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CALIFORNIA CONNECTIONS TO SUCCESS ACT: A BETTER BRIDGE TO ADULTHOOD FOR YOLO COUNTY’S FOSTER YOUTH

SUMMARY

Prior to 2010, when foster youth left the child welfare system at age 18, they were essentially abandoned and left to fend for themselves with little more than the clothes on their backs. A 2014 national study of these youth⁴ reported that:

- More than one in five was homeless after age 18
- Only 58 percent graduated from high school by age 19, compared to 87 percent of all 19-year-olds
- Seventy-one percent of the young women became pregnant by the time they turned 21
- At the age of 24, only 50 percent were employed
- One in four was involved in the justice system within two years of leaving foster care

The groundbreaking federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), implemented in California by the Fostering Connections to Success Act of 2010 (AB12), provided a safety net for these youths to ease the transition to adulthood. The acts allow transitional age foster youth to voluntarily remain in foster care until they are 21 if they are in school, working, or have a medical condition precluding education or work. They are provided with the payment formerly directed to foster parents to live independently in a secure and supervised environment, but remain dependents of the court and must report regularly to their social worker or probation officer and the court.

In 2012, Yolo County implemented the Extended Foster Care program within the Health and Human Services Agency’s new Transition Age Youth unit as well as Juvenile Probation. At the five-year mark for the Extended Foster Care program, the Yolo County Grand Jury decided to evaluate the extent to which Yolo County foster youth participate in this program, whether the program provides support to prepare the youth for adulthood, and whether educational, employment and other outcomes have improved for the youth exiting foster care.

This report describes the Yolo County Extended Foster Care program, and offers documentation and anecdotal evidence from program administrators, the court, and foster youth.

The review determined that almost all eligible foster youth in Yolo County opt to participate in the Extended Foster Care program and that dedicated social workers and juvenile probation officers

⁴ Jim Casey Youth Opportunities, as reported in “States Tackle “Aging Out of Foster Care” by Teresa Wiltz, March 25, 2015, /blogs/stateline/2015 <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2015/3/25/states-tackle-aging-out-of-foster-care>.

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create innovative options to help these young people prepare to live independently. Further, high school graduation rates and college enrollment are high, and youth learn how to support themselves and live independently. The Grand Jury also found that high housing costs preclude most youth from finding housing within the county, and that foster youth face serious transportation obstacles which impede finding and sustaining employment.

METHODOLOGY

THE GRAND JURY:

- Reviewed the state law and *All County Letters* from the Department of Social Services outlining policies and procedures for the Extended Foster Care program
- Gathered available Yolo County data on non-minor dependents ages 18-21 in the Child Welfare and Juvenile Probation systems
- Reviewed articles evaluating the program in California
- Attended three public workshops on Child Welfare Services in Yolo County
- Conducted 11 interviews with representatives of Child Welfare Services, Juvenile Probation, the Superior Court, the Yolo County Office of Education and Woodland Community College
- Reviewed the program's budget

BACKGROUND

How does the Extended Foster Care Program Work?

Foster youth and probation youth who are in out-of-home placement on their 18th birthday qualify for the program if they:

- are working toward completion of high school or an equivalent program (e.g., GED), attending a two or four-year college or licensed vocational training program; or
- are employed at least 80 hours per month; or
- are participating in a program designed to assist in gaining employment; or
- have a medical condition which precludes these activities.

Youth who are married or in the military are ineligible for the program.

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Participants in the Extended Foster Care program must agree to live in an eligible, supervised foster care placement. This may include living with approved relatives or non-related extended family members, licensed family foster homes, certified foster family agency homes, homes of non-related juvenile court-established legal guardians, approved group homes, supportive transitional housing, supervised independent living programs, and Transitional Housing Placement Plus (foster care). The youth receive a state-determined monthly foster care payment of \$889 to cover housing and all other expenses⁵. They are also covered by Medi-Cal health insurance until they are 25 years old.

Youth participating in the Extended Foster Care program must complete a Transitional Independent Living Plan. They remain under court jurisdiction and are required to meet with their social worker or probation officer monthly. They also meet once every six months with the court to review progress on their Plan.

Significant flexibility is built into the program. A youth may leave the dependency court’s jurisdiction at any time before age 21, and then elect to re-enter care. There are no limitations on the number of times a youth can re-enter care.

Native American foster children are covered by the federal Indian Child Welfare Act of 1978. Until age 18, tribes are given placement preference and may participate in placement decisions. As non-minor dependents at age 18, tribal youth may choose whether the Act will continue to apply to them.

DISCUSSION

Following the state law, Yolo County implemented the Extended Foster Care program in 2012, starting with youth age 18. The age span increased annually until 2014 when all foster youth age 18-21 were eligible.

Child Welfare Services Implementation of Extended Foster Care

In 2012, the Child Welfare Services Division of the Health and Human Services Agency created the Transition Age Unit to prepare foster youth age 14-21 for self-sufficient adulthood. The Transition Age Unit consists of a manager and five social workers (case managers) who stay with the youth until they “age out.” A sixth social worker operates the Independent Living Skills Program. This social worker administers and frequently teaches transitional living classes, provides outreach services to engage youth in independent living services, and offers group and one-on-one financial and educational assistance, and referrals to community resources.

The Child Welfare Services managers reported that turnover within the unit is very low and that the social workers are highly committed to working with older youth and to building long-term, trusting relationships.

⁵ Group homes housing extended foster care youth receive higher foster care payments.

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Funding for the Extended Foster Care program is a combination of federal and county money. The budget includes two components: (1) An administrative component for eligibility determination, salaries for social workers and other staff, and other administrative functions; and (2) Assistance costs for foster care payments and other direct services to youth. In 2016-17, the Extended Foster Care administrative budget was \$667,455, and the assistance cost, which varies according to the number of youth in the program, was projected to be \$1.1 million.

The Independent Living Skills Program was separately budgeted at \$159,154, including almost \$50,000 for salaries and benefits and \$90,000 for items going directly to youth. Funding for the Independent Living Skills Program has not increased in recent years, although costs borne by the program associated with helping young people rent apartments have steadily risen.

Yolo County did not track the youth who “aged out” of foster care at age 18 before the Fostering Connections Act was implemented in 2012. Today, Yolo County data on foster youth over 18 are collected by the Child Welfare Services Case Management System, quarterly state reports, and the National Youth in Transition Survey.

Data systems and reports include:

- Child Welfare Services Case Management System collects data on placement types, high school graduation, progress in college and participation in vocational programs.
- Quarterly state reports⁶ collect detailed county-level data on the youths’ status in the following five age categories: Youth Who Exit at Age 18 (or legally emancipate before age 18); non-minor dependents (NMDs) Age 18; NMDs Age 19; NMDs Ages 20-21 and Re-Entry NMDs Ages 18-21. Data are collected on educational progress and achievement, employment status and means of support, housing arrangements, health insurance status, and permanency. Raw county-level data are available on-line, but this information is not aggregated by either the State or Yolo County.
- Survey data on youth age 17 and older who are in foster care or exiting care are collected and reported via the National Youth in Transition Survey. Data are collected on six outcomes: financial self-sufficiency, experience with homelessness, educational attainment, positive connections with adults, high-risk behavior, and access to health insurance. The surveys collected data on approximately 44% of all 17-year-old foster youth in care in 2011, and followed up at age 19 and 21. They included youth who participated in Extended Foster Care, as well as those who were not in the program. Although statewide and regional California data are available for the initial cohort of transitional foster youth surveyed at ages 17, 19 and 21 in 2011, 2013 and 2015, no specific Yolo County data are available.

⁶ SOC 405X - Outcomes for Non-Minor Dependents Child Welfare Youth Exiting Foster Care Quarterly Statistical Report, <http://www.cdss.ca.gov/inforesources/Research-and-Data/Childrens-Programs-Data-Tables/SOC405X>

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While data on extended foster care youth are collected and available in raw form, there are limited resources in Yolo County to aggregate, analyze and report on this information.

Since 2012, 165 youth have participated in Extended Foster Care through Child Welfare Services. Although most California counties initially projected that few older youths would participate in the program, almost all eligible youth have enrolled statewide. Yolo County is no exception. As of January 2017, approximately 400 children from birth to age 18 were in Yolo County foster care. An additional 42 “non-minor dependents,” ages 18-21, participated in the Extended Foster Care program. Thirteen of the 42 resided in Yolo County, 27 in Sacramento County or other California counties, and two were living out of state.

In Yolo County, only an average of two youth per year have permanently opted out or been terminated for failure to meet program requirements, although in 2016, four youth were terminated from the program either by not meeting program criteria or getting married. Extended foster care youth interviewed for this report noted that the opt-in/opt-out feature provides necessary flexibility to young people struggling to find their path to adulthood.

