

AMENDED IN ASSEMBLY APRIL 11, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 128**

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**Introduced by Assembly Member Dymally**

January 11, 2007

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An act to add and repeal Chapter 7 (commencing with Section 58810) of Part 31 of Division 4 of Title 2 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 128, as amended, Dymally. Pupils: Gang Alternative Education Program.

Existing law establishes various experimental school programs, including, among others, programs of individualized instruction, alternative schools, and the Single Gender Academies Pilot Program.

This bill would require the State Department of Education ~~and the Department of Corrections and Rehabilitation to jointly establish a Gang Alternative Education Program to provide gang alternative education, counseling, and support services contract with the Los Angeles County Office of Education for the development, administration, and implementation of community-based Gang Violence Mitigation Pilot Programs to provide gang alternative education, counseling, and support services to pupils enrolled in any of grades 4 to 8, inclusive, in the Compton Unified School District, the Inglewood Unified School District, ~~and, the Long Beach Unified School District, the Oakland Unified School District, as specified and the San Bernardino City Unified School District.~~ The ~~bill would provide that the program programs~~ would become operative only upon the agreement of those~~

school districts to participate. ~~The bill would repeal the program~~ *These provisions would be repealed* on January 1, 2012.

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

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

1 SECTION 1. Chapter 7 (commencing with Section 58810) is  
2 added to Part 31 of Division 4 of Title 2 of the Education Code,  
3 to read:

4  
5 CHAPTER 7. GANG ALTERNATIVE EDUCATION PROGRAM  
6

7 58810. This chapter shall be known and may be cited as the  
8 Gang Alternative Education Program.

9 58811. For purposes of this chapter, ~~“gang”~~ *unless the context*  
10 *requires otherwise, the following definitions apply:*

11 (a) “Gang” means a criminal street gang, as defined in  
12 subdivision (f) of Section 186.22 of the Penal Code.

13 (b) “Gang Violence Mitigation Pilot Program” means a  
14 community-based, positive intervention program for elementary  
15 and middle school pupils that does all of the following:

16 (1) *Reduces the probability of youth involvement in gang*  
17 *activities and consequent violence.*

18 (2) *Establishes positive ties at an early age between youth and*  
19 *community organizations.*

20 (3) *Commits community resources to positive programming for*  
21 *youth.*

22 (4) *Involves local law enforcement agencies.*

23 58812. (a) The Legislature finds and declares ~~both~~ *all* of the  
24 following:

25 (a)

26 (1) Programs that provide gang alternative education,  
27 counseling, and support services to elementary and middle school  
28 pupils reduce the involvement of those pupils in gang-related  
29 activity and help those pupils integrate successfully into society.

30 (2) *Gang violence has caused a tremendous strain on the*  
31 *progress of impacted communities. The loss of life, property, and*  
32 *positive opportunity for growth caused by gang violence has*  
33 *reached an intolerable level.*

1 (3) *Youth gang violence can be effectively reduced in California*  
2 *schools through the involvement of pupils, parents, teachers, school*  
3 *administrators, law enforcement, community organizations, and*  
4 *individuals with firsthand knowledge of the problem.*

5 (4) *A strong and consistent relationship between the home and*  
6 *schools would facilitate the learning process and inevitably help*  
7 *control problems associated with gang violence.*

8 (5) *A program should be developed to address the problem of*  
9 *elementary and middle school pupils being recruited to join gangs.*

10 ~~(b)~~

11 (6) ~~The establishment of a pilot program~~ *Gang Violence*  
12 *Mitigation Pilot Programs* to provide gang alternative education,  
13 counseling, and support services to elementary and middle school  
14 pupils in the Compton Unified School District, the Inglewood  
15 Unified School District, ~~and the Long Beach Unified School~~  
16 *District*, the Oakland Unified School District, *and the San*  
17 *Bernardino City Unified School District* will allow the Legislature  
18 to determine the effectiveness of those services in preventing  
19 gang-related activity.

