

Introduced by Senator PriceFebruary 22, 2013

An act to amend Sections 32280 and 32282 of, and to add Chapter 5.8 (commencing with Section 51950) to, to add Chapter 5.9 (commencing with Section 51970) to, and to repeal Article 5 (commencing with Section 51260) of Chapter 2 of, Part 28 of Division 4 of Title 2 of, the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 634, as introduced, Price. School safety plans: safety drills and instruction.

Existing law requires each school district and county office of education to be responsible for the overall development of a comprehensive school safety plan for each of their constituent schools. Existing law requires the comprehensive school safety plan to both assess the current status of school crime committed on school campuses and at school-related functions, and identify appropriate strategies and programs that will provide or maintain a high level of school safety, as specified.

This bill would, in addition, require a comprehensive school safety plan to establish minimum requirements and standards for schools to follow when conducting school safety drills and reviewing school emergency and crisis response plans, and encourage schools and first responders to work together for the safety of pupils by requiring school evacuation drills and law enforcement lockdown drills, as specified. The bill would also require schools, during each school year, to conduct a minimum of 2 school evacuation drills to prepare pupils and school personnel for fire incidents, and authorize schools to conduct other school evacuations, as specified. The bill would also require schools to

conduct at least one law enforcement school lockdown drill. The bill would authorize schools, school districts, and county offices of education preparing for and executing these drills to work with local first responders and law enforcement agencies, as specified. By imposing additional duties on school districts, county offices of education, and schools, the bill would impose a state-mandated local program.

This bill would require the State Department of Education to make available information on model comprehensive school safety plans and training programs. The bill would require the department to prepare and distribute to school districts and county offices of education guidelines for incorporating in-service training in comprehensive school safety plan implementation, as provided. The bill would require the department, upon request, to assist school districts and county offices of education in developing comprehensive school safety plan in-service training programs, as defined, and assist the school districts and county offices of education to qualify for federal and state funds for these purposes. The bill would require the department to collaborate with other state agencies that administer emergency and crisis preparedness, safety planning, and violence prevention education programs to streamline the process whereby local education agencies apply for state and federal school safety funds. The bill would require the department to develop an ongoing statewide monitoring and assessment system to provide current and reliable data on the use of resources for programs for school safety.

The bill would move existing law relating to drug and gang violence to a new chapter of the Education Code and make conforming changes to that law.

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: 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. (a) It is the intent of the Legislature that all California
4 public schools, in kindergarten, and grades 1 to 12, inclusive,
5 operated by school districts, in cooperation with local law
6 enforcement agencies, community leaders, parents, pupils, teachers,
7 administrators, and other persons who may be interested in the
8 prevention of campus crime and violence, develop a comprehensive
9 school safety plan that addresses the safety concerns identified
10 through a systematic planning process. ~~For~~

11 (b) ~~For the purposes of this section, law section:~~

12 (1) Law enforcement agencies include local police departments,
13 county sheriffs' offices, school district police or security
14 departments, probation departments, and district attorneys' offices.
15 ~~For purposes of this section, a "safety~~

16 (2) ~~First responders include local fire departments, emergency~~
17 ~~medical responders, and emergency management officials.~~

18 (3) "Safety plan" means a ~~developed plan to develop of~~
19 ~~strategies that are coordinated with first responders and law~~
20 ~~enforcement agencies and aimed at the prevention of, and education~~
21 ~~about, and response to potential incidents involving natural~~
22 ~~disasters, crime, and violence on or near the school campus.~~

23 SEC. 2. Section 32282 of the Education Code is amended to
24 read:

25 32282. (a) The comprehensive school safety plan shall include,
26 but not be limited to, ~~both~~ all of the following:

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

29 (2) Identifying appropriate strategies and programs that will
30 provide or maintain a high level of school safety and address the
31 school's procedures for complying with existing laws related to
32 school safety, which shall include the development of all of the
33 following:

34 (A) Child abuse reporting procedures consistent with Article
35 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of
36 Part 4 of the Penal Code.