- **Transition planning and support:** In contrast to many California counties that start transition planning at age 16, the Yolo County Transition Age Unit starts working with youth at age 14.⁷ Child Welfare Services staff told the Grand Jury that starting transition services at age 14 results in strong relationships among the youth and their social workers and offers significantly more opportunities to address educational achievement and transitional living skills.

Social workers work one-on-one with the youth to develop Transitional Independent Living Plans as preparation for self-sufficiency. These youth-driven plans set goals and action steps for education, housing, employment, building permanent relationships, and personal growth. By 90 days prior to the youth’s 18th birthday, the Transitional Independent Living Plan must be submitted to the court for approval. When the youth turn 18, they may elect to participate in Extended Foster Care. As non-minor dependents—adults—they are legally responsible for carrying out their Transitional Independent Living Plans and maintaining eligibility for Extended Foster Care. As a condition of participating in the program, the youth must continue to meet monthly with their social workers and semi-annually with the court to review progress on their plans. Within 90 days of program exit at age 21, the youth and their social worker meet for a final time to assess progress on the Transitional Independent Living Plan.

- **Living arrangements:** As of January 2017, there was no homelessness among the 42 Yolo County youth who participated in the Extended Foster Care program; all participants had

⁷ Child Welfare managers informed the Grand Jury that most youth who have not reunited with their families or been adopted by age 14 are likely to stay in foster care until they “age out” at age 21.

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housing that had been inspected and approved by the county.⁸ Thirty-eight of the 42 non-minor dependents were living in Supervised Independent Living Placements, selected by the youth. These living arrangements may include living with friends or relatives, residing in college dormitories, or renting rooms or apartments. The youth are prohibited from living with family members from whom they had been removed by the court. Social workers assist the youth in finding suitable living arrangements and must inspect and approve the housing. The Independent Living Skills Program also frequently covers initial one-time expenses necessary to rent apartments, such as first and last month rent and security deposits. Before moving in, Yolo County youth must also complete a two-day financial literacy class that discusses budgeting, spending and other practical financial issues. Because appropriate, safe, affordable housing is extremely scarce in Yolo County, many youths live outside the county.

The four youth who did not live in Supervised Independent Living Placements needed additional support due to developmental disabilities or mental health issues. They lived with foster parents or in out-of-county group homes or Transitional Housing (Foster Care) placement. Yolo County Child Welfare Services no longer supports a Transitional Housing Placement Program for foster youth under age 21 within the county.

- Education: As of January 2017, 33 of 42 Extended Foster Care youth (79%) had graduated from high school or completed their GED⁹, and 17 of the 33 were enrolled in two- or four-year colleges. Eight of the 42 youth were enrolled in high school or GED programs, and were considered on track to graduate before exiting Extended Foster Care. Only one youth had not graduated and was not working toward graduation. Three were enrolled in non-community college vocational programs including veterinary assistant training and Job Corps. Youth who graduate from high school or complete the GED are given \$500 by the Independent Living Skills Program. Additionally, those who enroll in college are provided with a computer and a printer.

Social workers, the Foster Care Liaison from the Yolo County Office of Education, and the Foster Kinship Coordinator from Woodland Community College all emphasize education as the basis of adult success. They provide substantial support to foster youth to help them graduate from high school and navigate college admission and financial aid applications. Tutoring for the GED is also offered. Once the youth turn 18 and graduate from high school, support from the Yolo County Office of Education ends. Continuing educational support is provided by social workers or through referrals to Educational Opportunity Programs or other support services offered by colleges. Grants and

⁸ The National Youth in Transition Database reported, statewide, that in 2013, 14.6% of 19-year-old former foster youth, and in 2015, 24.7% of 21-year-old youth self-reported that they had been homeless at some point within the past two years. In Northern California, these rates were higher, at 18.4% and 25.3%, respectively.

⁹ The National Youth in Transition Database reported that statewide in 2013, 70.9% of 19-year-old former foster youth, and in 2015, 76.6% of 21-year-old youth self-reported that they had graduated from high school or received a GED. In Northern California these rates were higher, at 73.2% and 79.4%, respectively.

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scholarships earmarked for foster youth are available for students who carry at least two classes a semester, but typically must be repaid if students drop out of college.

- **Employment:** In January 2017, 24 of the 42 youth (57%) in Extended Foster Care held part- or full-time jobs.¹⁰ Social workers work one-on-one with the youth to find appropriate jobs for them and refer the youth to training and employment programs such as the Career One Stop Center at the Employment Vocational Center and the nonprofit Rural Innovations in Social Economics (RISE) program. Vocational programs are also offered by community colleges. Although both youth and social workers stressed the necessity of finding jobs to meet rent and other expenses, they reported that jobs are hard to find and difficult to access. Few youths in the program have cars, and current public transportation options pose serious obstacles, particularly in rural areas.
- **Independent Living Skills.** Beginning at age 14, social workers reach out and encourage foster youth to attend Independent Living Skills Program classes offered in Woodland and West Sacramento by Yolo County. In addition to providing an opportunity for the youth to build relationships with peers, these classes offer practical, hands-on sessions on educational support, financial literacy, budgeting and living skills (i.e. finding an apartment, shopping for groceries and other necessities, basic cooking, building relationships with roommates, and using public transportation). They also cover information on personal safety and sex trafficking, and provide support for LGBTQ youth. Community partners including Woodland Community College, the California Highway Patrol, county transportation agencies and non-profits such as Pocket Change, the Yolo Food Bank, the recycling center, and Planned Parenthood all provide instructors and additional support. As an incentive to attend these classes, the Yolo County Independent Living Skills Program gives Yolo County foster youth a \$25 stipend for each class. Although youth over 18 are encouraged to attend these classes, most attendees are age 16 to 18.

Youth interviewed for this report recommended that former foster youth participate as peer instructors to share their experiences about adjusting to the challenges of adulthood. They also praised the Independent Living Skills classes and staff and noted that young people from Sacramento and other counties frequently choose to attend Yolo’s classes over those offered by their home counties. Yolo County youth living outside the county may attend similar programs offered by other counties.

In addition to offering classes, the Independent Living Skills Program’s social worker coordinates with other community partners to provide youth with basic furniture and other items needed to set up apartments and to offer one-on-one financial and practical

¹⁰ The National Youth in Transition Database indicated that in 2013, self-reported statewide data showed that 8.3% of 19-year-old former foster youth held full-time employment and 24.4% had part time employment. In 2015, these numbers rose to 22.9% of 21-year-old youth employed full time and 30.9% employed part time. In Northern California, the 2013 rates were higher, at 10.3% (FT) and 34.1% (PT) for 19-year-olds and 25.9% (FT) and increased in 2015 to 31.8% (PT) for 21-year-olds.

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assistance, as needed, for driver training, obtaining drivers licenses, preparing for job interviews, and educational assistance.

- **Mental Health Services:** Research has shown that youth transitioning to adulthood from the foster care system exhibit rates of mental health disorders that are much higher than their same-age peers.¹¹ Yolo County Child Welfare Services Division staff told the Grand Jury that many youths in their care suffer from mental health issues, stemming from the trauma of removal from negligent or abusive families. Often this trauma results in an inability to form and maintain trusting relationships. Child Welfare Services staff indicated that in the past, Extended Foster Care youth rarely sought out mental health services. Recently, with implementation of a new Continuum of Care state law,¹² the Yolo Health and Human Services Agency hired four mental health professionals housed within the Child Welfare Services Division to reach out and directly provide services to foster youth. Transition Age Youth social workers report that when the in-house mental health professionals accompany social workers to meet the youth at their homes, these young people are more likely to accept services and build trusting, longer term relationships.

Juvenile Probation Implementation of Extended Foster Care

Although the Juvenile Probation Extended Foster Care program operates under the same laws, regulations and policies as the Child Welfare Service’s program, it serves a much smaller number of youth than the latter because most juvenile offenders are not in out-of-home care on their eighteenth birthday. According to Juvenile Probation Officers, most probation youth maintain family connections and are not placed in out-of-home care.

Since 2012, only 20 youth have participated in the Juvenile Probation’s Extended Foster Care program. Of the total, six opted out of the program and then returned, and two opted out, returned to the program, and opted out again. Any youth who commit a new offense after enrolling in the Extended Foster Care program lose eligibility for the program while incarcerated, but may subsequently opt back in until they turn 21. As of January 2017, seven Yolo County Probation youth were enrolled in Extended Foster Care.

