

AMENDED IN SENATE AUGUST 18, 2000

AMENDED IN ASSEMBLY MAY 26, 2000

AMENDED IN ASSEMBLY MARCH 9, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1738

Introduced by Assembly Member Washington

January 10, 2000

An act to amend Sections 32228 ~~and 32228.1~~, 32228.1, and 32228.5 of, and to add Section 32228.4 to, the Education Code, and to amend Item 6110-228-0001 of Section 2.00 of the Budget Act of 2000, relating to school safety, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, as amended, Washington. Educational counseling.

~~Existing~~

(1) ~~Existing~~ law establishes the Carl Washington School Safety and Violence Prevention Act (*act*), which requires the Superintendent of Public Instruction to provide funds to school districts and county offices of education serving pupils in any of grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence and other specified purposes.

This bill would expand the ~~School Safety and Violence Prevention program~~ *act* to school districts and county offices of education that serve pupils in kindergarten or grades 1 to



12, inclusive, and expand the specified purposes for which funds may be appropriated to participating school districts and county offices of education. The bill would *state the intent of the Legislature to expand upon the goals of the act, as intended by the Legislature.*

(2) Existing law, Item 6110-228-0001 of the Budget Act of 2000, appropriates funding to the State Department of Education for school safety.

This bill would revise Item 6110-228-0001 of the Budget Act of 2000.

(3) The bill would also appropriate \$100,000 from the General Fund to the State Department of Education for preparation of a report to the Legislature regarding the act. These funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

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

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

1 SECTION 1. Section 32228 of the Education Code, as
2 amended by Chapter 71 of the Statutes of 2000, is
3 amended to read:

4 ~~32228. (a) It is the intent of the Legislature that~~
5 ~~public schools serving pupils in kindergarten or grades 1~~
6 ~~to 12, inclusive, have access to supplemental resources~~
7 ~~that provide additional personnel and services to~~
8 ~~establish programs and strategies that promote school~~
9 ~~safety and emphasize violence prevention among~~
10 ~~children and youth in the public schools.~~

11 (b) It is further the intent of the Legislature that
12 schoolsites receiving funds pursuant to this article
13 accomplish all of the following goals:

14 (1) Teach pupils techniques for resolving conflicts
15 without violence.

16 (2) Train school staff and administrators to support
17 and promote conflict resolution and mediation



1 ~~techniques for resolving conflicts between and among~~
2 ~~pupils.~~

3 ~~(3) Reduce incidents of violence at the schoolsite.~~

4 ~~(4) Reduce the ratio of pupils to credentialed pupil~~
5 ~~services personnel. For purposes of this article, credential~~
6 ~~pupil services personnel shall include, but not be limited~~
7 ~~to, school counselors, school psychologists, school social~~
8 ~~workers, and school nurses.~~

9 ~~(5) Promote and increase pupil participation in peer~~
10 ~~programs.~~

11 32228. (a) It is the intent of the Legislature that
12 public schools serving pupils in kindergarten or ~~any~~ of
13 grades 1 to 12, inclusive, have access to supplemental
14 resources *that provide additional personnel and services*
15 to establish programs and strategies that promote school
16 safety and emphasize violence prevention among
17 children and youth in the public schools.

18 (b) It is further the intent of the Legislature that
19 schoolsites receiving funds pursuant to this article
20 accomplish all of the following goals:

21 (1) Teach pupils techniques for resolving conflicts
22 without violence.

23 (2) Train school staff and administrators to support
24 and promote conflict resolution and mediation
25 techniques for resolving conflicts between and among
26 pupils.

27 (3) Reduce incidents of violence at the schoolsite.