37 (B) Disaster procedures, routine and emergency, including
38 adaptations for pupils with disabilities in accordance with the

1 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.
2 12101 et seq.). The disaster procedures shall also include, but not
3 be limited to, both of the following:

4 (i) Establishing an earthquake emergency procedure system in
5 every public school building having an occupant capacity of 50
6 or more pupils or more than one classroom. A *school* district or
7 county office of education may work with the California
8 Emergency Management Agency and the Seismic Safety
9 Commission to develop and establish the earthquake emergency
10 procedure system. The system shall include, but not be limited to,
11 all of the following:

12 (I) A school building disaster plan, ready for implementation
13 at any time, for maintaining the safety and care of pupils and staff.

14 (II) A drop procedure whereby each pupil and staff member
15 takes cover under a table or desk, dropping to his or her knees,
16 with the head protected by the arms, and the back to the windows.
17 A drop procedure practice shall be held at least once each school
18 quarter in elementary schools and at least once a semester in
19 secondary schools.

20 (III) Protective measures to be taken before, during, and
21 following an earthquake.

22 (IV) A program to ensure that pupils and both the certificated
23 and classified staff are aware of, and properly trained in, the
24 earthquake emergency procedure system.

25 (ii) Establishing a procedure to allow a public agency, including
26 the American Red Cross, to use school buildings, grounds, and
27 equipment for mass care and welfare shelters during disasters or
28 other emergencies affecting the public health and welfare. The
29 *school* district or county office of education shall cooperate with
30 the public agency in furnishing and maintaining the services as
31 the *school* district or county office of education may deem
32 necessary to meet the needs of the community.

33 (C) Policies pursuant to subdivision (d) of Section 48915 for
34 pupils who committed an act listed in subdivision (c) of Section
35 48915 and other school-designated serious acts ~~which~~ that would
36 lead to suspension, expulsion, or mandatory expulsion
37 recommendations pursuant to Article 1 (commencing with Section
38 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

39 (D) Procedures to notify teachers of dangerous pupils pursuant
40 to Section 49079.

1 (E) A discrimination and harassment policy consistent with the
2 prohibition against discrimination contained in Chapter 2
3 (commencing with Section 200) of Part 1.

4 (F) The provisions of ~~any~~ a schoolwide dress code, pursuant to
5 Section 35183, that prohibits pupils from wearing “gang-related
6 apparel,” if the school has adopted that type of a dress code. For
7 those purposes, the comprehensive school safety plan shall define
8 “gang-related apparel.” The definition shall be limited to apparel
9 that, if worn or displayed on a school campus, reasonably could
10 be determined to threaten the health and safety of the school
11 environment. ~~Any~~ A schoolwide dress code established pursuant
12 to this section and Section 35183 shall be enforced on the school
13 campus and at any school-sponsored activity by the principal of
14 the school or the person designated by the principal. For purposes
15 of this paragraph, “gang-related apparel” shall not be considered
16 a protected form of speech pursuant to Section 48950.

17 (G) Procedures for safe ingress and egress of pupils, parents,
18 and school employees to and from school.

19 (H) A safe and orderly environment conducive to learning at
20 the school.

21 (I) The rules and procedures on school discipline adopted
22 pursuant to Sections 35291 and 35291.5.

23 *(3) Establishing minimum requirements and standards for*
24 *schools to follow when conducting school safety drills and*
25 *reviewing school emergency and crisis response plans, and*
26 *encouraging schools and first responders to work together for the*
27 *safety of pupils. Communities and schools may exceed these*
28 *requirements and standards.*

29 *(A) All school districts and county offices of education shall*
30 *incorporate the following safety drills into their safety plans and*
31 *all schools shall administer the drills as follows:*

32 *(i) School evacuation drills that prepare pupils and school*
33 *personnel to respond to situations under which conditions outside*
34 *of school buildings are safer than conditions inside school*
35 *buildings. Incidents that cause the need to evacuate may vary*
36 *based on school location and may include, but are not limited to,*
37 *the following:*