The Yolo County Juvenile Probation Unit, at the Court’s discretion, typically maintains supervision over juvenile offenders until age 21. One probation officer is responsible both for youth under age 18 who are in placement and for youth ages 18-21 who are in the Extended Foster Care program. As of January 2017, there were six youth in out-of-home placement and seven in Extended Foster Care. Probation officers meet with the youth monthly to work one-on-one on their case plans. They offer counseling, and discuss living situations, education, and job skills.

¹¹ Havlicek, J. R., Garcia, A. R., & Smith, D. C. (2013). Mental health and substance use disorders among foster youth, transitioning to adulthood: Past research and future directions. *Children and Youth Services Review*, 35(1), 194–203. Cited in Mark E. Courtney Pajarita Charles, Mental Health and Substance Use Problems and Service Utilization by Transition-Age Foster Youth: Early Findings from CalYOUTH, Chapin Hall, University of Chicago, Findings from the California Youth Transitions to Adulthood Study. July, 2015. www.chapinhall.org.

¹² Assembly Bill 403 (Chapter 773), Statutes of 2015.

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Unless youth live in Transitional Housing Programs, they rarely participate in Independent Living Skills classes.

The Juvenile Probation Unit is required to use the Child Welfare System Case Management System and make the same quarterly reports to the State of California as the Child Welfare Services Division. However, the Juvenile Probation Unit currently cannot generate statistical reports on the Extended Foster Care Program’s youth and is in the process of re-building its data systems. The information obtained for this report was gathered by a probation manager. Federal funds for the program are included in county-wide foster care allocations.

Three of the seven juvenile probation participants have Supervised Independent Living Placements, three are in Transitional Housing Plus Programs outside of Yolo County, and one is in a group home focused on methamphetamine addiction. Transitional Housing Plus Programs provide supportive programs aimed at education, employment, relationships, and independent living, while group homes also provide intensive therapeutic services. Currently, no group homes or Transitional Housing Plus Programs for youth under 21 are located within Yolo County.

Six of the seven youth have graduated from high school, and four of the six are currently enrolled in community college or vocational programs. Probation officers noted that these youths may struggle to remain in college.

Probation youth under 18 who have mental health issues or substance abuse issues may be required to receive treatment; non-minor dependents who remain under probation supervision may also be compelled to receive services if the issues are ongoing and treatment is needed.

CONCLUSION

Extended Foster Care smooths the pathway to adulthood for Yolo County foster youth ages 18-21. Extended Foster Care youth attend school, are employed, manage their own money, and engage in practical activities geared toward independent living. By allowing the youth to exit out of and re-enter care, these young people experience the natural consequences of choices and decisions without losing needed support. The continued time in care gives program participants breathing room to gain important decision-making skills, benefit from positive adult relationships, and increase self-sufficiency. Three years have passed since the Extended Foster Care program was expanded to age 21. The fact that almost all Yolo County foster youth have opted to stay in the system is a testament to the law and to the professionalism and dedication of the program’s social workers and probation officers.

Upon turning 18, these vulnerable young people are less likely to face futures of economic instability, educational deficits, homelessness, and mental health issues. To the question, “Has Extended Foster Care improved the outcomes for youth participating in the program?” The Yolo County Grand Jury answers, “Yes.”

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FINDINGS

- F1. By providing an additional three-year transition period to adulthood and support for independent living, the Extended Foster Care program has improved the lives of foster youth in Yolo County.
- F4. Almost all eligible young people who turn age 18 in Yolo County’s child welfare system or in out-of-home placement in Juvenile Probation opt to participate in the Extended Foster Care program.
- F5. Yolo County’s Child Welfare Service’s social workers and Juvenile Probation Officers who oversee and work with young people in the Extended Foster Care program are highly dedicated and committed.
- F6. Yolo County Transition Age Youth Unit’s social workers reach out to and involve foster care youth at age 14, an earlier age than many other California counties.
- F7. The Extended Foster Care program has increased the rates of high school graduation and college enrollment among foster youth.
- F8. The Child Welfare Services Division and the Juvenile Probation Unit have insufficient resources to track analyze, aggregate and report data on these youths. Inadequate data hinders data-based program and funding decision-making.
- F9. Many Extended Foster Care youth are unable to secure appropriate, safe, and affordable housing in Yolo County, limiting their ability to participate in Yolo County’s Independent Living Skills Program classes.
- F10. Current public transportation options make it difficult for foster youth to pursue education and gain employment.
- F11. Although Independent Living Skills classes are described as valuable and relevant by both Child Welfare staff and extended foster youth interviewed for this report, few youths over 18 actually attend the classes.
- F12. Extended foster care youth gain valuable real-world experience in making and sticking to a budget when they are given the responsibility for managing their monthly foster care payment.

RECOMMENDATIONS

- R1. The Yolo County Health and Human Services Agency and the Juvenile Probation Unit should continue to proactively promote the Extended Foster Care program and advocate for the participation of all eligible foster youth.

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- R2. The County should increase the budget for the Independent Living Skills Program to cover needed financial assistance to youth renting apartments.
- R3. Within two years, the Yolo County Health and Human Services Agency should initiate local low-cost housing options for the youth in the Extended Foster Care program.
- R4. Within one year, the County should establish sufficient systems to analyze, track, aggregate and report data to monitor progress and outcomes for Yolo County Extended Foster Care Program’s youth, including those in the Child Welfare Services and in Juvenile Probation programs.
- R5. Within one year, the Health and Human Services Agency should collaborate with local transportation agencies and non-profit organizations to improve and fund transportation for foster youth attending Independent Living Skills classes, seeking employment, and pursuing higher education.
- R6. Within 18 months, the Health and Human Services Agency should evaluate the new mental health services established within the Child Welfare Services Division to determine if utilization of mental health services has increased among the foster youth.

REQUIRED RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing body:

- Yolo County Board of Supervisors – F6 through F8, R1 through R6

From the following individuals:

- Director, Health and Human Services Agency – F1 through F11; R1-R6
- Chief Probation Officer, Yolo County Probation – F1 through F3; F5 through F8; F10; F11; R1 and R4

The governing body indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

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- University of Chicago, Chapin Hall Discussion Paper, *Mental Health and Substance Use Problems and Service Utilization by Transition-Age Foster Youth: Early Findings from CalYOUTH*, Mark E. Courtney and Pajarita Charles, 2014
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- University of Chicago, Chapin Hall Issue Brief, *Memo from CalYOUTH: Early Findings on Extended Foster Care and Legal Permanency*, Mark E. Courtney and Nathanael Okpych, July 2015
- The PEW Charitable Trusts, STATELINE, *States Tackle “Aging Out” of Foster Care*, Teresa Wiltz, March 25, 2015
- Yolo County Health and Human Services Agency pamphlet, *THP-Plus, Transitional Housing for Emancipated Foster/Probation Youth*, 7/01/15
- Yolo County Health and Human Services Agency pamphlet, *Independent Living Skills Program (ILSP)*, Rev. 7/01/15
- Yolo County Office of Education Report, *Count of Matched Foster Students by District of Enrollment and Grade for 2014-15*

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We also reviewed:

- THE DAVIS ENTERPRISE: *Yolo budget ok'd amid fiscal uncertainties*, September 30, 2016; *County Releases files on baby Justice Rees*, October 7, 2016; *Free workshops examine sex trafficking of foster children*, January 6, 2017; *Spotlight back on foster care*, January 19, 2017
- THE SACRAMENTO BEE: *Records: Baby in slough had meth at birth*, October 7, 2016

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
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ARE YOLO COUNTY SCHOOLS IN COMPLIANCE WITH SCHOOL SAFETY PLANS?

SUMMARY

In the wake of several tragic and highly publicized school violence incidents, school safety and violence prevention are major national concerns. To address the issue of school safety, several states, including California, enacted legislation requiring the prioritization, development, and adoption of school safety and emergency plans. Because of this concern, the Yolo County Grand Jury (YCGJ) posed this question, “*Are Yolo County school districts in compliance with their respective safety plans?*” By means of site inspections and school district personnel interviews, the YCGJ surveyed the five school districts within Yolo County.

Of the five districts surveyed, several observations at various individual school sites raised safety concerns for the YCGJ, including:

- Open access from public parks and streets onto campuses
- Lack of required signage directing visitors to the school office
- Several access gates were unsecured during school hours
- Lack of campus safety training for staff and students
- Site safety plans in place, but not uniformly enforced
- Perimeter fencing lacking at many school sites
- At one observed site, during elementary school recess there were no identifiable adult monitors
- During site surveys, only one YCGJ group was approached by school staff and asked why they were on campus
- Students and staff opened locked doors to allow access to visitors
- District Safety Plan committees excluded input from the Fire Marshal, local law enforcement,
- Uniform Building Code officials, and the Office of Emergency Services
- The alarm annunciator does not differentiate different types of emergencies, i.e., earthquake, fire, campus intruder, etc.