28 (4) *Reduce the ratio of pupils to credentialed pupil*
29 *services personnel. For purposes of this article, credential*
30 *pupil services personnel shall include, but not be limited*
31 *to, school counselors, school psychologists, school social*
32 *workers, and school nurses.*

33 (5) *Promote and increase pupil participation in peer*
34 *programs.*

35 SEC. 2. Section 32228.1 of the Education Code, *as*
36 *amended by Chapter 71 of the Statutes of 2000*, is
37 amended to read:

38 ~~32228.1. (a) The School Safety and Violence~~
39 ~~Prevention Act is hereby established. This statewide~~
40 ~~program shall be administered by the Superintendent of~~



1 ~~Public Instruction, who, subject to funds being~~
2 ~~appropriated therefor, shall provide funds to school~~
3 ~~districts serving pupils in kindergarten or grades 1 to 12,~~
4 ~~inclusive, for the purpose of promoting school safety and~~
5 ~~reducing schoolsite violence. As a condition of receiving~~
6 ~~funds pursuant to this article, an eligible school district~~
7 ~~shall certify, on forms and in a manner required by the~~
8 ~~Superintendent of Public Instruction, that the funds will~~
9 ~~be used as described in this section.~~

10 ~~(b) From funds appropriated in the annual Budget~~
11 ~~Act or any other measure, funds shall be allocated to~~
12 ~~school districts on the basis of prior year enrollment, as~~
13 ~~reported by the California Basic Educational Data~~
14 ~~System, of pupils in kindergarten or grades 1 to 12,~~
15 ~~inclusive, for any one or more of the following purposes:~~

16 ~~(1) Providing schools with personnel, including, but~~
17 ~~not limited to, licensed or certificated school counselors,~~
18 ~~school social workers, school nurses, and school~~
19 ~~psychologists, who are trained in conflict resolution. Any~~
20 ~~law enforcement personnel hired pursuant to this article~~
21 ~~shall be trained and sworn peace officers.~~

22 ~~(2) Providing effective and accessible on-campus~~
23 ~~communication devices and other school safety~~
24 ~~infrastructure needs.~~

25 ~~(3) Establishing an in-service training program for~~
26 ~~school staff to learn to identify at-risk pupils, to~~
27 ~~communicate effectively with those pupils, and to refer~~
28 ~~those pupils to appropriate counseling.~~

29 ~~(4) Establishing cooperative arrangements with local~~
30 ~~law enforcement agencies for appropriate~~
31 ~~school-community relationships.~~

32 ~~(5) Establishing youth-to-youth peer programs at~~
33 ~~schoolsites, including, but not limited to, peer mediation,~~
34 ~~peer helpers, conflict managers, peer education, and peer~~
35 ~~tutoring.~~

36 ~~(6) For any other purpose that the school or school~~
37 ~~district determines that would materially contribute to~~
38 ~~meeting the goals and objectives of current law in~~
39 ~~providing for safe schools and preventing violence among~~
40 ~~pupils.~~



1 32228.1. (a) The School Safety and Violence
2 Prevention Act is hereby established. This statewide
3 program shall be administered by the Superintendent of
4 Public Instruction, who, *subject to funds being*
5 *appropriated therefor*, shall provide funds to school
6 districts serving pupils in kindergarten or ~~any~~ of grades
7 1 to 12, inclusive, for the purpose of promoting school
8 safety and reducing schoolsite violence. As a condition of
9 receiving funds pursuant to this article, an eligible school
10 district shall certify, on forms and in a manner required
11 by the Superintendent of Public Instruction, that the
12 funds will be used as described in this section.

13 (b) From funds appropriated in the annual Budget
14 Act or any other measure, funds shall be allocated to
15 school districts on the basis of prior year enrollment, as
16 reported by the California Basic Educational Data
17 System, of pupils in kindergarten or ~~any~~ of grades 1 to 12,
18 inclusive, for any one or more of the following purposes:

19 (1) Providing schools with personnel, including, but
20 not limited to, licensed or certificated school counselors,
21 school social workers, school nurses, and school
22 psychologists, who are trained in conflict resolution. Any
23 law enforcement personnel hired pursuant to this article
24 shall be trained and sworn peace officers.

25 (2) Providing effective and accessible on-campus
26 communication devices and other school safety
27 infrastructure needs.

