

AMENDED IN SENATE MAY 19, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2519**

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**Introduced by Assembly Member Calderon**

February 19, 2016

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An act to amend ~~Section 32280~~ Sections 32280, 32281, and 32282 of the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 2519, as amended, Calderon. School safety plans.

(1) Existing law expresses the intent of the Legislature for all public schools teaching kindergarten or any of grades 1 to 12, inclusive, operated by a school district, to develop, in cooperation with specified community partners, a comprehensive school safety plan, as defined.

This bill would express the intent of the Legislature to include coaches among the community partners. The bill would also express the intent of the Legislature to expand the scope of the safety plan.

(2) *Existing law requires the schoolsite council of each school of a school district and of a county office of education to write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school, except as specified for small school districts. Existing law authorizes the schoolsite council to delegate this responsibility to a school safety planning committee made up of specified members. Existing law requires the comprehensive school safety plan to include, among other things, the identification of appropriate strategies and programs that will 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 the development of specified procedures and policies.*

*This bill would include a coach of the school, if the school has a coach, to the list of specified members to serve on a school safety planning committee. The bill would additionally require a comprehensive school safety plan to include any other strategies aimed at the prevention of, response to, and education about, potential incidents involving crime, violence, or medical emergency on the school campus, including sanctioned activities before and after school. By imposing additional duties on school districts and county offices of education regarding the development of school safety plans, the bill would impose a state-mandated local program.*

*(3) 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: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

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

1     SECTION 1. Section 32280 of the Education Code is amended  
2     to read:  
3     32280. It is the intent of the Legislature that all California  
4     public schools teaching kindergarten or any of grades 1 to 12,  
5     inclusive, operated by a school district, in cooperation with local  
6     law enforcement agencies, community leaders, parents, pupils,  
7     teachers, administrators, coaches, and other persons who may be  
8     interested in the prevention of campus crime and violence and the  
9     health and safety of the campus community, to develop a  
10    comprehensive school safety plan that addresses the safety concerns  
11    identified through a systematic planning process. For the purposes  
12    of this section, law enforcement agencies include local police  
13    departments, county sheriffs' offices, school district police or  
14    security departments, probation departments, and district attorneys'  
15    offices. For purposes of this section, a "safety plan" means a plan  
16    to develop strategies aimed at the prevention of, response to, and  
17    education about, potential incidents involving crime, violence, or

1 medical emergency on the school campus, including sanctioned  
2 activities before and after school.

3 *SEC. 2. Section 32281 of the Education Code is amended to*  
4 *read:*

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

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

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

18 (A) The principal or the principal's designee.

19 (B) One teacher who is a representative of the recognized  
20 certificated employee organization.

21 (C) One parent whose child attends the school.

22 (D) One classified employee who is a representative of the  
23 recognized classified employee organization.

24 (E) *One coach of the school, if the school has a coach.*

25 ~~(E)~~

26 (F) Other members, if desired.

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

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

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

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

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

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

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

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not 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. The portions of a school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if he or she chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, “tactical responses to criminal incidents” means steps taken to safeguard pupils and staff, to secure

1 the affected school premises, and to apprehend the criminal  
2 perpetrator or perpetrators.

3 (3) Nothing in this subdivision precludes the governing board  
4 of a school district or county office of education from conferring  
5 in a closed session with law enforcement officials pursuant to  
6 Section 54957 of the Government Code to approve a tactical  
7 response plan developed in consultation with those officials  
8 pursuant to this subdivision. Any vote to approve the tactical  
9 response plan shall be announced in open session following the  
10 closed session.

11 (4) Nothing in this subdivision shall be construed to reduce or  
12 eliminate the requirements of Section 32282.

13 *SEC. 3. Section 32282 of the Education Code is amended to*  
14 *read:*

15 32282. (a) The comprehensive school safety plan shall include,  
16 but not be limited to, both of the following:

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

19 (2) Identifying appropriate strategies and programs that will  
20 provide or maintain a high level of school safety and address the  
21 school's procedures for complying with existing laws related to  
22 school safety, which shall include the development of all of the  
23 following:

24 (A) Child abuse reporting procedures consistent with Article  
25 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of  
26 Part 4 of the Penal Code.

27 (B) Disaster procedures, routine and emergency, including  
28 adaptations for pupils with disabilities in accordance with the  
29 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.  
30 12101 et seq.). The disaster procedures shall also include, but not  
31 be limited to, both of the following:

32 (i) Establishing an earthquake emergency procedure system in  
33 every public school building having an occupant capacity of 50  
34 or more pupils or more than one classroom. A school district or  
35 county office of education may work with the Office of Emergency  
36 Services and the Alfred E. Alquist Seismic Safety Commission to  
37 develop and establish the earthquake emergency procedure system.  
38 The system shall include, but not be limited to, all of the following:

39 (I) A school building disaster plan, ready for implementation  
40 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. A schoolwide dress code established pursuant to this  
39 section and Section 35183 shall be enforced on the school campus  
40 and at any school-sponsored activity by the principal of the school

1 or the person designated by the principal. For purposes of this  
2 paragraph, “gang-related apparel” shall not be considered a  
3 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) *Any other strategies aimed at the prevention of, response*  
11 *to, and education about, potential incidents involving crime,*  
12 *violence, or medical emergency on the school campus, including*  
13 *sanctioned activities before and after school.*

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

22 (c) Each schoolsite council or school safety planning committee,  
23 in developing and updating a comprehensive school safety plan,  
24 shall, where practical, consult, cooperate, and coordinate with  
25 other schoolsite councils or school safety planning committees.

26 (d) The comprehensive school safety plan may be evaluated  
27 and amended, as needed, by the school safety planning committee,  
28 but shall be evaluated at least once a year, to ensure that the  
29 comprehensive school safety plan is properly implemented. An  
30 updated file of all safety-related plans and materials shall be readily  
31 available for inspection by the public.

32 (e) As comprehensive school safety plans are reviewed and  
33 updated, the Legislature encourages all plans, to the extent that  
34 resources are available, to include policies and procedures aimed  
35 at the prevention of bullying.

36 (f) The comprehensive school safety plan, as written and updated  
37 by the schoolsite council or school safety planning committee,  
38 shall be submitted for approval pursuant to subdivision (a) of  
39 Section 32288.

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

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