ARE YOLO COUNTY SCHOOLS IN COMPLIANCE WITH SCHOOL SAFETY PLANS?

BACKGROUND

Due to tragic school incidents over the last 20 years, school safety is an increasingly important issue. As a result, the California legislature enacted school safety laws requiring school districts as well as individual school sites to draft and implement comprehensive school safety plans. These plans address both the educational aspects of creating environments that are conducive to learning and the physical aspects of school sites' buildings and grounds. These plans are to be reviewed yearly and must be submitted in updated form in March of each calendar year to the California State Department of Education.

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

The California Education Code outlines a specific set of guidelines that each district must follow. Additionally, each district school site must have a school site council that includes the principal, credentialed staff, certificated staff, parents, students and interested community members. The school site council is charged with reviewing the site's readiness and preparing a safety plan that encompasses the overall district plan. The plan must also include any aspects particular to the site that are necessary to address site-specific safety issues. Each site must review and revise this plan yearly and submit the site plan to the district so that it can be incorporated into the district's Safety Plan that is ultimately submitted to the State.

Every school district must follow the *California Office of Education Compliance Checklist for a Comprehensive School Safety Plan*, (attached as Appendix 1), California Education Code Sections 32280-32289 (attached as Appendix 2), *California State Board of Education Policy #01-02*, (attached as Appendix 3), Comprehensive School Safety School Self-Monitoring Tool (attached as Appendix 4).

Specifically, California Education Code section 32280 states in part:

- All California public schools must develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process.
- A Safety Plan is a developed plan of strategies that are coordinated with first responders and law enforcement agencies aimed at the prevention of, education about, and response to potential incidents involving natural disasters, crime, and violence on or near a school campus.

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California Education Code section 32282 states in pertinent part:

- The comprehensive school safety plan shall include but is not limited to identifying appropriate strategies and programs that will provide or maintain a high level of school safety.

METHODOLOGY

The Grand Jury reviewed California State Education Code guidelines for school safety and visited school sites within each of the five districts. Interviews were conducted with school personnel responsible for school safety within the districts. Such responsibility can include, but is not limited to, the drafting, compiling and submitting the yearly district-wide School Safety Plan to the State as required under the California Interagency School Safety Act of 1985, Article 5, School Safety Plan (Education Code sections 32280-32289). Persons charged with responsibility within each district include the district superintendent, the school safety officer, the student and family support services officer, and other personnel charged with responsibility for school safety.

Grand Jury representatives visited school sites to evaluate and document safety concerns and procedures. The purpose of the visits was to determine the safety procedures in place for unannounced visitors to campus sites. Security varied from district to district. The YCGJ made notations of observations at each site and recorded the findings which are included in this report.

From site observations and interviews, the YCGJ has made recommendations for improvements in the Safety Plan procedures followed by the five districts within Yolo County. The YCGJ site visits as well as input from at least three different district spokespersons demonstrated that securing school sites is an issue that needs attention. Additionally, this issue was noted by the independent outside safety consultants hired by two Districts.

Washington Unified School District

Washington Unified School District (WUSD) contains 10 campuses. The YCGJ's overall impression was that Washington Unified School District's sites offer safe and secure environments with well-established safety guidelines prominently posted on all district locations and is an exemplar. The District has a current District Safety Plan that is in compliance with the Education Code requirements. The Fire Marshal, a Uniform Building Code official, and a County Office of Emergency Services official were included in the District's comprehensive safety planning process. A District administrator is specifically responsible for the Safety Plan, annual Plan updates, staff training that includes the substitute teachers, and regularly scheduled campus safety training updates.

The District utilizes an Emergency Guide that is in the form of an easy-to-use plastic laminated flip chart booklet. All references are clearly tabbed and labeled for specific emergency scenarios and respective responses. The flip-chart guide has removable inserts that can be updated annually without the necessity of reprinting and replacing the entire guide. The guide is prominently placed in every classroom, all administrative offices, the cafeterias and multi-purpose rooms.

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Within the District, all school sites must meet safety standards as described in the District Safety Plan and have in place school site-specific standards that address situations that are unique to the site. Each school site has a communication system consisting of an intercom, phones and portable radios.

The District sites visited by the Grand Jury were surrounded by fencing with public access only to the site's front office. Signage containing instructions directing all visitors to report to the office was visible and placed at the main entry point. All gates were secured and locked from the exterior. Panic bars are located on the interior of all gates.

Of the five districts visited, the Washington Unified School District had the largest number of secured school sites, an outstanding working safety plan, and regularly scheduled safety training exercises. This District will be used as the benchmark for this report.

Woodland Joint Unified School District

Woodland Joint Unified School District (WJUSD) contains 14 campuses. The Safety Plan is updated yearly and was last updated on November 30, 2016. The staff receives safety training at the beginning of each school year.

Woodland School District engaged the services of Emergency Preparedness Group, Inc., a New York consulting firm, to evaluate the district's school safety issues and to assist in updating the school safety plan.

Each school site council received a report from the consultants containing recommendations specific to that particular school. Woodland's Safety Plan Coordinator is aware of improvements needed and is open to ideas on improving various campus sites. One step toward improved safety is that during school hours, selected personnel are issued walkie talkies for communication purposes.

Issues noted by the consulting group include the following:

- Improve signage on the campuses, not only for regulation notification but for the purpose of supporting visitors
- Better secured perimeters of campuses to minimize intruder access and improve supervision
- Increase campus supervision
- Treat visitors in a consistent manner throughout the district
- For safety reasons, District personnel reported that some district schools have already changed the school office location from the middle of the building to the front of the building

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Davis Joint Unified School District

Davis Joint Unified School District (DJUSD) contains 18 campuses. The District has an active Safety Plan that is current and is updated annually. At the beginning of each year, all District personnel receive training on emergency procedures that is conducted by the Director of Student Support Services.

In lieu of formal safety training, substitute teachers are given a folder that contains safety information. In the case of an emergency, substitutes receive back-up from the site administrative office. In addition, substitutes provide their cell numbers to receive information by text message from the administration.

With the exception of one campus, Davis Unified schools display proper signage directing visitors to the office prior to accessing the campus. Only one site approached Grand Jury visitors. During elections when schools are used as polling places, school personnel are posted onsite to ensure that voters don't stray from the designated polling station.

The City of Davis Police Department supports the Davis schools and conducts active shooter training on all DJUSD campuses when students are not present. One Staff Resource Officer (SRO) is assigned to the district by the Davis Police Department and spends most assigned time at the high school.

The district hired an outside safety consultant in 2015. The consultant group emphasized the problem of the campuses' proximity to public bicycle trails and city parks. The consultant's survey raised District awareness to necessary safety changes such as appropriate fencing that limits public accessibility during school hours. The district agrees that modifications are needed concerning public open spaces adjacent to some of its campuses. As of May 2017, the YCJG committee noted that at one site there was progress toward additional fencing to limit access from the public bike path.

Esparto Unified School District

Esparto Unified School District (EUSD) contains four campuses. It has a safety plan that was updated in March 2017. Grand Jury visits to Esparto campuses noted concerns with fencing and open gates.

The District is aware of safety issues. Safety concerns expressed by Esparto District personnel include:

- State Highway 16/Yolo Avenue, which is the main street, does not have easily visible, designated crosswalks marked with proper signs
- Repeated failure by the County to maintain existing crosswalks

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- Lack of traffic signals on Highway 16/Yolo Avenue adjacent to the high school
- Increased traffic on Highway 16 and County Road 22, which fronts the driveway to Esparto Middle School
- Increased traffic safety risks resulting from students shopping at the new Dollar Store which fronts Highway 16
- Growing concerns with casino traffic traveling through Esparto
- Some of these drivers may be sleep-deprived or impaired

The District has an emergency plan that is updated annually. This plan, which was maintained in hard copy format for many years and is now also stored digitally, was updated to reflect the most recent changes in language regarding school emergencies. Even though the District conducts personnel safety training every August, the District believes it should focus on more training for newer staff. The district also discussed safety training and determined a need to implement pre- and post-safety training surveys to gain better knowledge about training effectiveness and what improvements can be made.

To limit access to the junior high school, the district would like to install a new, more secure gate at the school's entrance. The playing fields at this site are surrounded by a low (4 foot) fence. To improve safety, the district installed flashing lights at crosswalks. There are crossing guards who control traffic for the elementary school, but there are no crossing guards posted for the junior high or high schools.

Winters Joint Unified School District

Winters Joint Unified School District (WJUSD) contains four campuses. An updated District Comprehensive Safety Plan does not exist. The last known safety plan was compiled in 2002 and has not been revised since that time. Each school site maintains an individual site safety plan, formulated by the school's Site Council.