38 *(I) Fire.*

39 *(II) Suspicious items.*

40 *(III) Hazardous materials incidents.*

1 (IV) *Bomb threats.*

2 (V) *Shooting incidents on school grounds.*

3 (ii) *Law enforcement school lockdown drills that prepare pupils*
4 *and school personnel to respond to situations in which conditions*
5 *inside school buildings are safer than conditions outside school*
6 *buildings. Incidents that cause a school lockdown and law*
7 *enforcement intervention may vary based on the school's location*
8 *and may include, but are not limited to, the following:*

9 (I) *Suspicious items and persons.*

10 (II) *Hazardous materials incidents.*

11 (III) *Bomb threats.*

12 (IV) *Shooting incidents near school grounds.*

13 (B) *During each school year, each school shall conduct a*
14 *minimum of two school evacuation drills to prepare pupils and*
15 *school personnel for fire incidents. A school may conduct*
16 *additional evacuation drills for other evacuation incidents,*
17 *including, but not limited to, suspicious items, bomb threats,*
18 *hazardous materials incidents, and on-campus shooting incidents.*

19 (C) *During each school year, each school shall conduct a*
20 *minimum of one law enforcement school lockdown drill to prepare*
21 *pupils, school personnel, and law enforcement personnel for a law*
22 *enforcement lockdown incident. This drill may include, but is not*
23 *limited to, responses to suspicious items or persons, hazardous*
24 *materials incidents, bomb threats, and shooting incidents near*
25 *school grounds.*

26 (D) *In the preparation for and execution of the drills referred*
27 *to in subparagraphs (B) and (C), the school, school district, or*
28 *county office of education conducting these drills may work with*
29 *local first responders and law enforcement agencies to formulate*
30 *safety plans and to prepare and execute safety drills.*

31 (b) It is the intent of the Legislature that schools develop
32 comprehensive school safety plans using existing resources,
33 including the materials and services of the partnership, pursuant
34 to this chapter. It is also the intent of the Legislature that schools
35 use the handbook developed and distributed by the School/Law
36 Enforcement Partnership Program entitled "Safe Schools: A
37 Planning Guide for Action" in conjunction with developing their
38 plan for school safety.

1 (c) Grants to assist schools in implementing their comprehensive
2 school safety plan shall be made available through the partnership
3 as authorized by Section 32285.

4 (d) Each schoolsite council or school safety planning committee
5 in developing and updating a comprehensive school safety plan
6 shall, where practical, consult, cooperate, and coordinate with
7 other schoolsite councils or school safety planning committees.

8 (e) The comprehensive school safety plan may be evaluated and
9 amended, as needed, by the school safety planning committee, but
10 shall be evaluated at least once a year, to ensure that the
11 comprehensive school safety plan is properly implemented. An
12 updated file of all safety-related plans and materials shall be readily
13 available for inspection by the public.

14 (f) As comprehensive school safety plans are reviewed and
15 updated, the Legislature encourages all plans, to the extent that
16 resources are available, to include policies and procedures aimed
17 at the prevention of bullying.

18 (g) The comprehensive school safety plan, as written and
19 updated by the schoolsite council or school safety planning
20 committee, shall be submitted for approval under subdivision (a)
21 of Section 32288.

22 SEC. 3. Article 5 (commencing with Section 51260) of Chapter
23 2 of Part 28 of Division 4 of Title 2 of the Education Code is
24 repealed.

25 SEC. 4. Chapter 5.8 (commencing with Section 51950) is added
26 to Part 28 of Division 4 of Title 2 of the Education Code, to read:

27
28 CHAPTER 5.8. DRUG AND GANG VIOLENCE EDUCATION
29

30 51950. (a) Instruction shall be given in the elementary and
31 secondary schools by appropriately trained instructors on drug
32 education and the effects of the use of tobacco, alcohol, narcotics,
33 restricted dangerous drugs, as defined in Section 11032 of the
34 Health and Safety Code, and other dangerous substances.

35 (b) For purposes of this chapter, an “appropriately trained
36 instructor” is one who, based upon the determination of the site
37 administrator, demonstrates competencies in interacting in a
38 positive manner with children and youth; demonstrates knowledge
39 of the properties and effects of tobacco, alcohol, narcotics, and
40 dangerous drugs; and who demonstrates skills in conducting

1 affective education that include methods and techniques for helping
2 children and youth to freely express ideas and opinions in a
3 responsible manner and to gain an awareness of their values as
4 they make decisions related to drug use and misuse.