20 (b) *It is therefore the intent of the Legislature to do both of the*  
21 *following:*

22 (1) *Establish the three-year Gang Violence Mitigation Pilot*  
23 *Program for elementary and middle school pupils through*  
24 *cooperation between individual schools and community*  
25 *organizations.*

26 (2) *Research and implement measures that will reduce youth*  
27 *involvement in gang activities, high school dropout rates, and*  
28 *pupil violence on and off school campuses and develop techniques*  
29 *for early identification of at-risk youth.*

30 58813. (a) ~~The State Department of Education and the~~  
31 ~~Department of Corrections and Rehabilitation~~ *department*, to the  
32 extent existing funds are available or additional funds are  
33 appropriated for this purpose, shall ~~jointly establish a Gang~~  
34 ~~Alternative Education Program~~ to provide gang alternative  
35 education, counseling, and support services to pupils enrolled in  
36 any of grades 4 to 8, inclusive, the Compton Unified School  
37 District, the Inglewood Unified School District, and the Oakland  
38 Unified School District. *contract with the Los Angeles County*  
39 *Office of Education for the development, administration, and*  
40 *implementation of community-based Gang Violence Mitigation*

1 *Pilot Programs to provide gang alternative education, counseling,*  
 2 *and support services to pupils enrolled in any of grades 4 to 8,*  
 3 *inclusive, in the Compton Unified School District, the Inglewood*  
 4 *Unified School District, the Long Beach Unified School District,*  
 5 *the Oakland Unified School District, and the San Bernardino City*  
 6 *Unified School District and award grants for the purpose of*  
 7 *establishing these programs. Programs established pursuant to*  
 8 *this chapter shall be eligible for funding provided for school safety*  
 9 *programs, gang intervention programs, and school-law*  
 10 *enforcement partnership programs.*

11 *(b) Gang Violence Mitigation Pilot Programs shall include, but*  
 12 *are not limited to, all of the following:*

13 *(1) Counseling for targeted at-risk pupils, parents, other family*  
 14 *members, and entire families collectively. Counseling services*  
 15 *shall not be provided by volunteer interns.*

16 *(2) Exposure to positive sports and cultural activities that*  
 17 *promote affiliations between youths and the local community.*

18 *(3) Job training, including apprentice programs in coordination*  
 19 *with local businesses, job skills development schools, and*  
 20 *information about vocational opportunities in the community.*

21 *(4) Positive interaction with local law enforcement personnel.*

22 *(5) Teacher in-service training sessions.*

23 *(6) Collaboration with local law enforcement agencies.*

24 ~~(b)~~

25 *(c) The program may include, but is not limited to, all of the*  
 26 *following components:*

27 *(1) Curriculum on the negative community effects of*  
 28 *gang-related activity and on—~~alternative~~ alternatives to gang*  
 29 *involvement.*

30 *(2) A partnership between teachers, parole officers, and local*  
 31 *law enforcement officers in providing education, counseling, and*  
 32 *other services to the pupils described in subdivision (a).*

33 *(3) Development and implementation of a gang intervention*  
 34 *plan that identifies services needed by the pupils described in*  
 35 *subdivision (a).*

36 *(4) A partnership between schools, local community*  
 37 *organizations, and service providers to provide support services*  
 38 *to the pupils described in subdivision (a) and their parents or*  
 39 *guardians.*

1 (c) In administering the program, the ~~State Department of~~  
2 ~~Education and the Department of Corrections and Rehabilitation~~  
3 ~~department~~ shall do both of the following:

4 (1) Maintain statistical information related to the program,  
5 including, but not limited to, the number of pupils served and the  
6 results of successful gang intervention plans developed and  
7 implemented pursuant to paragraph (3) of subdivision (b).

8 (2) Provide the information described in paragraph (1) to the  
9 Legislature upon request.

10 (d) This section shall become operative only upon the agreement  
11 of the Compton Unified School District, the Inglewood Unified  
12 School District, ~~and the Long Beach Unified School District~~, the  
13 Oakland Unified School District, *and the San Bernardino City*  
14 *Unified School District* to participate in the program.

15 58814. This chapter shall remain in effect until January 1, 2012,  
16 and as of that date is repealed, unless a later enacted statute, that  
17 is enacted before January 1, 2012, deletes or extends that date.