

ASSEMBLY BILL

No. 2625

Introduced by Assembly Member Zettel

February 21, 2002

An act to amend Section 35294.1 of the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 2625, as introduced, Zettel. Schools: violent crime.

Existing law makes each school district and county office of education responsible for the overall development of comprehensive school safety plans for its schools.

This bill would, in addition, require that every school district notify the parents or legal guardian of each pupil of violent or serious crimes that occur as specified, within 48 hours of its occurrence, thereby constituting 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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. Section 35294.1 of the Education Code is
 2 amended to read:
 3 35294.1. (a) Each school district and county office of
 4 education is responsible for the overall development of
 5 comprehensive school safety plans for its schools operating any
 6 kindergarten and any of grades 1 to 12, inclusive.
 7 (b) (1) Except as provided in subdivision (d) with regard to a
 8 small school district, the schoolsite council established pursuant to
 9 Section 52012 or 52852 shall write and develop a comprehensive
 10 school safety plan relevant to the needs and resources of that
 11 particular school.
 12 (2) The schoolsite council may delegate this responsibility to
 13 a school safety planning committee made up of the following
 14 members:
 15 (A) The principal or the principal’s designee.
 16 (B) One teacher who is a representative of the recognized
 17 certificated employee organization.
 18 (C) One parent whose child attends the school.
 19 (D) One classified employee who is a representative of the
 20 recognized classified employee organization.
 21 (E) Other members, if desired.
 22 (3) The schoolsite council shall consult with a representative
 23 from a law enforcement agency in the writing and development of
 24 the comprehensive school safety plan.
 25 (4) In the absence of a schoolsite council, the members
 26 specified in paragraph (2) shall serve as the school safety planning
 27 committee.
 28 (c) Nothing in this article shall limit or take away the authority
 29 of school boards as guaranteed under this code.
 30 (d) (1) Subdivision (b) shall not apply to a small school
 31 district, as defined in paragraph (2), if the small school district
 32 develops a districtwide comprehensive school safety plan that is
 33 applicable to each schoolsite.
 34 (2) As used in this article, “small school district” means a
 35 school district that has fewer than 2,501 units of average daily
 36 attendance in the 1997–98 fiscal year.
 37 (e) *No later than 48 hours from the time of its occurrence, a*
 38 *school district shall notify the parent or guardian of each pupil that*



1 *a violent felony, as defined pursuant to Section 667.5 of the Penal*
2 *Code, or a serious felony, as defined pursuant to Section 1192.7 of*
3 *the Penal Code, has occurred under either of the following*
4 *circumstances:*

5 *(1) The felony occurred within one-half mile from the campus*
6 *of any primary or secondary school, and the victim was a pupil*
7 *enrolled at the primary or secondary school.*

8 *(2) The felony occurred on the campus of a primary or*
9 *secondary school.*

10 SEC. 2. Notwithstanding Section 17610 of the Government
11 Code, if the Commission on State Mandates determines that this
12 act contains costs mandated by the state, reimbursement to local
13 agencies and school districts for those costs shall be made pursuant
14 to Part 7 (commencing with Section 17500) of Division 4 of Title
15 2 of the Government Code. If the statewide cost of the claim for
16 reimbursement does not exceed one million dollars (\$1,000,000),
17 reimbursement shall be made from the State Mandates Claims
18 Fund.