5 (c) In grades 1 to 6, inclusive, instruction on drug education
6 should be conducted in conjunction with courses given on health
7 pursuant to subdivision (f) of Section 51210.

8 (d) In grades 7 to 12, inclusive, instruction on drug education
9 shall be conducted in conjunction with courses given on health or
10 in any appropriate area of study pursuant to Section 51220.

11 (e) The instruction shall be sequential in nature and designed
12 to meet the needs of pupils at their grade level.

13 51951. Notwithstanding Sections 44227 and 44228, the state
14 board shall not accredit a teacher education institution for teacher
15 certification purposes unless it offers courses for prospective
16 teachers on drug education and the effects of the use of tobacco,
17 alcohol, narcotics, restricted dangerous drugs, as defined in Section
18 11032 of the Health and Safety Code, and other dangerous
19 substances. The state board shall continually reevaluate approved
20 teacher training institutions to ensure that programs are in
21 conformance with the intent of this section.

22 51952. The Legislature hereby finds and declares that the use
23 of anabolic steroids to expedite the physical development and to
24 enhance the performance level of secondary school athletes
25 presents a serious health hazard to these student athletes. It is the
26 intent of the Legislature in enacting this chapter that schools be
27 encouraged to include in instruction in grades 7 to 12, inclusive,
28 in science, health, drug abuse, or physical education programs, a
29 lesson on the effects of the use of anabolic steroids.

30 51953. The department shall make available information on
31 model drug and alcohol abuse prevention education programs
32 developed and funded pursuant to Chapter 7 (commencing with
33 Section 13860) of Title 6 of Part 4 of the Penal Code and other
34 public and private sources.

35 51954. (a) The department shall prepare and distribute to
36 school districts and county offices of education guidelines for
37 incorporating in-service training in gang violence and drug and
38 alcohol abuse prevention for teachers, counselors, athletic directors,
39 school board members, and other educational personnel into the

1 staff development plans of all school districts and county offices
2 of education.

3 (b) The department shall, upon request, assist school districts
4 and county offices of education in developing comprehensive gang
5 violence and drug and alcohol abuse prevention in-service training
6 programs. The department's information and guidelines, to the
7 maximum extent possible, shall encourage school districts and
8 county offices of education to avoid duplication of effort by sharing
9 resources, adapting or adopting model in-service training programs,
10 developing joint and collaborative programs, and coordinating
11 efforts with existing state staff development programs, county
12 gang violence and drug and alcohol staff development programs,
13 county health departments, county and city law enforcement
14 agencies, and other public and private agencies providing health,
15 drug, alcohol, gang violence prevention, or other related services
16 at the local level.

17 (c) The department shall assist school districts and county offices
18 of education in qualifying for the receipt of federal and state funds
19 to support their gang violence and drug and alcohol abuse
20 prevention in-service training programs.

21 (d) A school that chooses to use the provisions of this chapter
22 related to in-service training in gang violence and drug and alcohol
23 abuse prevention, is encouraged to develop a single plan to
24 strengthen its gang violence and drug and alcohol abuse prevention
25 efforts. If a school develops or has developed a school safety plan
26 pursuant to Article 5 (commencing with Section 32280) of Chapter
27 2.5 of Part 19, it is encouraged to incorporate into that plan, where
28 appropriate, the gang violence and drug and alcohol prevention
29 plan that it has developed.

30 (e) The department shall consult with the Office of Emergency
31 Services regarding gang violence.

32 51955. (a) It is the intent of the Legislature that school districts
33 and county offices of education give high priority to gang violence
34 and drug and alcohol abuse prevention in-service training programs
35 that shall be part of the overall strategy for comprehensive gang
36 violence and drug and alcohol abuse prevention education.

