

ASSEMBLY BILL

No. 549

Introduced by Assembly Member Jones-Sawyer

February 20, 2013

An act to amend Section 32282 of the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 549, as introduced, Jones-Sawyer. Comprehensive school safety plans: adult role on campus guidelines.

Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires the schoolsite council of a school to write and develop the comprehensive school safety plan relevant to the needs and resources of the particular school, except as specified with regard to a small school district. Existing law requires the comprehensive school safety plan to include specified strategies and programs that will provide or maintain a high level of school safety.

This bill would require those strategies and programs to include the development of clear guidelines for the roles and responsibilities of adults on the school campus, thereby imposing 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. It is the intent of the Legislature to improve school
2 campus safety and academic success by better defining the roles
3 and responsibilities of adults on campus as they pertain to safety
4 and school discipline.

5 SEC. 2. Section 32282 of the Education Code is amended to
6 read:

7 32282. (a) The comprehensive school safety plan shall include,
8 but not be limited to, both of the following:

9 (1) Assessing the current status of school crime committed on
10 school campuses and at school-related functions.

11 (2) Identifying appropriate strategies and programs that will
12 provide or maintain a high level of school safety and address the
13 school's procedures for complying with existing laws related to
14 school safety, which shall include the development of all of the
15 following:

16 (A) Child abuse reporting procedures consistent with Article
17 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of
18 Part 4 of the Penal Code.

19 (B) Disaster procedures, routine and emergency, including
20 adaptations for pupils with disabilities in accordance with the
21 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.
22 12101 et seq.). The disaster procedures shall also include, but not
23 be limited to, both of the following:

24 (i) Establishing an earthquake emergency procedure system in
25 every public school building having an occupant capacity of 50
26 or more pupils or more than one classroom. A *school* district or
27 county office *of education* may work with the California
28 Emergency Management Agency and the Seismic Safety
29 Commission to develop and establish the earthquake emergency
30 procedure system. The system shall include, but not be limited to,
31 all of the following:

32 (I) A school building disaster plan, ready for implementation
33 at any time, for maintaining the safety and care of pupils and staff.

1 (II) A drop procedure whereby each pupil and staff member
2 takes cover under a table or desk, dropping to his or her knees,
3 with the head protected by the arms, and the back to the windows.
4 A drop procedure practice shall be held at least once each school
5 quarter in elementary schools and at least once a semester in
6 secondary schools.

7 (III) Protective measures to be taken before, during, and
8 following an earthquake.

9 (IV) A program to ensure that pupils and both the certificated
10 and classified staff are aware of, and properly trained in, the
11 earthquake emergency procedure system.

12 (ii) Establishing a procedure to allow a public agency, including
13 the American Red Cross, to use school buildings, grounds, and
14 equipment for mass care and welfare shelters during disasters or
15 other emergencies affecting the public health and welfare. The
16 *school* district or county office of *education* shall cooperate with
17 the public agency in furnishing and maintaining the services as
18 the *school* district or county office of *education* may deem
19 necessary to meet the needs of the community.

20 (C) Policies pursuant to subdivision (d) of Section 48915 for
21 pupils who committed an act listed in subdivision (c) of Section
22 48915 and other school-designated serious acts ~~which~~ *that* would
23 lead to suspension, expulsion, or mandatory expulsion
24 recommendations pursuant to Article 1 (commencing with Section
25 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

26 (D) Procedures to notify teachers of dangerous pupils pursuant
27 to Section 49079.

28 (E) A discrimination and harassment policy consistent with the
29 prohibition against discrimination contained in Chapter 2
30 (commencing with Section 200) of Part 1.

31 (F) The provisions of any schoolwide dress code, pursuant to
32 Section 35183, that prohibits pupils from wearing “gang-related
33 apparel,” if the school has adopted that type of a dress code. For
34 those purposes, the comprehensive school safety plan shall define
35 “gang-related apparel.” The definition shall be limited to apparel
36 that, if worn or displayed on a school campus, reasonably could
37 be determined to threaten the health and safety of the school
38 environment. Any schoolwide dress code established pursuant to
39 this section and Section 35183 shall be enforced on the school
40 campus and at any school-sponsored activity by the principal of

1 the school or the person designated by the principal. For purposes
2 of this paragraph, “gang-related apparel” shall not be considered
3 a protected form of speech pursuant to Section 48950.

4 (G) Procedures for safe ingress and egress of pupils, parents,
5 and school employees to and from school.

6 (H) A safe and orderly environment conducive to learning at
7 the school.

8 (I) The rules and procedures on school discipline adopted
9 pursuant to Sections 35291 and 35291.5.

10 (J) *Clear guidelines for the roles and responsibilities of adults*
11 *on the school campus, including, but not limited to, all of the*
12 *following persons:*

13 (i) *Police officers.*

14 (ii) *Counselors.*

15 (iii) *Administrators.*

16 (iv) *Teachers.*

17 (b) It is the intent of the Legislature that schools develop
18 comprehensive school safety plans using existing resources,
19 including the materials and services of the partnership, pursuant
20 to this chapter. It is also the intent of the Legislature that schools
21 use the handbook developed and distributed by the School/Law
22 Enforcement Partnership Program entitled “Safe Schools: A
23 Planning Guide for Action” in conjunction with developing their
24 plan for school safety.

25 (c) Grants to assist schools in implementing their comprehensive
26 school safety plan shall be made available through the partnership
27 as authorized by Section 32285.

28 (d) Each schoolsite council or school safety planning committee
29 in developing and updating a comprehensive school safety plan
30 shall, where practical, consult, cooperate, and coordinate with
31 other schoolsite councils or school safety planning committees.

32 (e) The comprehensive school safety plan may be evaluated and
33 amended, as needed, by the school safety planning committee, but
34 shall be evaluated at least once a year, to ensure that the
35 comprehensive school safety plan is properly implemented. An
36 updated file of all safety-related plans and materials shall be readily
37 available for inspection by the public.

38 (f) As comprehensive school safety plans are reviewed and
39 updated, the Legislature encourages all plans, to the extent that

1 resources are available, to include policies and procedures aimed
2 at the prevention of bullying.

3 (g) The comprehensive school safety plan, as written and
4 updated by the schoolsite council or school safety planning
5 committee, shall be submitted for approval under subdivision (a)
6 of Section 32288.

7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

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