

AMENDED IN ASSEMBLY APRIL 26, 2007

AMENDED IN ASSEMBLY APRIL 11, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 128

Introduced by Assembly Member Dymally

January 11, 2007

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~~; *Violence Mitigation Pilot Programs*.

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 to contract with the ~~Los Angeles County Office of Education~~ *county office of education for the Compton Unified School District, the Inglewood Unified School District, the Long Beach Unified School District, the Oakland Unified School District, and the San Bernardino City Unified School District* 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, the Long Beach Unified School District, the Oakland Unified School District, and the San Bernardino City Unified School District~~ *those school districts*. The

programs would become operative only upon the *individual* agreement of *one or more* of those school districts to participate. *The county office of education for each school district that agrees to participate in a program would be required to conduct an evaluation of the program based on the Social Development Strategy developed by the Seattle Social Development Project using specified empirical data and transmit the evaluation to the department. The department also would be required to prepare and submit to the Legislature an interim report and a final report regarding the programs by January 1, 2010 and January 1, 2011, respectively.* These provisions would be repealed on January 1, 2012.

By requiring county offices of education to perform additional duties, 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.

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. 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 VIOLENCE MITIGATION PILOT PROGRAMS

7
 8 58810. This chapter shall be known and may be cited as the
 9 ~~Gang-Alternative Education Program~~ *Violence Mitigation Pilot*
 10 *Programs.*

11 58811. For purposes of this chapter, unless the context requires
 12 otherwise, the following definitions apply:

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

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

4 (1) Reduces the probability of youth involvement in gang
5 activities and consequent violence.

6 (2) Establishes positive ties at an early age between youth and
7 community organizations.

8 (3) Commits community resources to positive programming for
9 youth.

10 (4) Involves local law enforcement agencies.

11 58812. (a) The Legislature finds and declares all of the
12 following:

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

17 (2) Gang violence has caused a tremendous strain on the
18 progress of impacted communities. The loss of life, property, and
19 positive opportunity for growth caused by gang violence has
20 reached an intolerable level.

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

25 (4) A strong and consistent relationship between the home and
26 schools would facilitate the learning process and inevitably help
27 control problems associated with gang violence.

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

30 (6) The establishment of Gang Violence Mitigation Pilot
31 Programs to provide gang alternative education, counseling, and
32 support services to elementary and middle school pupils in the
33 Compton Unified School District, the Inglewood Unified School
34 District, the Long Beach Unified School District, the Oakland
35 Unified School District, and the San Bernardino City Unified
36 School District will allow the Legislature to determine the
37 effectiveness of those services in preventing gang-related activity.

38 (b) It is therefore the intent of the Legislature to do both of the
39 following:

1 (1) Establish ~~the~~ three-year Gang Violence Mitigation Pilot
2 ~~Program~~ *Programs* for elementary and middle school pupils
3 through cooperation between individual schools and community
4 organizations.

5 (2) Research and implement measures that will reduce youth
6 involvement in gang activities, high school dropout rates, and pupil
7 violence on and off school campuses and develop techniques for
8 early identification of at-risk youth.

9 58813. (a) The department, to the extent existing funds are
10 available ~~or additional funds are appropriated~~ for this purpose,
11 shall contract with the ~~Los Angeles County Office of Education~~
12 *county office of education for the Compton Unified School District,*
13 *the Inglewood Unified School District, the Long Beach Unified*
14 *School District, the Oakland Unified School District, and the San*
15 *Bernardino City Unified School District* for the development,
16 administration, and implementation of community-based Gang
17 Violence Mitigation Pilot Programs to provide gang alternative
18 education, counseling, and support services to pupils enrolled in
19 any of grades 4 to 8, inclusive, in ~~the Compton Unified School~~
20 ~~District, the Inglewood Unified School District, the Long Beach~~
21 ~~Unified School District, the Oakland Unified School District, and~~
22 ~~the San Bernardino City Unified School District~~ *those school*
23 *districts* and award grants for the purpose of establishing these
24 programs. Programs established pursuant to this chapter shall be
25 eligible for funding provided for school safety programs, gang
26 intervention programs, and school-law enforcement partnership
27 programs. *The purpose of the Gang Violence Mitigation Pilot*
28 *Programs is to achieve the “prevention dividend” by increasing*
29 *investment in gang-focused prevention and intervention programs*
30 *for girls and young children, who are trapped in high crime,*
31 *gang-dominated neighborhoods.*