28 (3) Establishing an in-service training program for
29 school staff to learn to identify at-risk pupils, to
30 communicate effectively with those pupils, and to refer
31 those pupils to appropriate counseling.

32 (4) Establishing cooperative arrangements with local
33 law enforcement agencies for appropriate
34 school-community relationships.

35 (5) *Establishing youth-to-youth peer programs at*
36 *schoolsites, including, but not limited to, peer mediation,*
37 *peer helpers, conflict managers, peer education, and peer*
38 *tutoring.*

39 (6) For any other purpose that the school or school
40 district determines that would materially contribute to



1 meeting the goals and objectives of current law in
 2 providing for safe schools and preventing violence among
 3 pupils.

4 SEC. 3. Section 32228.4 is added to the Education
 5 Code, to read:

6 32228.4. (a) If any school district chooses not to
 7 participate individually in the program authorized under
 8 this article, or if funding available through the program
 9 authorized under this article would be insufficient to
 10 conduct the program in accordance with the
 11 requirements of this article, that district may form a
 12 consortium with other school districts to participate in the
 13 program and shall be subject to the provisions of this
 14 article to the same extent as an individual school district.

15 (b) If a school district chooses not to participate in the
 16 program authorized under this article either individually
 17 or as part of a consortium, that portion of funding that the
 18 school district would have received for the program shall
 19 be distributed on a pro rata basis to participating school
 20 districts.

21 SEC. 4. Section 32228.5 of the Education Code is
 22 amended to read:

23 32228.5. (a) The Superintendent of Public
 24 Instruction shall annually report to the Legislature by
 25 January 1 of each year, commencing with January 1, 2002,
 26 regarding the use of funds pursuant to this article.

27 (b) As a condition of receipt of funds pursuant to this
 28 article, local education agencies shall provide information
 29 for the purpose of compiling the annual report required
 30 pursuant to subdivision (a) to the Superintendent of
 31 Public Instruction, in a format determined by the
 32 Superintendent of Public Instruction.

33 SEC. 5. (a) The sum of one hundred thousand dollars
 34 (\$100,000) is hereby appropriated from the General Fund
 35 to the State Department of Education for preparation of
 36 the report required by Section 32228.5 of the Education
 37 Code.

38 (b) For purposes of making the computations
 39 required by Section 8 of Article XVI of the California
 40 Constitution, the appropriation made by subdivision (a)



1 shall be deemed to be “General Fund revenues
 2 appropriated to community colleges,” as defined in
 3 subdivision (c) of Section 41202 of the Education Code for
 4 the 2000-01 fiscal year and included within the “total
 5 allocations to school districts and community college
 6 districts from General Fund proceeds of taxes
 7 appropriated pursuant to Article XIII B” as defined in
 8 subdivision (e) of Section 41202 of the Education Code,
 9 for the 2000-01 fiscal year.

10 SEC. 6. Item 6110-228-0001 of Section 2.00 of the
 11 Budget Act of 2000 is amended to read:

12 6110-228-0001--For local assistance, Department
 13 of Education, for transfer to Section A of
 14 the State School Fund for allocation by the
 15 Controller (Proposition 98), Program
 16 20.60.020.011-School Safety ~~72,087,000~~
 17 *100,000,000*

18 Provisions:

- 19 1. Of the funds appropriated in this item,
 20 \$71,087,000 is available to fund block
 21 grants for middle and junior high schools
 22 and high schools that serve grades 8 to 12,
 23 inclusive, pursuant to Chapter 51, Statutes
 24 of 1999.
- 25 2. Of the funds appropriated in this item,
 26 \$1,000,000 shall be made available for
 27 County Offices of Education pursuant to
 28 Chapter 645, Statutes of 1999.
- 29 4. *Of the funds appropriated in this item,*
 30 *\$27,913,000 is available to fund block*
 31 *grants for elementary, middle, and junior*
 32 *high schools that serve kindergarten and*
 33 *grades 1 to 7, inclusive.*