The district has been out of compliance with yearly updates to the Comprehensive Safety Plan (California Education Code sections 32280 through 32289) for fifteen years, which could subject the district to monetary fines. The district acknowledges issues surrounding its safety plan and is working toward completing a new comprehensive Safety Plan by the end of the 2018 school year. A Winters Joint Unified School District representative stated that the district has made updating the 2002 District Safety Plan a priority. A district ad hoc safety committee was recently formed to update the 2002 District Comprehensive Safety Plan.

A 2007 joint use agreement between the Yolo County Public Library, a non-school site, allows the use of the library by both the public and the District during school hours. This represents a safety

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issue for students using the library, since the public is given unfettered access. This situation conflicts with the State's mandate that all visitors to a school facility check in with the office prior to entering a campus. The district noted this issue should be addressed.

FINDINGS

- F1 With the exception of Winters Joint Unified School District, all Districts are in compliance with the yearly update and reporting per the Education Code Requirements for Comprehensive School Safety Plans.
- F2 School Districts regularly conduct safety training for all school employees, usually at the beginning of the school year. Some Districts provide more comprehensive training throughout the school year.
- F3 Washington Unified School District does an exemplary job with its Comprehensive School Safety Plan and execution on all campuses.
- F4 There is a lack of regular and on-going communication among the five Yolo County School Districts regarding School Safety Plan issues that would affect all Districts. Meeting regularly and discussing shared concerns would allow ideas and solutions to be presented.
- F5 Access to many campuses within some districts is not restricted by fencing. Public walkways/bike paths run directly through some of the campuses. Gates at some campuses are not secured during school hours.
- F6 Visitors to campuses are not properly instructed to safety procedures to be followed. Check- in procedures for visitors are often not adequately clarified at some campuses.
- F7 Students are not made aware of the importance of safety plan compliance and their role in assuring a safe school environment.
- F8 Access allowed only to the office area of campuses with all other areas secured within fencing is not provided at many campuses within the districts. Campus offices are not always located at the main entrance to campuses
- F9 Appropriate signage directing visitors to the office areas is lacking at several district campuses.
- F10 Washington Unified School District utilizes an organized emergency procedures flip chart that was designed by the District Safety Committee. The flip chart features easy-to-follow safety directives as well as a format that can be modified without recreating the entire flip chart. Although costly to produce at the outset, the flip chart's versatility represents a dedication to school safety with the added bonus of long term cost savings.

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- F11 The use of the Winters Public Library by students and the general public during school hours without established safety procedures at that facility is of concern to the Grand Jury.
- F12 Current use of alternate communication devices, for example walkie talkies, for selected staff improves the safety of all campuses when other forms of communication such as phones, the internet, and intercoms are not functioning.
- F13 The Yolo County Board of Supervisors needs to address and correct traffic safety issues along Yolo Avenue in Esparto for Esparto Unified District students accessing all campuses.

RECOMMENDATIONS

- R1 By December 2018, all schools that do not have perimeter fencing will complete feasibility studies for the installation of appropriate fencing around school property to prevent access to the public. In compliance with California State Building Codes, gate hardware should have locked access from the entry side and unlockable (panic hardware) from the exit side.
- R2 By October 1, 2017, all schools will keep existing fencing and gates locked during school hours.
- R3 By October 1, 2017, all schools will limit access to the campus. All visitors will be required to check in at each school’s main office; all other areas are to be secured.
- R4 By October 1, 2017, all schools will display permanent signage and entry instructions at all schools that provides instruction to all visitors directing them to report to the main office to obtain a Visitor’s Badge or ID prior to entry of the campus.
- R5 By October 1, 2017, when school is in session and children are present, all sites will use identifiable adult monitors where fencing and gates are open and unsecured.
- R6 By October 1, 2017, provide training and increase safety awareness among District personnel and students.
- R7 By October 1, 2017, all Districts will comply with the California Education Code concerning school safety.
- R8 By October 1, 2017, Yolo County Districts should consider networking with each other on a regular basis to discuss and share ideas on the most effective ways to construct, initiate and utilize school safety plans.

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- R9 By October 1, 2017, modify, as necessary, the 2007 Memorandum of Understanding for Joint Use with Winters Joint Unified School District and the Yolo County Public Library to address the safety of students using the Winters Public Library during school hours.
- R10 By January 1, 2018, the Yolo County Board of Supervisors will establish procedures to address the Yolo Avenue safety issues confronting Esparto Unified District students.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

From the following elected official:

- Yolo County Superintendent of Schools – F1, F11; R8, R9

From the following governing bodies:

- Yolo County Board of Supervisors – F13, R10
- Yolo County Board of Education – F1, F11; R8, R9
- Board of Education, Davis Joint Unified School District – F1, F2, F4-F10, F12; R1-R8
- Board of Education, Esparto Unified School District – F1, F2, F4-F10, F12; R1-R8
- Board of Education, Washington Unified School District – F1-F10, F12; R1-R8
- Board of Trustees, Winters Joint Unified School District – F1, F2, F4-F12; R1-R9
- Board of Trustees, Woodland Joint Unified School District – F1, F2, F4-F10, F12; R1- R8

From the following individuals:

- District Superintendent, Davis Joint Unified School District – F1, F2, F4-F10, F12; R1-R8
- District Superintendent, Esparto Unified School District – F1, F2, F4-F10, F12; R1-R8
- District Superintendent, Washington Unified School District – F1-F10, F12; R1-R8
- District Superintendent, Winters Joint Unified School District – F1, F2, F4-F12; R1-R9
- District Superintendent, Woodland Joint Unified School District – F1, F2, F4-F10, F12; R1-R8

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The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to notice, agenda, and open meeting requirements of the Brown Act.

BIBLIOGRAPHY

In preparing this report, the Grand Jury reviewed the following:

- California Education Code
- Yolo County School Districts' Safety Plans
- District Board of Education Minutes pertaining to Safety
- Interviews with school district personnel
- Yolo County School Districts' web-sites
- Prior Yolo County Grand Jury school reports

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
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**Compliance Checklist for a Comprehensive School Safety Plan
California Education Code Sections 32280–32289**

School/District: _____ Grade levels: _____ Date: _____

Required Components for a Comprehensive School Safety Plan	Mandate Met <i>(date, plan)</i>	Comments, Suggested Details <i>(resources, activities, etc.)</i>
California Education Code (EC) Section 32281		
(b) (1) Plan is written and developed by a School Site Council (SSC) or a Safety Planning Committee (2) The school Safety Planning Committee is made up of principal/designee, teacher, parent of child who attends the school, classified employee, others		Include planning committee roster.
(b) (3) SSC/Safety Planning Committee consulted with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan		
EC Section 32282		
(a) The comprehensive school safety plan includes, but is not limited to, all of the following:		
(1) An assessment of the current status of school crime at the school and at school-related functions, which may be accomplished by reviewing the following types of information: <input type="checkbox"/> Office Referrals <input type="checkbox"/> Attendance Rates/School Attendance Review Board Data <input type="checkbox"/> Suspension/Expulsion Data <input type="checkbox"/> California Healthy Kids Survey <input type="checkbox"/> School Improvement Plan <input type="checkbox"/> Local Law Enforcement Juvenile Crime Data <input type="checkbox"/> Property Damage Data <input type="checkbox"/> Other: _____		Describe the data reviewed, key analysis points, and table of findings. Document how this information was shared with SSC/Safety Planning Committee.
(2) Identify appropriate strategies and programs that provide and maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including, but not limited to the following:		Additional items to consider: <input type="checkbox"/> Threat Assessment <input type="checkbox"/> Student Support Teams

Required Components for a Comprehensive School Safety Plan	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(A) Child Abuse Reporting Procedures		Board policy and site-specific steps.
(B) Disaster procedures, routine and emergency, crisis response plan, including adaptations for pupils with disabilities and the following:		Use the Standardized Emergency Management System (SEMS) as detailed in the California Emergency Services Act Section 8607 and the supporting <i>California Code of Regulations (CCR)</i> .
<p>(i) Earthquake emergency procedures that include:</p> <p>(I) a school building disaster plan</p> <p>(II) a drop procedure (students and staff take cover) dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary schools</p> <p>(III) protective measures to be taken before, during, and after an earthquake</p> <p>(IV) a program to ensure that pupils, and certificated and classified staff are aware of and are trained in the procedures</p>		<p>Detail response procedures:</p> <p><input type="checkbox"/> Lock Down</p> <p><input type="checkbox"/> Secure School</p> <p><input type="checkbox"/> Active shooter</p> <p>Describe information on training and exercise drills:</p> <p><input type="checkbox"/> Fire Drills: 5 CCR, Section 550</p>
(ii) Establish procedures to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency		
(C) Suspension/Expulsion policies and procedures		Refer to board policy, include site-specific steps, if needed.
(D) Teacher notification of dangerous pupils procedures		Refer to board policy, include site-specific steps, if needed.

