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AB-2794 School safety: school climate: professional development: training materials. (2021-2022)

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AMENDED IN ASSEMBLY MAY 02, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL

NO. 2794

Introduced by Assembly Member Gipson

February 18, 2022

An act ~~to amend Section 38002 of, and to add and repeal~~ Section 49007 ~~of, to~~ the Education Code, relating to school ~~safety, and making an appropriation therefor.~~ *safety.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2794, as amended, Gipson. School safety: ~~deescalation specialists: pilot program:~~ *school climate: professional development: training materials.*

Existing law prohibits a person employed by, or engaged in, a public school from inflicting, or causing to be inflicted, corporal punishment upon a pupil. Existing law prohibits an educational provider, as defined, from using a behavioral restraint or seclusion in certain circumstances and prohibits the use of certain restraint and seclusion techniques.

This bill would require the Superintendent of Public Instruction, subject to an appropriation of one-time funds for this purpose in the annual Budget Act or another statute, to allocate funding for professional development for staff in methods to improve school safety and school climate, including, but not limited to, deescalation training, as defined, and for the purchase of training materials in these subjects, at schools enrolling pupils in kindergarten and grades 1 to 12, inclusive. The bill would require the Superintendent to allocate these funds to school districts, county offices of education, charter schools, and the state special schools on the basis of an equal amount per unit of average daily attendance, as those numbers were reported at the time of the first principal apportionment for the 2019–20 fiscal year. The bill would require a school district, county office of education, charter school, or state special school to expend allocated funds for either of the purposes described above.

~~(1)Existing law authorizes certain fine and forfeiture moneys transferred into the general fund of any school district to be made available for specified purposes relating to the training of persons employed and compensated as members of a police department of the school district.~~

~~This bill would authorize these moneys to also be made available for hiring and training of persons employed and compensated by the school district to serve as social workers, schoolsite counselors, emotional coaches, and deescalation specialists, training of community volunteers to serve as mentors and school climate coaches, and professional development of school staff in nonviolent deescalation training and techniques.~~

~~(2)Existing law prohibits a person employed by, or engaged in, a public school from inflicting, or causing to be inflicted, corporal punishment upon a pupil. Existing law prohibits an educational provider, as defined, from using a behavioral restraint or seclusion in certain circumstances and prohibits the use of certain restraint and seclusion techniques.~~

~~This bill would establish the School Deescalation Specialist Pilot Program under the administration of the State Department of Education to provide one-time grants to local educational agencies for the creation or expansion of nonpolice school safety programs. The bill would appropriate, for the 2022–23 fiscal year, \$150,000,000 from the General Fund for the establishment of the pilot program. The bill would require the department to announce and post criteria for grants on its internet website on or before March 31, 2023, and award grants to selected local educational agencies before the beginning of the 2023–24 school year. The bill would require the department, by January 1, 2025, to submit a report to the appropriate policy and fiscal committees of the Legislature that evaluates the impact of the pilot program. The bill would repeal these provisions on January 1, 2026.~~

~~The funds appropriated by this bill 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: **yesno** Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 49007 is added to the Education Code, to read:*

49007. (a) Subject to an appropriation of one-time funds for this purpose in the annual Budget Act or another statute, the Superintendent shall allocate funding for professional development for staff in methods to improve school safety and school climate, including, but not limited to, deescalation training, and for the purchase of training materials in these subjects, at schools enrolling pupils in kindergarten and grades 1 to 12, inclusive.

(b) The Superintendent shall allocate funds appropriated pursuant to subdivision (a) to school districts, county offices of education, charter schools, and the state special schools on the basis of an equal amount per unit of regular average daily attendance, as those numbers were reported at the time of the first principal apportionment for the 2019–20 fiscal year.

(c) Funding appropriated pursuant to this section shall be available for encumbrance through the 2025–26 fiscal year.

(d) A school district, county office of education, charter school, or state special school shall expend funds allocated pursuant to this section for either of the following purposes:

(1) Professional development for credentialed and paraprofessional staff involved in the instruction of, or other support services for, pupils in methods to improve school safety and school climate, including, but not limited to, deescalation training.

(2) Training materials associated with the professional development described in paragraph (1).

(e) Funding allocated pursuant to this section is subject to the annual audits required by Section 41020.

(f) For purposes of this section, "deescalation training" means an evidence-based program of training or certification that provides instruction in restorative justice, conflict resolution, community-based public safety, or other nonviolent conflict resolution or public safety training.

~~SECTION 1. Section 38002 of the Education Code is amended to read:~~

~~38002. Moneys transferred into the general fund of any school district pursuant to Section 1463.12 of the Penal Code may be made available for the following purposes:~~

~~(a) The training of persons employed and compensated as members of a police department of a school district, pursuant to the requirements or approval of the Commission on Peace Officer Standards and Training;~~

~~(b) The training of persons employed and compensated as members of a police department of a school district in other public safety skills, including, but not limited to, all of the following:~~

~~(1) First aid;~~

~~(2) Rescue;~~

~~(3) Cardiopulmonary resuscitation;~~

~~(4)Emergency medical technician training.~~

~~(5)Juvenile procedures.~~

~~(6)Specialized safety equipment.~~

~~(c)The hiring and training of persons employed and compensated by the school district to serve as social workers, schoolsite counselors, emotional coaches, and deescalation specialists.~~

~~(d)The training of community volunteers to serve as mentors and school climate coaches.~~

~~(e)Professional development of school staff in nonviolent deescalation training and techniques.~~

~~SEC. 2.Section 49007 is added to the Education Code, to read:~~

~~49007.(a)The School Deescalation Specialist Pilot Program is hereby established, under the administration of the department, to provide one-time grants to local educational agencies for the creation or expansion of nonpolice school safety programs.~~

~~(b)For the 2022–23 fiscal year, the sum of one hundred fifty million dollars (\$150,000,000) is hereby appropriated from the General Fund for the establishment of the pilot program.~~

~~(c)Grant funds shall be used for costs associated with creating or expanding nonpolice school safety programs, including, but not limited to, costs related to both of the following:~~

~~(1)Deescalation specialist salaries.~~

~~(2)Deescalation trainings for classified and certificated employees.~~

~~(d)In administering the pilot program, the department shall do all of the following:~~

~~(1)On or before March 31, 2023, announce and post criteria for grants on its internet website.~~

~~(2)Before the beginning of the 2023–24 school year, award grants to selected local educational agencies.~~

~~(3)Establish standard metrics to ensure consistency in data collection.~~

~~(4)On or before January 1, 2025, submit a report to the appropriate policy and fiscal committees of the Legislature on the expenditure of funds and relevant outcome data that evaluates the impact of the pilot program.~~

~~(5)Spend no more than 5 percent of the funds appropriated for the pilot program on the costs of administering the pilot program.~~

~~(e)For purposes of this section, the following definitions apply:~~

~~(1)“Deescalation training” means any recognized program of training or certification that provides instruction in restorative justice, conflict resolution, community-based public safety, or other nonviolent conflict resolution or public safety training.~~

~~(2)“Local educational agency” means a school district, county office of education, or charter school.~~

~~(3)“Pilot program” means the School Deescalation Specialist Pilot Program.~~

~~(f)This section shall remain in effect only until January 1, 2026, and as of that date is repealed.~~