

AMENDED IN SENATE JUNE 17, 2014

AMENDED IN ASSEMBLY JANUARY 23, 2014

AMENDED IN ASSEMBLY JANUARY 15, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1271

**Introduced by ~~Assembly Members~~ *Assembly Member Bonta and
Jones-Sawyer*
(~~Coauthors: Assembly Members Chávez and Wilk~~)**

February 22, 2013

An act to amend Section ~~84810.5~~ 32282.1 of the Education Code, relating to ~~community colleges~~ *school safety*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1271, as amended, Bonta. ~~Community colleges: inmate education programs: computation of apportionments. School safety plans: pupil mental health care: violent acts.~~

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 the comprehensive school safety plan relevant to the needs and resources of the particular school. 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

encourages comprehensive school safety plans, as they are reviewed and updated, to include clear guidelines for the roles and responsibilities of certain parties with school-related health and safety responsibilities and authorizes the inclusion in these plans of primary strategies for specified purposes.

This bill instead would require school districts and county offices of education to include in a school safety plan those guidelines for the roles and responsibilities of certain parties with school-related health and safety responsibilities. The bill also would require those guidelines to include protocols to address the mental health care of pupils who have witnessed a violent act at school. By adding to the duties of local educational agencies, this 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, 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.

~~(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as a segment of public postsecondary education in the state.~~

~~Existing law, notwithstanding open course provisions in statute or regulations of the board of governors, authorizes the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.~~

~~This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for a governing board of a community college district that provides those classes for inmates, including inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.~~

~~(2) Existing law provides for the method of computing apportionments for purposes of these inmate education programs.~~

~~This bill would make revisions to that method of computation.~~

~~The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionments, a class for which a district receives full compensation for its direct education costs for the conduct of the class from a public or private agency, individual, or group of individuals, and a class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.~~

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

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

1 SECTION 1. *The Legislature finds and declares both of the*
2 *following:*

3 (a) *A paramount goal of the state is to ensure that all children*
4 *receive a high quality education that enables them to reach their*
5 *full potential and become responsible citizens who positively*
6 *contribute to their communities and the state.*

7 (b) *A safe and supportive learning environment is a necessary*
8 *foundation for increasing academic achievement, enhancing*
9 *healthy development, and improving educational outcomes for all*
10 *children.*

11 SEC. 2. *Section 32282.1 of the Education Code is amended to*
12 *read:*

13 32282.1. (a) *As comprehensive school safety plans are*
14 *reviewed and updated, the Legislature ~~encourages~~ requires all*
15 *plans, to the extent that resources are available, to include clear*
16 *guidelines for the roles and responsibilities of mental health*
17 *professionals, community intervention professionals, school*
18 *counselors, school resource officers, and police officers on school*
19 *campus, if the school district uses these people. ~~The~~*

20 (b) *The guidelines ~~may~~ developed pursuant to subdivision (a)*
21 *shall include ~~primary~~ both of the following:*

22 (1) *Primary strategies to create and maintain a positive school*
23 *climate, promote school safety, and increase pupil achievement,*
24 *and prioritize mental health and intervention services, restorative*

1 and transformative justice programs, and positive behavior
2 interventions and support.

3 (2) *Protocols to address the mental health care of pupils who*
4 *have witnessed a violent act at school.*

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

10 SECTION 1. Section 84810.5 of the Education Code is
11 amended to read:

12 84810.5. (a) (1) ~~Open course provisions in statute or~~
13 ~~regulations of the board of governors shall be waived for a~~
14 ~~governing board of a community college district that provides~~
15 ~~classes for inmates of a city, county, or city and county jail, road~~
16 ~~camp, farm for adults, or state or federal correctional facility. This~~
17 ~~section shall not be construed to authorize the waiver of open~~
18 ~~course provisions in any context or situation other than those that~~
19 ~~are specifically authorized under this section. Subject to limitations~~
20 ~~set forth in subdivision (b), the board of governors may include~~
21 ~~the units of full-time equivalent students (FTES) generated in those~~
22 ~~classes for purposes of state apportionments.~~

23 (2) ~~The attendance hours generated by credit courses shall be~~
24 ~~funded at the marginal credit rate determined pursuant to paragraph~~
25 ~~(2) of subdivision (d) of Section 84750.5. The attendance hours~~
26 ~~generated by noncredit courses shall be funded at the noncredit~~
27 ~~rate pursuant to paragraph (3) of subdivision (d) of Section~~
28 ~~84750.5. The attendance hours generated by instruction in career~~
29 ~~development and college preparation shall be funded at the rate~~
30 ~~determined pursuant to paragraph (4) of subdivision (d) of Section~~
31 ~~84750.5.~~

32 (b) (1) ~~A community college district shall not claim, for~~
33 ~~purposes of state apportionments pursuant to this section, a class~~
34 ~~for which either of the following applies:~~

35 (A) ~~The district receives full compensation for its direct~~
36 ~~education costs for the conduct of the class from a public or private~~
37 ~~agency, individual, or group of individuals.~~

38 (B) ~~The district has a contract or instructional agreement, or~~
39 ~~both, for the conduct of the class with a public or private agency,~~
40 ~~individual, or group of individuals that has received from another~~

1 source full compensation for the costs the district incurs under that
2 contract or instructional agreement.

3 (2) ~~In reporting a claim for apportionment to the Chancellor of~~
4 ~~the California Community Colleges under this section, the district~~
5 ~~shall report any partial compensation it receives from the sources~~
6 ~~described in subparagraphs (A) and (B) of paragraph (1) during~~
7 ~~the period for which the claim is made. The chancellor shall~~
8 ~~subtract the amount of any partial compensation received from the~~
9 ~~total apportionment to be paid.~~

10 (e) ~~This section shall not be construed as providing a source of~~
11 ~~funds to shift, supplant, or reduce the costs incurred by the~~
12 ~~Department of Corrections and Rehabilitation in providing inmate~~
13 ~~education programs.~~

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