provide any specific recommendations on safety procedures, but does require that schools establish procedures within their school safety plans to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

Arguments in support. The Glendale Police Department writes, “Data from the Department of Education shows that schools experienced about 54,000 reported violent incidents during the 2017-18 school year, up from around 41,000 during 2015-16. In 2020-21, there were 93 school shootings with casualties at public and private elementary and secondary schools – the highest number since 2000-01.

This dramatic increase in violence at schools cannot be ignored. Early intervention is essential to preventing incidences on campuses. SB 671 will help keep California students safe by having a clear process in the school safety plan to address threats of dangerous, violent, or unlawful activity requiring immediate intervention. Collaborative and community-centric programs are necessary to improve the safety of our communities and this is what SB 671 is intended to do.”

Related legislation. SB 906 (Portantino) Chapter 144, Statutes of 2022, requires LEAs to annually provide information to parents or guardians about California’s child access prevention laws and laws relating to the safe storage of firearms; requires school officials to report to law enforcement any threat or perceived threat; and requires law enforcement or the school police to conduct an investigation and threat assessment, including a review of the Department of Justice’s (DOJ’s) firearm registry and a search of the school and/or students’ property by law enforcement or school police.

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 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 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.

SB 49 (Lieu) of the 2013-14 Session would have required 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 required charter school petitions to include a description of a school safety plan, as specified. This bill was held in the Assembly 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**

Glendale Police Department

Opposition

None on file

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