37 (b) "Gang violence and drug and alcohol abuse prevention
38 in-service training," for purposes of this chapter, means the
39 presentation of programs, instruction, and curricula that will help
40 educators develop competencies in interacting in a positive manner

1 with children and youth to assist them in developing the positive
2 values, self-esteem, knowledge, and skills to lead productive,
3 gang-free, and drug-free lives; develop knowledge of the causes
4 of gang violence and substance abuse, and the properties and effects
5 of tobacco, alcohol, narcotics, and dangerous drugs, including the
6 risk of contracting acquired immune deficiency syndrome (AIDS)
7 associated with intravenous drug use; receive training regarding
8 available information and resources concerning gang violence,
9 and drug and alcohol abuse prevention, as well as antigang and
10 antisubstance abuse crime trends; develop familiarity with teaching
11 social skills and resistance skills to children and youth; and develop
12 skills in conducting affective education that include methods and
13 techniques for helping children and youth to freely express ideas
14 and opinions in a responsible manner and to understand the nature
15 and consequences of their decisions as they relate to gang
16 involvement and drug and alcohol abuse.

17 51956. (a) The Office of Emergency Services, in collaboration
18 with the department, shall develop a model gang violence
19 suppression and substance abuse prevention curriculum for grades
20 2, 4, and 6. The curriculum for grades 2, 4, and 6 shall be modeled
21 after a similar curriculum that has been developed by the Orange
22 County Office of Education for grades 3, 5, and 7. The Office of
23 Emergency Services, in collaboration with the department, may
24 contract with a county office of education for the development of
25 the model curriculum. The model curriculum shall be made
26 available to school districts and county offices of education and
27 shall, at a minimum, provide for each of the following:

28 (1) Lessons for grades 2, 4, and 6 that are aligned with the state
29 curriculum frameworks for history, social science, and English
30 and language arts.

31 (2) Instructional resources that address issues of ethnic diversity
32 and at-risk pupils.

33 (3) The integration of the instructional resources of the Office
34 of Emergency Services and the School/Law Enforcement
35 Partnership in order to support the school curriculum and assist in
36 the alignment of the state curriculum framework.

37 (b) The Office of Emergency Services shall develop an
38 independent evaluation of the pupil outcomes of the model gang
39 violence suppression and substance abuse prevention curriculum
40 program.

1 51957. The Office of Emergency Services shall review the
2 model gang violence suppression and substance abuse prevention
3 curriculum for grades 2, 4, and 6, developed pursuant to Section
4 51956, and identify methods by which the curriculum can best be
5 used in rural school settings.

6 51958. The department shall encourage school districts and
7 county offices of education to avoid duplication of efforts with
8 regard to education programs for the prevention of drug, alcohol,
9 and tobacco abuse through the following methods:

10 (a) The sharing of resources.

11 (b) The adaptation or adoption of model programs.

12 (c) The development of joint and collaborative programs.

13 (d) Coordination of the local planning and implementation of
14 state programs with local health, social services, criminal justice,
15 and education agencies and other entities.

16 (e) The use of a single community advisory committee or task
17 force for drug, alcohol, and tobacco abuse prevention programs,
18 as an alternative to the creation of a separate group for that purpose
19 under each state or federally funded program.

20 51959. (a) The department shall collaborate, to the extent
21 possible, with other state agencies that administer drug, alcohol,
22 and tobacco abuse prevention education programs to streamline
23 and simplify the process whereby local educational agencies apply
24 for state and federal drug, alcohol, and tobacco education funds.

25 (b) The department, in consultation with the Department of
26 Justice, the Office of Emergency Services, and the State
27 Department of Alcohol and Drug Programs, shall develop, to the
28 extent possible, an ongoing statewide monitoring and assessment
29 system to provide current and reliable data on the utilization of
30 resources for programs for prevention of and early intervention
31 for drug, alcohol, and tobacco abuse. The purpose of the system
32 shall be to facilitate improved planning and program delivery
33 among state and local agencies, including law enforcement,
34 juvenile justice, county health, and county drug and alcohol
35 agencies and programs, and communities.