Required Components for a Comprehensive School Safety Plan	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(E) Discrimination and Harassment policy, including Bullying/Cyberbullying. Include hate crime reporting procedures and policies here		Include complaint and investigation procedure.
(F) Schoolwide Dress Code, including prohibition of gang-related apparel		
(G) Procedures for safe ingress and egress of pupils, parents, and employees to and from school site		Reference campus visitor policies. Other items may include: crossing guard program, safe routes to school, pedestrian, vehicle and bicycle policies, traffic safety, etc.
(H) A safe and orderly environment conducive to learning at the school		
(I) Rules and procedures on school discipline		
(d) When practical, consult, cooperate and coordinate with other school site councils or school safety planning committees		
(e) Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented. Also, keep an updated file of all non-sensitive safety-related plans and materials readily available for inspection by the public	Review, update and approve by March 1.	Demonstrate annually approved plan with board signature page.
(f) Include, to the extent resources are available, policies and procedures for bullying prevention		
EC Section 32282.1		
<p>Schools are encouraged to include clear guidelines for the roles and responsibilities of the positions listed below (if used by the district):</p> <ul style="list-style-type: none"> • Mental health professionals, school counselors • Community intervention professionals • School resource officers, police officers on campus 		

Required Components for a Comprehensive School Safety Plan	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<i>EC Section 32284</i>		
Plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one quarter mile of a school		
<i>EC Section 32288</i>		
(a) Submit the plan to school district office or county office of education for approval		
(b) (1) SSC/Safety Planning Committee communicated the school safety plan to the public at a public meeting at the school site	Public meeting announcements, etc.	See notification requirements in EC Section 32288(b)(2) and recommendations in EC Section 32288(b)(3).

California Department of Education, October 2016

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EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500] (Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500] (Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 19. MISCELLANEOUS [32001 - 32454] (Part 19 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2.5. Interagency School Safety Demonstration Act of 1985 [32260 - 32295.5] (Chapter 2.5 added by Stats. 1985, Ch. 1457, Sec. 1.)

ARTICLE 5. School Safety Plans [32280 - 32289] (.Heading of Article 5 renumbered from Article 10.3 by Stats. 2003, Ch. 828, Sec. 11.)

32280. It is the intent of the Legislature that all California public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, in cooperation with local law enforcement agencies, community leaders, parents, pupils, teachers, administrators, and other persons who may be interested in the prevention of campus crime and violence, develop a comprehensive school safety plan that addresses the safety concerns identified through a systematic planning process. For the purposes of this section, law enforcement agencies include local police departments, county sheriffs' offices, school district police or security departments, probation departments, and district attorneys' offices. For purposes of this section, a "safety plan" means a plan to develop strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

(Added by renumbering Section 35294 by Stats. 2003, Ch. 828, Sec. 12. Effective January 1, 2004.)

32281. (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

(b) (1) Except as provided in subdivision (d) with regard to a small school district, the schoolsite council established pursuant to former Section 52012, as it existed before July 1, 2005, or Section 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.

(2) The schoolsite council may delegate this responsibility to a school safety planning committee made up of the following members:

- (A) The principal or the principal's designee.
- (B) One teacher who is a representative of the recognized certificated employee organization.
- (C) One parent whose child attends the school.
- (D) One classified employee who is a representative of the recognized classified employee organization.
- (E) Other members, if desired.

(3) The schoolsite council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

(4) In the absence of a schoolsite council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) (1) Subdivision (b) shall not apply to a small school district, as defined in paragraph (2), if the small school district develops a districtwide comprehensive school safety plan that is applicable to each schoolsite.

(2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

APPENDIX 2

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(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the schoolsite of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school district. For purposes of this section, an act that is considered a "violent crime" shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not have its schoolsite council develop and write those portions of its comprehensive school safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the schoolsite. The portions of a school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if he or she chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, "tactical responses to criminal incidents" means steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrator or perpetrators.

(3) Nothing in this subdivision precludes the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials pursuant to Section 54957 of the Government Code to approve a tactical response plan developed in consultation with those officials pursuant to this subdivision. Any vote to approve the tactical response plan shall be announced in open session following the closed session.

(4) Nothing in this subdivision shall be construed to reduce or eliminate the requirements of Section 32282.

(Amended by Stats. 2011, Ch. 438, Sec. 1. Effective January 1, 2012.)

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

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

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

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

(B) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.). The disaster procedures shall also include, but not be limited to, both of the following:

(i) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(Amended by Stats. 2015, Ch. 303, Sec. 68. Effective January 1, 2016.)

32282.1. (a) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campuses, if the school district uses these people.

(b) The guidelines developed pursuant to subdivision (a) are encouraged to include both of the following:

(1) Primary strategies to create and maintain a positive school climate, promote school safety, and increase pupil achievement, and prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support.

(2) Consistent with paragraph (2) of subdivision (a) of Section 32282, protocols to address the mental health care of pupils who have witnessed a violent act at any time, including, but not limited to, any of the following:

(A) While on school grounds.

(B) While going to or coming from school.

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(C) During a lunch period whether on or off campus.

(D) During, or while going to or coming from, a school-sponsored activity.

(Amended by Stats. 2014, Ch. 794, Sec. 2. Effective January 1, 2015.)

32282.5. (a) The department shall electronically distribute disaster preparedness educational materials and lesson plans that are currently available to school districts and county offices of education.

(b) The department shall ensure that the disaster preparedness materials are available in at least the three most dominant primary languages spoken by English learners in California, according to the language census.

(c) The department shall coordinate with the Office of Emergency Services to make sure that all materials are reviewed and updated annually.

(Amended by Stats. 2013, Ch. 352, Sec. 70. Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)

32283. The Department of Justice and the State Department of Education, in accordance with Section 32262, shall contract with one or more professional trainers to coordinate statewide workshops for school districts, county offices of education, and schoolsite personnel, and in particular school principals, to assist them in the development of their respective school safety and crisis response plans, and provide training in the prevention of bullying as defined in subdivision (r) of Section 48900. The Department of Justice and the State Department of Education shall work in cooperation with regard to the workshops coordinated and presented pursuant to the contracts. Implementation of this section shall be contingent upon the availability of funds in the annual Budget Act.

(Amended by Stats. 2011, Ch. 732, Sec. 4. Effective January 1, 2012. Operative July 1, 2012, by Sec. 8 of Ch. 732.)

32283.5. The department shall develop an online training module to assist all school staff, school administrators, parents, pupils, and community members in increasing their knowledge of the dynamics of bullying and cyberbullying. The online training module shall include, but is not limited to, identifying an act of bullying or cyberbullying, and implementing strategies to address bullying and cyberbullying.

(Added by Stats. 2014, Ch. 418, Sec. 1. Effective January 1, 2015.)

32284. The comprehensive school safety plan may also include, at local discretion of the governing board of the school district and using local funds, procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No funds received from the state may be used for this purpose.

(Added by renumbering Section 35294.4 by Stats. 2003, Ch. 828, Sec. 16. Effective January 1, 2004.)

32286. (a) Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. A new school campus that begins offering classes to pupils after March 1, 2001, shall adopt a comprehensive school safety plan within one year of initiating operation, and shall review and update its plan by March 1, every year thereafter.

(b) Commencing in July 2000, and every July thereafter, each school shall report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to Sections 33126 and 35256.

(Added by renumbering Section 35294.6 by Stats. 2003, Ch. 828, Sec. 18. Effective January 1, 2004.)

32287. If the Superintendent of Public Instruction determines that there has been a willful failure to make any report required by this article, the superintendent shall do both of the following:

(a) Notify the school district or the county office of education in which the willful failure has occurred.

(b) Make an assessment of not more than two thousand dollars (\$2,000) against that school district or county office of education. This may be accomplished by deducting an amount equal to the amount of the assessment from the school district's or county office of education's future apportionment.

(Added by renumbering Section 35294.7 by Stats. 2003, Ch. 828, Sec. 19.5. Effective January 1, 2004.)

32288. (a) In order to ensure compliance with this article, each school shall forward its comprehensive school safety plan to the school district or county office of education for approval.

(b) (1) Before adopting its comprehensive school safety plan, the schoolsite council or school safety planning committee shall hold a public meeting at the schoolsite in order to allow members of the public the opportunity to

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express an opinion about the school safety plan.

(2) The schoolsite council or school safety planning committee shall notify, in writing, the following persons and entities, if available, of the public meeting:

(A) The local mayor.

