

AMENDED IN SENATE JUNE 22, 2011

AMENDED IN ASSEMBLY MAY 5, 2011

AMENDED IN ASSEMBLY MARCH 29, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 680**

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**Introduced by Assembly Member Block**

February 17, 2011

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An act to ~~add Section 72036 to~~ amend Section 32281 of the Education Code, relating to ~~community colleges~~ *pupil safety*.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as amended, Block. ~~Community college districts: Grossmont-Cuyamaca Community College District. Pupil safety: comprehensive school safety plans.~~

*Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for each of their constituent schools. Existing law requires the schoolsite council of a school to write and develop a comprehensive school safety plan relevant to the needs and resources of the particular school. Existing law requires a schoolsite council or school safety planning committee, before adopting a comprehensive school safety plan, to hold a public meeting at the schoolsite, as specified. Existing law requires schools to forward copies of their comprehensive school safety plans to the school district or county office of education for approval. Existing law requires school districts and county offices of education annually to notify the State Department of Education regarding schools that fail to adopt a comprehensive school safety plan.*

*This bill would authorize school districts and county offices of education, in consultation with law enforcement officials, to elect not to have their schoolsite councils develop and write those portions of their comprehensive school safety plans that include tactical responses to criminal incidents, as defined, that may result in death or serious bodily injury at the public schoolsite. The bill would authorize the school district and county offices of education administrators to develop those portions of the comprehensive school safety plans that include tactical responses to criminal incidents, and to elect not to disclose these portions of the comprehensive school safety plans.*

~~Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges. The board of governors provides general supervision over each community college district and performs specified functions. Each community college district is under the control of a board of trustees.~~

~~Existing law provides various procedures for the nomination and election of the governing boards of community college districts. Existing law specifies the number of members on the board, residency requirements, length of terms, and the drawing of trustee boundaries.~~

~~This bill would establish a procedure for the election of members, and the reapportionment of trustee areas of the governing board of the Grossmont-Cuyamaca Community College District.~~

~~The bill would provide that candidates for election to the board be nominated by trustee area, as defined, at a primary election held on the date of the statewide direct primary election. The 2 candidates receiving the highest number of votes would be the nominees for the general election for that trustee area. The candidate receiving a majority of the votes cast in the general election would be elected to represent that district, and would hold office for a 4-year term, as specified. Members of the board holding office on the effective date of this act would continue to hold office, as specified.~~

~~The bill would provide that the governing board be composed of 5 to 9 members, as determined by the board. The board would be required to establish, abolish, or adjust trustee areas and terms of office, as specified.~~

~~This bill would provide that boundaries for trustee areas established by resolution of the governing board of the district or adopted by the county committee on school district organization prior to January 1, 2012, to reflect population changes enumerated in the 2010 decennial~~

~~federal census shall be in effect when then the act becomes operative. The boundaries would be set so that the population of each area is in proportion to the other districts. Thereafter the boundaries may be adjusted, abolished, or rearranged as specified.~~

~~By imposing the above requirements on the Grossmont-Cuyamaca Community College District, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: ~~yes-no~~.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 32281 of the Education Code is amended  
2 to read:

3     32281. (a) Each school district and county office of education  
4 is responsible for the overall development of all comprehensive  
5 school safety plans for its schools operating kindergarten or any  
6 of grades 1 to 12, inclusive.

7     (b) (1) Except as provided in subdivision (d) with regard to a  
8 small school district, the schoolsite council established pursuant  
9 to former Section 52012, as it existed before July 1, 2005, or  
10 Section 52852 shall write and develop a comprehensive school  
11 safety plan relevant to the needs and resources of that particular  
12 school.

13     (2) The schoolsite council may delegate this responsibility to a  
14 school safety planning committee made up of the following  
15 members:

- 16     (A) The principal or the principal’s designee.
- 17     (B) One teacher who is a representative of the recognized  
18 certificated employee organization.
- 19     (C) One parent whose child attends the school.
- 20     (D) One classified employee who is a representative of the  
21 recognized classified employee organization.
- 22     (E) Other members, if desired.

1 (3) The schoolsite council shall consult with a representative  
 2 from a law enforcement agency in the writing and development  
 3 of the comprehensive school safety plan.

4 (4) In the absence of a schoolsite council, the members specified  
 5 in paragraph (2) shall serve as the school safety planning  
 6 committee.

7 (c) Nothing in this article shall limit or take away the authority  
 8 of school boards as guaranteed under this code.

9 (d) (1) Subdivision (b) shall not apply to a small school district,  
 10 as defined in paragraph (2), if the small school district develops a  
 11 districtwide comprehensive school safety plan that is applicable  
 12 to each schoolsite.

13 (2) As used in this article, “small school district” means a school  
 14 district that has fewer than 2,501 units of average daily attendance  
 15 at the beginning of each fiscal year.

16 (e) (1) When a principal or his or her designee verifies through  
 17 local law enforcement officials that a report has been filed of the  
 18 occurrence of a violent crime on the schoolsite of an elementary  
 19 or secondary school at which he or she is the principal, the principal  
 20 or the principal’s designee may send to each pupil’s parent or legal  
 21 guardian and each school employee a written notice of the  
 22 occurrence and general nature of the crime. If the principal or his  
 23 or her designee chooses to send the written notice, the Legislature  
 24 encourages the notice be sent no later than the end of business on  
 25 the second regular work day after the verification. If, at the time  
 26 of verification, local law enforcement officials determine that  
 27 notification of the violent crime would hinder an ongoing  
 28 investigation, the notification authorized by this subdivision shall  
 29 be made within a reasonable period of time, to be determined by  
 30 the local law enforcement agency and the school district. For  
 31 purposes of this section, an act that is considered a “violent crime”  
 32 shall meet the definition of Section 67381 and be an act for which  
 33 a pupil could or would be expelled pursuant to Section 48915.

34 (2) Nothing in this subdivision shall create any liability in a  
 35 school district or its employees for complying with paragraph (1).

36 (f) (1) *Notwithstanding subdivision (b), a school district or*  
 37 *county office of education may, in consultation with law*  
 38 *enforcement officials, elect to not have its schoolsite councils*  
 39 *develop and write those portions of their comprehensive school*  
 40 *safety plans that include tactical responses to criminal incidents*

1 *that may result in death or serious bodily injury at the public*  
2 *schoolsite. The portions of the school safety plans that include*  
3 *tactical responses to criminal acts may be developed by*  
4 *administrators of the school district or county office of education*  
5 *in conjunction with law enforcement officials, and the school*  
6 *district or county office of education may elect not to disclose those*  
7 *portions of the comprehensive school safety plans.*

8 (2) *As used in this article, “tactical responses to criminal*  
9 *incidents” means steps taken to safeguard pupils and staff, to*  
10 *secure the affected school premises, and to apprehend the criminal*  
11 *perpetrator or perpetrators.*

12 ~~SECTION 1. Section 72036 is added to the Education Code,~~  
13 ~~to read:~~

14 ~~72036. Notwithstanding any other provision of law, the number~~  
15 ~~of members, the election of members, and the reapportionment of~~  
16 ~~trustee areas of the governing board of the Grossmont-Cuyamaca~~  
17 ~~Community College District shall be provided for pursuant to this~~  
18 ~~section.~~

19 ~~(a) Candidates for election as a member of the governing board~~  
20 ~~of the district shall be nominated by trustee area at a district~~  
21 ~~primary election held on the date of the statewide direct primary~~  
22 ~~election. At the district primary election, the two candidates~~  
23 ~~receiving the highest number of votes within the trustee area shall~~  
24 ~~be nominees for the district general election for that trustee area,~~  
25 ~~and the nominee who receives a majority of the votes cast by the~~  
26 ~~voters of the trustee area in the district general election shall be~~  
27 ~~elected to represent that trustee area. The district general election~~  
28 ~~shall be held on the same date as the statewide general election.~~

29 ~~Candidates for election as members of the governing board shall~~  
30 ~~file a declaration of candidacy as provided in this code. Each~~  
31 ~~member of the governing board elected at the district general~~  
32 ~~election shall hold office for a term of four years commencing on~~  
33 ~~the first Friday in December next succeeding his or her election.~~

34 ~~The members of the governing board in office on the effective~~  
35 ~~date of the act that enacted this section at the 2011–12 Regular~~  
36 ~~Session of the Legislature shall hold office until the first Friday~~  
37 ~~in December of the year in which their respective terms of office~~  
38 ~~would otherwise have terminated, or until a successor qualifies~~  
39 ~~therefor.~~

1     ~~(b) The territory of the district shall be divided into trustee areas~~  
2     ~~and one member of the governing board shall be elected from each~~  
3     ~~trustee area. A candidate for election as a member of the governing~~  
4     ~~board shall reside in, and be registered to vote in, the trustee area~~  
5     ~~he or she seeks to represent.~~

6     ~~(c) The governing board of the district shall be composed of~~  
7     ~~not less than five members and not more than nine, as determined~~  
8     ~~by the governing board. Sections 5019 to 5030, inclusive, do not~~  
9     ~~apply to the governing board's determination of the number of~~  
10    ~~members pursuant to this subdivision. If the number of members~~  
11    ~~of the governing board is increased or decreased, the governing~~  
12    ~~board shall establish new trustee areas, abolish trustee areas, or~~  
13    ~~adjust the boundaries of trustee areas so that the number of trustee~~  
14    ~~areas is equal to the number of governing board members. If the~~  
15    ~~number of members of the governing board is increased, the~~  
16    ~~additional members of the governing board shall be elected at the~~  
17    ~~next regular general district election of board members occurring~~  
18    ~~at least 123 days after the governing board approved the increased~~  
19    ~~number of board members. Prior to the next district general~~  
20    ~~election, the governing board shall divide by lot the additional~~  
21    ~~trustee area positions that are created so that the term of one-half~~  
22    ~~of the board members elected to those positions shall expire on~~  
23    ~~the first Friday in December following the next district general~~  
24    ~~election. The term of the other board members elected to fill the~~  
25    ~~remainder of the additional positions shall expire on the first Friday~~  
26    ~~in December following the second district general election~~  
27    ~~succeeding their election.~~

28    ~~(d) Boundaries for trustee areas established by resolution of the~~  
29    ~~governing board of the district or adopted by the county committee~~  
30    ~~on school district organization prior to January 1, 2012, to reflect~~  
31    ~~population changes enumerated in the 2010 decennial federal~~  
32    ~~census shall be in effect when this act becomes operative. The~~  
33    ~~boundaries of each trustee areas shall be set so that the population~~  
34    ~~of each area is, as nearly as may be, the same proportion of the~~  
35    ~~total population of the district as each of the other areas. Thereafter,~~  
36    ~~the boundaries of trustee areas shall be adjusted pursuant to Section~~  
37    ~~5019.5 and may be abolished or rearranged as otherwise provided~~  
38    ~~in this code.~~

39    ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
40    ~~Section 6 of Article XIII B of the California Constitution because~~

1 ~~the only costs that may be incurred by a local agency or school~~  
2 ~~district are the result of a program for which legislative authority~~  
3 ~~was requested by that local agency or school district, within the~~  
4 ~~meaning of Section 17556 of the Government Code and Section~~  
5 ~~6 of Article XIII B of the California Constitution.~~

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