

ASSEMBLY BILL

No. 2368

Introduced by Assembly Member Block

February 24, 2012

An act to amend Section 38000 of the Education Code, relating to school security.

LEGISLATIVE COUNSEL'S DIGEST

AB 2368, as introduced, Block. School security: security departments.

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security, or a police department under the supervision of a chief of police. Existing law also expresses the intent of the Legislature that a school district police or security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

This bill would express the intent of the Legislature that only a school district security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

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

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

- 1 SECTION 1. Section 38000 of the Education Code is amended
- 2 to read:
- 3 38000. (a) The governing board of ~~any~~ a school district may
- 4 establish a security department under the supervision of a chief of
- 5 security or a police department under the supervision of a chief of

1 police, as designated by, and under the direction of, the
2 superintendent of the school district. In accordance with Chapter
3 5 (commencing with Section 45100) of Part 25, the governing
4 board *of a school district* may employ personnel to ensure the
5 safety of school district personnel and pupils and the security of
6 the real and personal property of the school district. In addition, a
7 school district may assign a school police reserve officer who is
8 deputized pursuant to Section 35021.5 to a schoolsite to supplement
9 the duties of school police personnel pursuant to this section. It is
10 the intention of the Legislature in enacting this section that a school
11 district ~~police or~~ security department is supplementary to city and
12 county law enforcement agencies and is not vested with general
13 police powers.

14 (b) The governing board of a school district that establishes a
15 security department or a police department shall set minimum
16 qualifications of employment for the chief of security or chief of
17 police, respectively, including, but not limited to, prior employment
18 as a peace officer or completion of any peace officer training course
19 approved by the Commission on Peace Officer Standards and
20 Training. A chief of security or chief of police shall comply with
21 the prior employment or training requirement set forth in this
22 subdivision as of January 1, 1993, or a date one year subsequent
23 to the initial employment of the chief of security or chief of police
24 by the school district, whichever occurs later. This subdivision
25 shall not be construed to require the employment by a school
26 district of any additional personnel.