(B) A representative of the local school employee organization.

(C) A representative of each parent organization at the schoolsite, including the parent teacher association and parent teacher clubs.

(D) A representative of each teacher organization at the schoolsite.

(E) A representative of the student body government.

(F) All persons who have indicated they want to be notified.

(3) The schoolsite council or school safety planning committee is encouraged to notify, in writing, the following persons and entities, if available, of the public meeting:

(A) A representative of the local churches.

(B) Local civic leaders.

(C) Local business organizations.

(c) In order to ensure compliance with this article, each school district or county office of education shall annually notify the State Department of Education by October 15 of any schools that have not complied with Section 32281.

(Added by renumbering Section 35294.8 by Stats. 2003, Ch. 828, Sec. 20. Effective January 1, 2004.)

32289. A complaint of noncompliance with the school safety planning requirements of Title IV of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 7114 (d)(7)) may be filed with the department under the Uniform Complaint Procedures as set forth in Chapter 5.1 (commencing with Section 4600) of Title 5 of the California Code of Regulations.

(Amended (as added by Stats. 2004, Ch. 896, Sec. 29) by Stats. 2015, Ch. 303, Sec. 70. Effective January 1, 2016.)



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California State Board of Education Policy #01-02

DATE

March 2001

SUBJECT

School Safety, Discipline, and Attendance

REFERENCES

Integrated in text.

HISTORICAL NOTES

This policy supersedes a policy on the same subject originally adopted in October 1983 and revised in September 1993.

It is the policy of the State Board of Education (State Board) that all students enrolled in public schools in California have the right to safe schools.¹ The State Board believes that students cannot benefit fully from an educational program unless they attend school regularly in an environment that is free from physical and psychological harm. The State Board also believes that the leadership in providing safe schools, establishing behavior standards, and improving student attendance must come primarily from local education agency (LEA) boards, superintendents and their staff, and site-level administrators. The leadership must be continuous in order to support comprehensive efforts at each school site to assist students in becoming selfdirected and responsible for their own behavior.

It is further the policy of the State Board (supported by reference in statute²) that the substantial benefit students will derive from regular attendance in a safe and orderly school environment justifies a high priority and commitment of personnel and fiscal resources by the Legislature, Governor, and California Department of Education, and by LEAs.

In accordance with California *Education Code* Section 35294.1 et seq., the State Board recognizes that a beginning step toward safer schools is the development of a comprehensive plan for school safety by every public school and district in the state. The plan should be developed and integrated into the ongoing school planning efforts that currently exist. *Education Code* Section 35294.6(a) requires that the plan be reviewed and updated annually by March 1 .

Also, *Education Code* Section 35294.6(b) requires each school to report in July on the status of its school safety plan (including a description of the plan's key elements) in the annual school accountability report card prepared pursuant to *Education Code* Sections 33126 et seq. and 35256 et seq. There should be a district-wide statement of philosophy, an enabling policy, and guidelines that serve as a foundation for safe school plans created by individual schools.³ The statement should provide a clear sense of purpose and exemplify district

APPENDIX 3

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support for the entire planning process. The State Board acknowledges that a student's academic achievement is a great deterrent to school violence; hence, a comprehensive plan should include a focus on high expectations of student performance and behavior in all aspects of the school experience.

Effective safe school plans are developed cooperatively by parents (guardians), students,

teachers, administrators, counselors, and community agencies, including local law enforcement, and approved by the local governing board. The State Board also strongly encourages all LEAs to establish working and collaborative relationships with law enforcement agencies, service agencies, parents (guardians), and community members in order to provide safe and orderly schools, improve attendance, and expand services to students and parents (guardians).

The State Board believes that in order for a comprehensive program for school safety to have long-lasting effects, it should include a planned sequence of strategies and activities appropriate for all students and should be based on specific needs identified by a broad-based safe school committee.⁴ The program should have a major focus that is preventive in nature and supports the development of youths' assets.⁵ In addition, it should include provisions to deal with critical issues, such as truancy; racial conflict; bullying; gang activities on campus; violent behaviors; weapons possession on campus; drug, alcohol, and other substance abuse; and natural disasters.

The plan should also incorporate after-school programs and extracurricular and co-curricular activities that address individual student needs to belong and to be respected and appreciated.

Finally, the plan should include procedures for accommodating children and youth with disabilities.

The State Board believes that comprehensive safe school plans and programs should focus attention on the strengths and experiences that students, teachers, administrators, and other school personnel bring to the school campus; the physical setting and conditions in which education takes place; the organizational and interpersonal processes that occur in and around school; and the general atmosphere or spirit of the school.

Comprehensive plans and programs will provide a positive learning environment through the implementation of:

- Appropriate rules, regulations, and discipline policies that are well publicized, consistently enforced, and nondiscriminatory, and that take into consideration the due process all students are entitled to receive.
- Appropriate professional development that emphasizes the importance of treating students, parents (guardians), and coworkers respectfully.
- A rigorous curriculum that establishes high expectations for achievement by all students in every subject area, academic and non-academic.
- Effective counseling and guidance services that include personal counseling, peer programs, educational counseling, career planning, and training in job-seeking skills and work-related social skills.
- Supplemental and alternative instructional strategies and learning programs, including extracurricular and co-curricular activities, independent study, work experience, and alternative schools, all of which are designed to empower students to complete high school and to transition successfully to employment or postsecondary education.
- Student handbooks that explain codes of conduct, including information on such topics as student rights and responsibilities, unacceptable behavior, and procedures for due process and appeals.
- Plans for dealing with potential disruptive conflict situations, including procedures for referrals to law enforcement agencies for serious offenses.

<http://www.cde.ca.gov/be/ms/po/policy01-02-mar2001.asp>

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- Processes for continually examining the factors in school life that influence behavior and modifying those factors to bring about desired behavior.
- Programs and strategies that develop a student's sense of family and school connectedness, self-esteem, personal and social responsibility, character, and ability to resolve conflict in a positive, constructive way.
- Appropriate professional development activities that include safe school strategies, current laws affecting school safety, and crisis response.
- Collaboration and cooperation among community agencies, law enforcement agencies, neighborhoods, parents (guardians), and schools that lead to increased school safety.
- A system of referrals to appropriate agencies for services that students need and that schools are unable to provide.

Local plans for safe schools should be based on and/or include the following elements:

1. Collaborative relationships among community agencies, parents (guardians), local law enforcement agencies, and the school that lead to a common vision of a safe school and commitment to programmatic goals developed by a broadly based safe schools committee.
2. A district-wide statement of philosophy, an enabling policy, and guidelines that serve as a foundation for safe school plans created by individual schools, provide a clear sense of purpose, and exemplify district support for the entire planning process.
3. An assessment of the incidence of campus violence and vandalism, student behavior referrals resulting in suspensions or expulsions, student behaviors resulting in automatic expulsion, and students' attendance patterns including actual attendance, number of excused and unexcused absences, and reasons for nonattendance and tardiness.
4. Identification of appropriate and comprehensive strategies and programs that will provide or maintain a high level of school safety.
5. A discipline policy that clearly defines expected behavior, provides consequences for deviations from the expected behavior, and distinguishes discipline problems from law enforcement problems. A discipline policy should provide details on the following:
 - Rights and responsibilities of students;
 - Student code of conduct;
 - Description of specific disruptive behaviors that interfere with the classroom learning environment (such as antisocial behaviors, gang-related attire and conduct, tardiness, and excessive absences) and logical consequences for those disruptive behaviors;
 - Provisions for due process (e.g., appeals, hearings, and grievances); and
 - Processes for reviewing the individualized education programs of individuals with exceptional needs, as defined in Section 56026 of the *Education Code*, or other children with disabilities that have a Section 504 plan, before punitive action for socially-inappropriate behavior is initiated.
6. Objectives and strategies to improve school safety, attendance, student behavior, and disciplinary practices, and thereby reduce campus violence and foster a positive learning environment.
7. An evaluation of the effectiveness of the designated strategies in reaching the desired attendance, behavior, and school environment goals.
8. A description of the roles and responsibilities of faculty and staff in developing cooperative working relationships with law enforcement agencies, service agencies, parents (guardians), and students to assure the implementation and continuing progress of the comprehensive plan.
9. A description of the identified fiscal and personnel resources for the plan's implementation.
10. Strategies for recognizing situations that may potentially result in conflict (or otherwise be disruptive of education) and implementing appropriate interventions.