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

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

37 (2) Exposure to positive sports and cultural activities that
38 promote affiliations between youths and the local community.

- 1 (3) Job training, including apprentice programs in coordination
2 with local businesses, job skills development schools, and
3 information about vocational opportunities in the community.
- 4 (4) Positive interaction with local law enforcement personnel.
- 5 (5) Teacher in-service training sessions *focused on effective*
6 *schoolsite solutions to reducing gang violence.*
- 7 (6) Collaboration with local law enforcement agencies.
- 8 (c) The program may include, but is not limited to, all of the
9 following components:
- 10 (1) Curriculum on the negative community effects of
11 gang-related activity and on alternatives to gang involvement.
- 12 (2) A partnership between teachers, parole officers, and local
13 law enforcement officers in providing education, counseling, and
14 other services to the pupils described in subdivision (a).
- 15 (3) Development and implementation of a gang intervention
16 plan that identifies services needed by the pupils described in
17 subdivision (a).
- 18 (4) A partnership between schools, local community
19 organizations, and service providers to provide support services
20 to the pupils described in subdivision (a) and their parents or
21 guardians.
- 22 (e)
- 23 (d) In administering the ~~program~~ *Gang Violence Mitigation*
24 *Pilot Programs*, the department shall do ~~both~~ *all* of the following:
- 25 (1)
- 26 (A) Maintain statistical information related to the ~~program~~
27 *programs*, including, but not limited to, the number of pupils served
28 and the results of successful gang intervention plans developed
29 and implemented pursuant to paragraph (3) of subdivision ~~(b)~~ (c).
- 30 (B) *For each school district that agrees to participate in a*
31 *program pursuant to this chapter, the department shall collect and*
32 *maintain data for purposes of this paragraph in coordination with*
33 *the county office of education, school security personnel, local*
34 *law enforcement personnel, and the private, nonprofit*
35 *community-based organization or organizations involved. The*
36 *data shall include dropout rates and gang-related criminal*
37 *incidents involving pupils on and off school grounds.*
- 38 (C) *The county office of education for each school district that*
39 *agrees to participate in a program pursuant to this chapter shall*
40 *conduct an evaluation of the program based on the Social*

1 *Development Strategy developed by the Seattle Social Development*
2 *Project using empirical data, as described in this paragraph, and*
3 *transmit the evaluation to the department.*

4 ~~(2) Provide the information described in paragraph (1) to the~~
5 ~~Legislature upon request.~~

6 (2) *On or before January 1, 2010, prepare and submit to the*
7 *Legislature an interim report regarding the programs.*

8 (3) *On or before January 1, 2011, prepare and submit to the*
9 *Legislature a final report regarding the programs.*

10 (d) *This section shall become operative only upon the individual*
11 ~~*agreement of the Compton Unified School District, the Inglewood*~~
12 ~~*Unified School District, the Long Beach Unified School District,*~~
13 ~~*the Oakland Unified School District, and the San Bernardino City*~~
14 ~~*Unified School District to participate in the program. of one or*~~
15 ~~*more of the school districts described in subdivision (a) to*~~
16 ~~*participate in a Gang Violence Mitigation Pilot Program.*~~

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

20 *SEC. 2. If the Commission on State Mandates determines that*
21 *this act contains costs mandated by the state, reimbursement to*
22 *local agencies and school districts for those costs shall be made*
23 *pursuant to Part 7 (commencing with Section 17500) of Division*
24 *4 of Title 2 of the Government Code.*