36 SEC. 5. Chapter 5.9 (commencing with Section 51970) is added
37 to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 5.9. COMPREHENSIVE SCHOOL SAFETY PLAN
EDUCATION

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2
3
4 51970. For purposes of this chapter, “comprehensive school
5 safety plan in-service training” or “in-service training” means the
6 presentation of programs, instruction, and curricula that will help
7 educators develop competencies in responding to situations that
8 require the implementation of the school’s comprehensive school
9 safety plan developed pursuant to Article 5 (commencing with
10 Section 32280) of Chapter 2.5 of Part 19 of Division 1 of Title 1.

11 51971. (a) The Legislature hereby finds and declares that
12 training teachers and staff to follow a comprehensive school safety
13 plan developed pursuant to Article 5 (commencing with Section
14 32280) of Chapter 2.5 of Part 19 of Division 1 of Title 1 is essential
15 to emergency preparedness, crisis management, and school safety.

16 (b) It is the intent of the Legislature in enacting this chapter that
17 schools are encouraged to include instruction on implementing
18 comprehensive school safety plans for teachers and staff.

19 (c) It is also the intent of the Legislature that school districts
20 and county offices of education give high priority to comprehensive
21 school safety in-service training programs that may be part of the
22 overall strategy for developing and implementing comprehensive
23 school safety plans.

24 51972. The department shall make available information on
25 model comprehensive school safety plans and training programs
26 that instruct teachers and school staff on how to implement the
27 comprehensive school safety plan.

28 51973. (a) The department shall prepare and distribute to
29 school districts and county offices of education guidelines for
30 incorporating in-service training in comprehensive school safety
31 plan implementation for teachers, counselors, athletic directors,
32 school board members, and other educational personnel into the
33 staff development plans of all school districts and county offices
34 of education.

35 (b) The department shall, upon request, assist school districts
36 and county offices of education in developing comprehensive
37 school safety plan in-service training programs. The department’s
38 information and guidelines, to the maximum extent possible, shall
39 encourage school districts and county offices of education to avoid
40 duplication of effort by sharing resources, adapting or adopting

1 model in-service training programs, developing joint and
2 collaborative programs, and coordinating efforts with existing state
3 staff development programs, state, county, and city law
4 enforcement agencies, and other public and private agencies
5 providing emergency response, violence prevention, or other related
6 services at the local level.

7 (c) The department shall assist school districts and county offices
8 of education in qualifying for the receipt of federal and state funds
9 to support their development of comprehensive school safety plan
10 in-service training programs. This shall include any moneys made
11 available pursuant to the President’s “Now is the Time” plan,
12 relating to reducing gun violence, to help school districts develop
13 and implement emergency management plans.

14 (d) A school that chooses to use provisions of this chapter related
15 to a comprehensive school safety plan is encouraged to incorporate
16 the in-service training program into the comprehensive school
17 safety plan developed pursuant to Article 5 (commencing with
18 Section 32280) of Chapter 2.5 of Part 19 of Division 1 of Title 1.

19 (e) The department shall consult with the United States
20 Department of Education and the Office of Emergency Services
21 regarding school safety preparedness.

22 51974. The department shall encourage school districts and
23 county offices of education to avoid duplication of efforts with
24 regard to education programs for comprehensive school safety
25 plans through the following methods:

- 26 (a) The sharing of resources.
- 27 (b) The adaptation or adoption of model programs.
- 28 (c) The development of joint and collaborative programs.
- 29 (d) Coordination of local planning and implementation of state
30 programs with local law enforcement and education agencies and
31 other entities.

32 51975. (a) The department shall collaborate, to the extent
33 possible, with other state agencies that administer emergency and
34 crisis preparedness, safety planning, and violence prevention
35 education programs to streamline and simplify the process whereby
36 local educational agencies apply for state and federal school safety
37 education funds.

38 (b) The department, in consultation with the Department of
39 Justice and the Office of Emergency Services, shall develop, to
40 the extent possible, an ongoing statewide monitoring and

1 assessment system to provide current and reliable data on the use
2 of resources for programs for school safety. The purpose of the
3 system shall be to facilitate improved planning and program
4 delivery among state and local agencies, including law
5 enforcement, juvenile justice, county health, and communities.

6 SEC. 6. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.