<http://www.cde.ca.gov/be/ms/po/policy01-02-mar2001.asp>

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- ¹ Constitution of the State of California, Article 1, Section 28(c), Right to Safe Schools.
- ² The Carl Washington School Safety and Violence Prevention Act, *Education Code* Section 32228 et seq.
- ³ California Department of Education, *Safe Schools: A Planning Guide for Action* (1995 Edition)
- ⁴ Pursuant to Education Code Sections 35294.1 and 35294.2, the school site council is responsible for developing the school site safety plan or for delegating the responsibility to a school safety planning committee. The site council shall consult with law enforcement in the writing and development of the plan, as well as consult, cooperate, and coordinate with other school site councils and safety committees, where practical.
- ⁵ Resnic, Michael and Richard Udry. Protecting adolescents from harm: Findings from the National Longitudinal Study on Adolescent Health. *JAMA* 278 (10). September 10, 1997.

[PDF Version Policy #01-02 - School Safety, Discipline, and Attendance](#) (PDF; 102KB; 4pp.)

Questions: State Board of Education | 916-319-0827

Last Reviewed: Thursday, July 21, 2016

California Department of Education – January 2014

**Comprehensive School Safety Plan
Self-Monitoring Tool**
California *Education Code* Sections 32280–32289

Requirements for a Comprehensive School Safety Plan	Requirement Met	Comments
<p>1. Plan is written and developed by a school site council (SSC) or a safety planning committee. The School Safety Planning Committee is comprised of: principal/designee, teacher, parent of child who attends the school, classified employee, and others. The SSC may delegate this responsibility to a school safety planning committee.</p>		
<p>2. SSC/Planning Committee consulted with a representative from a law enforcement agency in the writing and development of the Comprehensive School Safety Plan.</p>		
<p>3. The Comprehensive School Safety Plan includes, but is not limited to:</p> <p>a. An assessment of the current status of school crime committed on the school campus and at school-related functions. You may accomplish this by reviewing the following types of information:</p> <ul style="list-style-type: none"> • Local law enforcement crime data • Suspension/Expulsion data found in the California Longitudinal Pupil Achievement Data System • Behavior Referrals • Attendance rates/School Attendance Review Board data • California Healthy Kids Survey data • School Improvement Plan • Property Damage data <p>b. An identification of appropriate strategies and programs that provide/maintain a high level of school safety.</p>		
<p>4. The SSC/Planning Committee reviewed and addressed, as needed, the school's procedures for complying with existing laws related to school safety.</p>		
<p>5. The Comprehensive School Safety Plan must include all of the following:</p>		
<ul style="list-style-type: none"> • Child Abuse Reporting procedures 		
<ul style="list-style-type: none"> • Disaster procedures, routine and emergency, including adaptations for pupils with disabilities. 		<p align="right">APPENDIX 4</p>

<ul style="list-style-type: none"> • Earthquake emergency procedures that include: <ol style="list-style-type: none"> 1. A school building disaster plan 2. A drop procedure 3. Dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary schools 4. Protective measures to be taken before, during, and after an earthquake 5. A program to ensure that pupils and both certificated and classified staff are aware of and are trained in the earthquake emergency procedure system 		
<ul style="list-style-type: none"> • Procedures to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency which affects public health or welfare. 		
<ul style="list-style-type: none"> • Policies and procedures which lead to suspension and/or expulsion. 		
<ul style="list-style-type: none"> • Procedures to notify teachers of dangerous pupils. 		
<ul style="list-style-type: none"> • Policy prohibiting discrimination, harassment, intimidation, and bullying. 		
<ul style="list-style-type: none"> • Provisions of any school site dress code, including prohibition of "gang-related" apparel. 		
<ul style="list-style-type: none"> • Procedures for safe ingress and egress of pupils, parents, and employees from school site; including access to the school campus. 		
<ul style="list-style-type: none"> • Procedures that create a safe and orderly environment conducive to learning at the school. 		
<ul style="list-style-type: none"> • Access to the school campus (visitors). 		
<ul style="list-style-type: none"> • The rules and procedures on school discipline. 		
<ul style="list-style-type: none"> • Crisis Response Plan. 		
<ul style="list-style-type: none"> • Hate crime reporting procedures and policies. 		
<p>6. The plan may include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on campus.</p>		
<p>7. The plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school.</p>		
<p>8. The plan should include verification that the school safety plan was evaluated at least once a year, and revised by March 1 every year.</p>		
<p>9. The plan should include documentation that school safety plan was submitted for approval to either the district office or county office of education. Evidence of approval at the district or county level should be included.</p>		
<p>10. The plan should include verification that the SSC/Planning Committee communicated the school safety plan to the public at a public meeting at the school site.</p>		

CONTINUITY REPORT FOR THE 2015-16 YOLO COUNTY GRAND JURY

SUMMARY

The Yolo County Grand Jury (YCGJ) is dedicated to fostering useful, positive change in County and local government. To that end, the *2015-2016 Yolo County Grand Jury Final Report* concluded four investigations resulting in 21 findings, supporting 18 recommendations. Actions on a number of Grand Jury Recommendations were implemented or remain in progress by various Yolo County agencies.

An important finding in this report is that agency and individual responses were timely and thorough in their comments and responses. While responses to Grand Jury reports are historically posted on the Yolo County Grand Jury web site, they are not posted along with the related reports. This practice may be confusing for those seeking information on a specific report and its responses.

BACKGROUND

Grand Juries have existed since the adoption of California's original Constitution in 1849-50. Article I, Section 23 of the State Constitution requires that a grand jury "be drawn and summoned at least once a year in each county." This Constitutional mandate is supported by Penal Code sections 888 through 939.91, which relate to the selection and impaneling of grand jurors and their watchdog and indictment functions. Government Code sections 3060 through 3075 cover the Grand Jury's accusation process.

The Grand Jury investigates the functions of city and county governments, tax supported agencies and districts, and any agencies or districts created by State Law.

Although the YCGJ functions as an "arm of the court," it is a wholly independent judicial body composed of 19 residents of Yolo County. The Grand Jury's term begins on July 1 and ends on June 30. The Grand Jury's primary responsibility to Yolo County's citizens is its "watchdog" function which is to review and investigate citizens' complaints and other civil matters. In this capacity, at the end of its term, the Grand Jury publishes Findings and Recommendations based on the results of its investigations. These Findings and Recommendations are incorporated into Grand Jury reports that are submitted to the Yolo County Superior Court. The reports are available on the Grand Jury's website at <http://www.yolocounty.org/business/community/grand-jury/yolo-county-grand-jury-reports>.

Not all Grand Jury investigations result in negative findings. Regardless of the positive or negative nature of the findings, certain individuals and agencies investigated by the Grand Jury are required to comment on the final reports, if requested to do so by the Grand Jury. California Penal code section 933(c) sets forth the time framework for comments. This requirement informs the Grand Jury and the public of the scope and timeframe for specific actions. Governing agencies such as boards and councils are required to comment within 90 days of the issuance of the Grand

CONTINUITY REPORT FOR THE 2015-16 YOLO COUNTY GRAND JURY

Jury's final report. Elected officials or elected agency heads are required to comment within 60 days of the final report.

DISCUSSION

Penal Code section 933.05 sets forth the required responses to Grand Jury Findings and Recommendations. For Findings, the responding person or entity (respondent) must indicate whether there is agreement with the Finding or disagreement, wholly or partially, with the Finding. If the respondent disagrees wholly or partially with the Finding, the respondent is required to specify the portion of the Finding that is disputed and include an explanation of the reasons for the dispute.

It should be noted that the Yolo County 2015-2016 Grand Jury Final Report did not request respondent comments about the Findings of the Grand Jury. It did, however, request comments concerning Grand Jury Recommendations.

For Recommendations, the respondent is required to state one of the following:

- The Recommendation has been implemented. This response must include a summary regarding the implemented action.
- The Recommendation has not yet been implemented but will be in the future. This response must include a timeframe for implementation.
- The Recommendation requires further analysis. This response must explain the scope and parameters of an analysis or study and the timeframe, not to exceed six months, from the date of publication of the Grand Jury Report.
- The Recommendation will not be implemented. The respondent must provide an explanation for the negative response.

There are a number of reasons an agency may not implement an otherwise valid Recommendation. Most commonly, an agency may view a Grand Jury Recommendation as "not warranted." A Recommendation may be "not warranted" if the agency already implemented a program that addressed the underlying goal of the Recommendation; the Recommendation duplicates a function or activity of another County agency; or the agency is aware of information not available to, or not considered by, the Grand Jury, leading the agency to believe that the Recommendation will not achieve the intended purpose. Regardless of other actions, the best measure of a Grand Jury's success in fostering useful, positive change in government practices is that agencies willingly commit to implementing Recommendations at the outset.

The 2015-2016 Grand Jury conducted and published four investigative reports. Each 2015-2016 report will be addressed separately. The 2015-16 report subjects are: