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**Fact:** The Strategy, Accountability, Focus and Evaluation (S.A.F.E.) Division is a new program initiated by the Orange County Sheriff's Department.

**Fact:** All facilities maintain current policies, procedures and accreditation.

### ***ANALYSIS***

The following types of detention centers are referenced by Title 15 of the California Code of Regulations. The most common type of jail in Orange County is "Temporary Holding", a local detention facility used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court. Temporary Holding facilities are located in the cities of Brea, Cypress, Fountain Valley, Garden Grove, Irvine, Laguna Beach, La Palma, Los Alamitos, Orange, Placentia, Tustin and Westminster.

The second type of detention facility is the "Type I" facility, a local detention facility used for the confinement of persons for not more than 96 hours, after booking excluding holidays. A Type I facility may also detain persons on court order either for their own safekeeping or sentenced to a city jail as an inmate worker. They may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his/her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five day scheduled work week. Type I facilities are located in Anaheim, Buena Park, Costa Mesa, Fullerton, Huntington Beach, La Habra, Newport Beach and Seal Beach.

The third type of detention facility is the "Type II" facility, a local detention facility used for the confinement of persons pending arraignment, during a trial, and upon a sentence of commitment, generally for one year or less. Type II facilities are located in Irvine (James A. Musick), Orange (Theo Lacy), Santa Ana (Santa Ana City Jail), and (Central Men's Jail, Intake/Release Center).

The fourth type of detention facility is a Court Holding Facility managed by the Orange County Sheriff's Department. These justice centers include Central Justice Center in Santa Ana, Harbor Justice Center in Newport Beach, Lamoreaux Justice Center in Orange, North Justice Center in Fullerton and West Justice Center in Westminster. The Grand Jury does not have responsibility for review of these court holding cells. These facilities are part of a contract package between the Sheriff, Orange County and Administrative Office of the Courts. The agreement and transfer/transition of responsibility for these holding cells to state control became effective as of April 10, 2010.

The juvenile detention facilities are operated by the Orange County Probation Department. The current juvenile facilities are Juvenile Hall (Orange), Theo Lacy Juvenile Annex (Orange), Joplin Youth Center (Trabuco Canyon), Youth Guidance Center (Santa Ana) and Youth Leadership Academy (Orange). Juveniles housed in these facilities are likely to have experienced one or more of the following situations: family problems, abuse of legal or illegal substances, truancy, criminal street gang association and mental health issues. Juveniles considered high-risk (committed violent crimes) are held at Juvenile Hall and the Theo Lacy Juvenile Annex. After court-processing, low-risk (committed non-violent crimes) juveniles

may be transferred to a minimum security facility such as Joplin Youth Center, the Youth Guidance Center or the Youth Leadership Academy. The Orange County Department of Education provides educational opportunities through the Education Access Program.

During the Criminal Justice Committee's visit to the Central Jail Complex Intake Release Center, a significant finding of minimal inmate disruption was made. One reason is a direct result of using experienced classification deputies with special training to screen and evaluate every incoming prisoner. After booking, each prisoner answers a computer-generated checklist questionnaire, followed by a one-on-one interview with a classification deputy. These veteran deputies have the ability to converse with the inmates and elicit information by interaction and observation. Ultimately, the deputy classifies inmates who are compatible, can interact well with other inmates and ultimately assigns housing accordingly.

The deputies assigned to the housing modules routinely observe inmates for any potential problems, thereby preventing adverse situations before they arise. Further, the Orange County Sheriff's Department communicates with state prison officials to learn of any gang related activities or issues that could affect Orange County jail inmates.

Upon inspection, the Orange County detention facilities appeared to be clean, in good condition and in compliance with state policies and procedures. Overcrowding in these facilities had been a major issue in prior years. To date, for reasons unexplained, there is no overcrowding. Understanding this phenomenon may be useful information for future planning.

The Orange County Sheriff's Department met the federal guidelines necessary to compete with other outside agencies for participation in a program commonly referred to as "Beds for Feds". Therefore, it is the recipient of funds paid by the federal government for this housing service. The program is administered through the Immigration and Customs Enforcement (ICE) agency. The program allows empty space in selected facilities to be used for housing of undocumented immigrants, whose criminal matters have been adjudicated. These detainees, as they are known, are awaiting deportation to their native countries. The Orange County facilities participating in this include: James A. Musick and Theo Lacy which are managed by the Sheriff's Department and the Santa Ana City Jail which is managed by city employees. The James A. Musick and Theo Lacy facilities received their first detainees in August and September 2010, respectively. Santa Ana City Jail has housed ICE detainees since October 2006.

Community Court, a division of the Orange County Superior Court, is in place to reduce the time of confinement and to reduce inmate recidivism. Specifically, the Veteran's Court, the Homeless Court, the DUI Court and the Mental Health Court fall into this category. These unique and specialized courts, collectively called Community Court, are designed to handle the well-defined needs of certain groups who violate the law.

The Sheriff's Department Inmate Services Division, Inmate Re-Entry Unit provides ongoing monitoring of programs designed to assist inmates upon their release. The James A. Musick detention facility offer the following programs to aid in the transition from incarceration to mainstream society: GED educational classes, culinary certification, computer classes, sewing, welding, ESL (English as a second language),

parenting, substance abuse and workforce readiness. The Theo Lacy facility and the Central Jail Complex offer: Phoenix House New Start Program (for substance abuse treatment), community work program, and rehabilitation programs. Collected empirical data from the Reentry Program indicates inmates have found success outside of the jail system, due in part, to these programs.

City jails and county detention facilities have commonalities such as the monitoring of holding cells by high-definition video cameras, motion sensors, as well as direct staff observation. These monitoring activities are performed on a regular schedule that fulfills the requirements of the California Code of Regulations Title 15 and Title 24. All jails visited had current policies and procedures available. These policies referenced the Peace Officers Standards and Training established in 1959 mandating that all California law enforcement personnel receive training standards for accreditation. Every police officer is obligated to continue their professional training requirements of 24 or more hours of qualifying Peace Officers Standards and Training during every two-year cycle.

It was observed during inspections of the city and county facilities that some of the departments are taking a proactive approach to minimizing their liabilities and maintaining required training. Additionally, recognizing a need for accountability and transparency regarding Sheriff's Department personnel engaged in all areas of law enforcement including detention facilities, the S.A.F.E. (Strategy, Accountability, Focus and Evaluation) Division was established. This early-warning system, initiated by the current Orange County Sheriff-Coroner, is a new program which became fully operational in 2010. S.A.F.E. examines the Orange County Sheriff's Department's areas of potential liability by establishing a pro-active methodology. Critical self-review allows the Sheriff's Department to monitor, evaluate and make necessary changes to reduce risk, follow current laws and best practices while providing transparency in the process. The daily function of the S.A.F.E. Division involves four areas of concern. One area of oversight includes managing civil litigation claims, both monetary and property. Another aspect of S.A.F.E. involves issues dealing with worker's compensation and employee injuries. A third area of responsibility insures departmental compliance with local, state and federal safety mandates. The final area is in statistical tracking and reporting. This involves staffing levels, overtime usage, use of force, internal affairs investigations and trend analysis.

Two software programs that are currently in use at some facilities are Commission on Accreditation for Law Enforcement Agencies (CALEA) and LEXIPOL. The CALEA was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations. The goal is to improve the delivery of public safety services, primarily by maintaining standards developed by public safety practitioners. LEXIPOL was founded and designed by a team of public safety veterans (law, public service and business) and staffed by legal and law enforcement professionals. LEXIPOL, in collaboration with law enforcement representatives within California, developed essential policies to meet key operational needs within law enforcement departments. LEXIPOL is compatible with all major accreditation organizations using this technology to minimize risk, assure law enforcement operations are up-to-date concerning recent court decisions and is cost efficient.

***FINDINGS:***

In accordance with California Penal Code Sections 933 and 933.05, the 2010-2011 Grand Jury requires or requests responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation of detention facilities in Orange County, the 2010-2011 Orange County Grand Jury has arrived at six principal findings, as follows:

**Finding F.1:** The facilities visited were generally clean and in good condition.

**Finding F.2:** The use of trained personnel as well as high definition cameras, motion sensors and other modern technology have kept disruptions in the jail to a minimum.

**Finding F.3:** The programs instituted by the Sheriff's Inmate Services Division as well as other governmental entities are attempting to reduce inmate recidivism in Orange County.

**Finding F.4:** Orange County detention facilities are not overcrowded.

**Finding F.5:** Due to recent implementation of the federal ICE program, the financial impact is too new to be assessed.

**Finding F.6:** The S.A.F.E. Division initiated by the Orange County Sheriff-Coroner in 2010 is an early-warning system designed to enhance sheriff department operations.

***RECOMMENDATIONS:***

In accordance with California Penal Code 933 and 933.5, the 2010-2011 Grand Jury requires responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation of detention facilities in Orange County, the 2010-2011 Orange County Grand Jury makes the following four recommendations.

**R.1:** Continue to keep facilities in clean and good condition as well as keep inmate disruption at a minimum.

**R.2:** Collect and analyze data to evaluate the present financial impact of the ICE program on Orange County.

**R.3:** Develop a study to better understand the causes of the reduced inmate population that currently exist in Orange County detention facilities.

**R.4: Continue to assess and present evidence-based data from the S.A.F.E. Division of the Orange County Sheriff’s Department to enhance transparency, provide effective law enforcement and reduce civil litigation.**

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

| <u>Responding Agency</u>                  | <u>Findings</u>                     | <u>Recommendations</u>    |
|---|-------------------------------------|---------------------------|
| <b>Orange County Sheriff-Coroner</b>      | <b>F.1, F.2, F.3, F.4, F.5, F.6</b> | <b>R.1, R.2, R.3, R.4</b> |
| <b>Orange County Board Of Supervisors</b> | <b>F.3, F.5, F.6</b>                | <b>R.2, R.4</b>           |

In accordance with California Penal Code Sections 933 and 933.05 the 2010-2011 Grand Jury requests responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

|   |            |            |
|---|------------|------------|
| <b>Orange County Probation Department</b> | <b>F.3</b> | <b>R.3</b> |
|---|------------|------------|

***REQUIREMENTS AND INSTRUCTIONS:***

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.



# Orange County Public Schools: Are They Prepared for Emergencies?





## Orange County Public Schools: Are They Prepared for Emergencies?

### **SUMMARY**

With this study, the 2010-2011 Orange County Grand Jury sought to provide answers to the basic question of whether public schools in the county are prepared for emergencies. It used a broad-based survey of all districts in the county, and a sample of the almost 600 schools within those districts. A survey return rate of 93% was augmented by visits to 17 individual campuses.

The results demonstrate that, although Orange County public schools overall are well-prepared for an increasing number of emergency situations, there exists a considerable discrepancy between the readiness of schools in some districts compared to others. Although all schools in the sample were found to be adequately prepared, some are exceptionally well prepared and equipped. The main differentiating factor is districts' ability to apply for and obtain large governmental grants that have become available in recent years. Schools in districts that have yet to access grants have had to turn more to local communities, including parents, for material support, and they struggle to find both time and money to address competing priorities of improving academic achievement at the same time they are preparing for the very real threat of emergencies.

### **REASON FOR STUDY**

“How prepared are Orange County schools to deal with the threat of violence on campus?” This question was asked in *The Orange County Register*, (Page 1, Local Section), January 24, 2011, after a spate of campus and near-campus shootings and lockdowns the previous week in the Los Angeles Unified School District. Not many weeks go by without news of a campus shooting or similar disaster somewhere in the state or nation. Indeed, the frequency of such events in the news keeps this question in the minds of most parents, teachers, and school administrators.

According to the Orange County Department of Education, there are 27 public school districts<sup>1</sup> in the county, encompassing 596 schools with a total enrollment of just over a half million students from kindergarten through high school.<sup>2</sup> This total includes 397 elementary schools, 83 intermediate / middle schools, 67 senior high schools, 38 continuation, alternative, or special education schools, and 11 charter schools.

Because such large concentrations of children and adolescents can be found across the county most days of the week, emergency and disaster planning has necessarily become a high priority for district and school administrators, teachers, support staffs, and parents. At one time in the not too distant past, emergency planning mostly was for accidents and “natural” disasters, such as fires, earthquakes, or severe weather problems. Since the advent of high-profile shootings on campuses, however, by students or intruders, terrorist attacks on major cities, and outbreaks of potentially dangerous diseases, planning for a range of events has become an ongoing concern. Although all disasters can never completely be prevented or accurately predicted, public officials have a critical responsibility to prepare for their eventuality, in order to protect from harm the students placed in their care.

<sup>1</sup> There is one joint Orange/Los Angeles County district (Lowell); because its district headquarters is in LA County, it was not included in this study.

<sup>2</sup> “Orange County Education at a Glance,” OCDE pamphlet, 2010.

The last time the Orange County Grand Jury assessed emergency preparedness in public schools was four years ago, during the 2006-07 school year. At that time, the findings were generally critical; the report concluded "...few schools were found to have a well developed plan to assist them in coping with a major incident." The past study primarily focused on a review of written plans requested of district offices and from a sample of individual schools. The plan reviews were augmented by visits to seven schools. Plans were evaluated and graded with respect to a single standard of preparedness, the Standardized Emergency Management System (SEMS). SEMS Guidelines were developed by the California Governor's Office of Emergency Services to assist emergency management agencies, and became a part of California codes and regulations in 1994.

In revisiting the topic, the 2010-11 Grand Jury sought to develop a broader picture of how individual schools and districts are preparing for emergencies. Rather than rely on a review of written plans, the current approach sought information regarding a range of operational aspects of emergency preparedness, such as what kinds of disasters are being anticipated, who receives training regarding emergencies, and how often does training occur? What kinds of supplies and equipment are kept on hand at schools, and in what ways do district offices contribute to preparing schools? Who reviews and approves plans? What specific constraints do schools face, and how well have various schools and districts overcome those constraints? Therefore, and also because of the large number of schools involved (potentially 596), it was decided to use a broad-based survey approach, augmented by a limited number of site-visits.

The primary purposes of the study were:

- To assess how well Orange County public schools are conducting preparations for school-wide emergencies or disasters, especially during times of difficult economic conditions.
- To provide districts, boards, and parents with information to improve planning and preparation for emergencies, and to share information regarding possibly under-used resources and problem-solving strategies being utilized in some areas but not others.
- To determine possible disparities or inequities between districts, if any, and determine their causes and effects.
- To develop recommendations with the potential to be truly helpful to schools.

### ***METHODOLOGY***

- Data gathering utilized four sources:
- Pre- and post-study interviews with representatives of the Orange County Department of Education
- Surveys sent to a strategically constructed sample of individual school sites
- On-campus visits to a sample of schools surveyed.
- Surveys sent to each school district office

Surveys provided the preponderance of data collected. Two surveys were designed – one for school district administrators and a similar but separate one for individual school campuses. The surveys were designed

to be easily completed (less than 10 minutes) by using mostly checklist items, and less than two pages in length. Space was included for additional or explanatory comments.

In order for the results to be broadly useful, it was decided to focus on the 547 relatively traditional public schools. Because of their specialized missions, “non-traditional” public schools, i.e., alternative and special education programs, and schools within other departments or agencies (e.g., within the juvenile justice system) usually are covered by other emergency planning efforts. The small number of charter schools also presents a wide range of physical variability, some of which are entirely Internet-based.

With respect to determining sample size, the goal was to make it as large as possible, yet still be within the reach of relatively limited Grand Jury time and resources. Between these two factors, a total sample of 162 schools, or 30%, was established. It was constructed to include schools in each the three grade ranges, and schools from each district. In the end, 101 (62%) elementary, 36 (22%) middle, and 25 (15%) high schools were included. Appendix A is a comprehensive table showing which schools in each district received surveys, the grade level of the schools, and related information.

Surveys were sent during October, 2010 to each of the 27 District Superintendents, and to each of the 162 school Principals, requesting their participation in the survey, and asking that the survey be returned by a certain date.

Twenty-one schools that received surveys also were notified their campus had been selected for a site visit. The purpose of the visit was to review their written plans, learn about their unique challenges in preparing for emergencies, check on the level of district support and involvement, and see any material or supplies kept on-site, especially those with expiration dates. The number of schools visited was not meant to be a representative sample, but rather an opportunity to supplement the written surveys with some in-person visits and first-hand observations. For these visits, not all districts were represented. Two-person teams from the Juvenile Services Committee conducted the visits, and compiled brief reports for each one.

## ***RESULTS***

### **Individual School Survey Results**

By the final cutoff date, 151 school surveys had been returned, for a 93% return rate. Please see Appendix A for a list of participating schools and districts.

The following results are organized according to the 13 survey questions, and are presented here exactly as in the surveys received by the schools. With the exception of the last item, which requested a narrative response, all results are presented in terms of percentages.<sup>3</sup>

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<sup>3</sup> Because some items were left blank, unless otherwise indicated percentages are based on the total number of responses to each item, which may be less than the total number of surveys returned.

*Does the school have an Emergency Response Plan?*

- Written?
  - Yes 100%
  - No 0%
- On-line / School Website? (with public access)
  - Yes 35%
  - No 65%

For Date of Last Plan Revision, a 56% majority specified September or October 2010, with another 17% indicating their plan had been revised during 2010, prior to September. The remaining dates offered for the latest revision ranged from “2006” in the past to “October 2011” in the future. Five of the 14 surveys that were received in January 2011, as a result of a reminder letter, specified a revision date during December 2010.

*The Emergency Plan addresses the following situations (please check all that apply):*

|                    | %   |                     | %  |                  | %  |
|--------------------|-----|---------------------|----|------------------|----|
| Fire (on campus)   | 100 | Bomb Threat         | 80 | Epidemic         | 33 |
| Earthquake         | 99  | Active Shooter      | 78 | Nuclear Incident | 22 |
| Intruder on Campus | 97  | Hazardous Material  | 77 | Other            | 22 |
| Lockdown           | 95  | Total Power Failure | 59 | Tsunami          | 20 |
| Evacuation         | 95  | Flood / Landslide   | 49 |                  |    |

Thirty-two schools (22%) reported additional emergency situations addressed by their plans, not listed above, including aircraft crash, hostage, rape, suicide, abduction / kidnapping, bus accident, wildfires, civil disturbance, animal disturbance, extreme weather / tornado, unlawful demonstrations / walkouts, snake bites, and Africanized honey-bees.

In addition to calculating the percent of school plans that address the various emergencies listed, the number of situations anticipated per school was tallied. Individual schools ranged from planning for as few as two to as many as all 13 listed emergencies plus additional ones. The average number of incidents planned for was 9.26.

*A copy of the Plan is given to (please check all that apply):*

|                 | %  |                            | %  |                         | %  |
|-----------------|----|----------------------------|----|-------------------------|----|
| District Office | 97 | Local Emergency Responders | 30 | OC Emergency Ops Center | 11 |
| School Admin    | 89 | Others                     | 21 | OC Emerg Mgmt Bureau    | 9  |
| Teachers        | 79 | Parents                    | 20 | Students                | 7  |
| Support Staff   | 77 | PTA / PTO                  | 20 | School Volunteers       | 7  |

Additional entities, personnel, etc., to whom plan copies are provided included School Site Councils (SSC), school boards, OC Dept. of Education, “anyone who requests a copy,” and “noon supervisors.”

*Plan available in languages other than English?*

Twelve (8%) of the total number of surveys returned indicated Spanish, none in Vietnamese, and six (4%) indicated “Other.” The Other category consisted primarily of one elementary school district that provided a summary of the plan in English, Spanish, and Korean. One high school commented that part of their plan was available in nine languages.

*Is Plan reviewed / updated on a regular basis? How often?*

All respondents indicated their plans were reviewed regularly, with a high majority specifying annually (77%); other plan review periods included quarterly (4%), semi-annually (3%), other (6%), and left blank (10%).

*Who is responsible for Plan review and approval?*

For this “fill in the blank” question, the individuals or groups referred to for plan approval were categorized as follows. Most categories indicated a primary person in combination with others (e.g., a SSC plus a principal).

|                              |    |                      |    |                     |   |
|------------------------------|----|----------------------|----|---------------------|---|
|                              | %  |                      | %  |                     | % |
| Principal alone or w/ Others | 38 | Left Blank           | 13 | Crisis Team Leaders | 3 |
| School Administrators        | 19 | Assistant Principals | 7  | School Boards       | 1 |
| School Site Councils (SSC)   | 17 | District Staff       | 3  |                     |   |

Based on “other” comments, “Administrators” includes principals, assistant principals, and various directors.

*Who receives periodic training regarding the Plan (please check all that apply):*

|                       |    |                   |    |            |   |
|-----------------------|----|-------------------|----|------------|---|
|                       | %  |                   | %  |            | % |
| School Administrators | 97 | Students          | 68 | Others     | 9 |
| Teachers              | 95 | Parents           | 24 | Left Blank | 1 |
| Support Staff         | 87 | School Volunteers | 19 |            |   |

“Others” receiving periodic training not listed above included playground monitors and some after-school programs for children (e.g., “Think Together” and English Learner Advisory Committee – ELAC).

*How often is training / orientation provided?*

Sixty-seven per cent indicated emergency plan training is provided on an annual basis. Another 18% indicated semi-annually, and the remaining 22% chose “other” but left it unspecified. (The total exceeds 100% because some checked more than one response.) One respondent commented, “Training provided irregularly,” and another stated, “Additional training in the areas other than fire drills would be helpful.”

*Does the plan include all-school drills (e.g., fire / evacuation)?*

- Yes 100%
- No 0%
  
- If yes, how often?
  - Monthly was indicated 75% of the time; Quarterly, 11%; Semi-annually, 5%; Bi-monthly, 5%; “Varies”, 3%; Annually, 2%; and Other, 1%.
- Parents invited?
  - Yes 35%
  - No 65%

With respect to inviting parents to drills, elementary schools usually indicated parents were invited annually, and also those who happened to be on campus (i.e., volunteering, etc.) when drills occurred. When parents were not specifically invited, schools indicated parents were welcome to attend drills if they requested. With respect to the frequency of drills, those indicating “Varies” usually commented that different drills are conducted on different schedules. For example, monthly fire drills, evacuation drills perhaps quarterly, and earthquake drills annually.

*Does the school stock and maintain emergency supplies? Please check all that apply:*

|                       |    |                   |    |                    |    |
|-----------------------|----|-------------------|----|--------------------|----|
|                       | %  |                   | %  |                    | %  |
| First Aid             | 99 | Blankets          | 80 | Cots               | 48 |
| Two-way Radios        | 95 | Food              | 70 | Portable Generator | 26 |
| Flashlights           | 94 | Facemasks         | 68 | Other              | 20 |
| Batteries             | 89 | Temporary Toilets | 57 |                    |    |
| Water (in containers) | 84 | Portable Radios   | 54 |                    |    |

Twenty-nine schools reported additional emergency supplies kept on hand, not listed above, including search and rescue equipment, tarps / tents, stretchers, toilet paper, hygiene supplies, emergency utility shut-off tools, and automatic external defibrillators (AED). One school did not check First Aid supplies.

In addition to calculating the percent of schools that stock each survey item, the number of items checked per school was tallied. Schools ranged from stocking as few as two to as many as all 12 items listed plus additional equipment and supplies. The average number of items stocked and maintained per school was 9.38

*Does the plan anticipate the prescription medication needs of students / staff?*

- Yes 85%
- No 15%

“Other” comments about this item were, “working on it,” and “on a very limited basis for a few students who take meds during the school day”.

*The plan includes maps / diagrams indicating the location of:*

|                             | %  |                   | %  |          | %  |
|-----------------------------|----|-------------------|----|----------|----|
| Assembly Locations          | 99 | First Aid Items   | 90 | Supplies | 84 |
| Student/Parent Pickup Spots | 94 | Utility Shut-offs | 90 | Shelter  | 62 |

*What is the biggest single constraint on your ability to plan for school site emergencies / disasters?*

This open-ended question drew 122 responses (81%); the cited constraints subsequently were categorized into the following issues.

|                       | %  |                             | % |                  | % |
|-----------------------|----|-----------------------------|---|------------------|---|
| Limited Time Issues   | 33 | Supplies / Storage Space    | 7 | “No Constraints” | 6 |
| Limited Funds / Money | 21 | Predicting the Unknown      | 6 | Miscellaneous    | 5 |
| Logistical Issues     | 17 | Staffing / Personnel Issues | 6 |                  |   |

Logistical issues included such items as open campuses (e.g., adjoining parks), size of student population (as many as 3,000 students), and traffic congestion concerns. Seven schools (6%) reported they were experiencing no constraints regarding planning for emergencies or disasters.

*Please provide any explanatory comments to the above items:*

Twenty-three respondents added narrative comments, which were sorted into the following topic categories:

- Six attached copies of sections of existing plans; this usually occurred when schools were in districts that had applied for and received large (approximately \$925,000) grants to provide comprehensive emergency / disaster training and advanced technology.
- Seven wrote several paragraphs of comments and information, most of which described in greater detail the amount of preparation that had gone into planning for disasters either at the school, or as a consequence of the district being a grant recipient.
- A number of respondents commented on specific items, and noteworthy ones were added to the item results, above.
- A small number of respondents commented on the difficulty of planning for the unknown. For example, one individual wrote, “In the event of a natural disaster impacting the greater community, the level of support available is unknown / unpredictable.”
- Perhaps one comment sums up the attitude generally expressed: “It is difficult to come up with time needed to plan but we make it a priority.”

### **School Site Visit Results**

By the final cutoff date, visits to 17 schools had been scheduled and completed, one that was scheduled had to be cancelled by the Grand Jury due to schedule changes, and two schools did not call for an appointment. The group of schools visited consisted of 10 elementary schools, five middle schools, and two high schools. Appendix A shows which schools received visitors.

Principals were the main contact person and the individual responsible for the particulars of the visit. Several schools had campus emergency preparedness personnel and / or district representatives in attendance.

Overall, the elementary schools visited were well prepared, although different degrees of preparation were noted. Elementary schools in districts that had obtained a Readiness and Emergency Management in Schools (REMS) grant from the U. S. Department of Education were very well prepared. These schools had a range of ample supplies, detailed school emergency plans and the resources to make necessary improvements where needed. Schools not in districts receiving a REMS grant generally were not as well situated and were having some difficulty in meeting reasonable levels of preparedness, especially with regard to date-stamped supplies on hand, and adequate, secure storage spaces. Some schools, due to severe budget restraints, have to rely on parents and local parent-teacher organizations for obtaining necessary supplies. In some districts, this has become a standard operating procedure.

Five middle schools and only two high schools were visited, but many of the district-specific issues mentioned above for elementary schools were the same for them, i.e., well-funded districts have been able to achieve impressive preparations, especially in the area of technology. For example, one middle school visited displayed a software program that local law enforcement agencies would use in their patrol cars to picture various buildings on the campus. Because middle and high schools have older students, administrators face a different set of problems regarding controlling the student body. On campuses where many students have personal cars, it was anticipated that during an emergency, many would likely attempt to leave the campus on their own.

Regardless of grade levels served, some schools visited were concerned about security issues related to relatively open campuses that do not or cannot utilize perimeter fencing. One middle school assistant principal said he worried most about a terrorist attack, because he viewed relatively open campuses as all too convenient “soft targets” for a weapon of mass destruction. Also, within the overall group of campuses visited, even in this age of ubiquitous two-way electronic communication devices, a wide range of radio-telephonic technology was found, from expensive UHF transceivers to outmoded public address systems. In one case, due to a lack of telephone or other communication device, one section of a campus was not adequately connected to others.

In general, what was observed and learned by visiting schools was reflected in the written survey results data, but it was meaningful and instructive to see first hand both truly impressive preparations, and also many examples of what would be considered completely adequate. In a few cases, deficiencies that needed to be addressed immediately were pointed out to appropriate personnel. For example, in one case, a large, steel storage container could be opened by only one person on campus, the custodian.

### **School District Survey Results**

All but one of the 27 districts returned surveys in time for their responses to be included. As with the individual school surveys, the results for districts are organized by responses to the nine survey questions, plus “other” and narrative responses. The questions reproduced here are the same as those found on the surveys. In most cases the results are in terms of comparative percentages, based on data from 26 districts.

*With respect to emergency preparedness on individual school campuses in your district, how is the district involved? (Please check all that apply)*

|                       | %  |                              | %  |                          | %  |
|-----------------------|----|------------------------------|----|--------------------------|----|
| Training / Exercises  | 96 | Interpret Codes / Reg's      | 73 | Inventory Sch Supplies   | 58 |
| Plan Review/Approval  | 96 | Critical Incident Debriefing | 69 | Apply for Funds / Grants | 58 |
| Plan Development      | 92 | Provide Equip / Supplies     | 69 | Info on District Website | 50 |
| Coordinate Resources  | 88 | Incident Post Study          | 62 | Coord w/ Other Dist's    | 38 |
| Periodic Meetings     | 88 | Bulletins / Updates          | 65 | Other                    | 23 |
| Provide Written Mat'l | 81 | School Site Inspections      | 62 |                          |    |

Additional involvement provided by districts, not listed above, included district-wide coordination of disaster drills, and coordinating efforts with cities and other agencies, including OC Department of Education, the OC Fire Authority, San Onofre, etc.

*Your district-wide emergency plans address the following (please check all that apply):*

|                    | %   |                          | %  |                  | %  |
|--------------------|-----|--------------------------|----|------------------|----|
| Earthquake         | 100 | Power Failure (blackout) | 88 | Other            | 46 |
| Active Shooter     | 100 | Hazardous Material       | 88 | Nuclear Incident | 35 |
| Fire               | 92  | Evacuations              | 88 | Tsunami          | 23 |
| Intruder on Campus | 92  | Epidemic                 | 73 |                  |    |
| Bomb Threat        | 92  | Flood / Landslide        | 65 |                  |    |

Nine districts reported additional emergency situations addressed by their plans, not listed above, including hostage situation, poisoning, rape, suicide, snake bites, abduction, falling aircraft, wildfires, high winds / tornado.

*School site plans are reviewed, updated, and approved how often:*

All of the districts responding indicated school site plans are reviewed and approved annually.

*Are school site plans evaluated against certain minimum requirements or governmental regulations? What are they?*

Almost all districts (92%) replied “Yes” to this question, with two responding “No.” Those affirming the question indicated they use the following standards; four districts did not specify which criteria.

|                    | %  |                              | % |                      | % |
|--------------------|----|------------------------------|---|----------------------|---|
| SEMS and / or NIMS | 46 | District-developed Criteria  | 8 | Grantor Requirements | 8 |
| CA Education Code  | 12 | Liability Insurance Concerns | 8 | FEMA                 | 4 |
| Left Blank         | 15 |                              |   |                      |   |

SEMS refers to California’s Standardized Emergency Management System (SEMS), FEMA is the Federal Emergency Management Agency, and NIMS stands for the National Incident Management System. (See

Interpretation section, below, for more information on these standards and regulatory systems.)

*Does the district have a designated individual in charge of emergency preparation?*

All districts responding answered “yes” to this item.

*Does the district provide emergency supplies for schools? Please check all that apply:*

|                         | %  |                     | %  |                         | %  |
|-------------------------|----|---------------------|----|-------------------------|----|
| Portable Two-way Radios | 69 | Flashlights         | 46 | Portable Toilets        | 27 |
| Face Masks              | 62 | Batteries           | 42 | Cots / Inflatable Beds  | 15 |
| First Aid               | 58 | Blankets            | 38 | Portable Generators     | 15 |
| Portable Radios         | 46 | Other               | 38 | Prescription Medication | 8  |
| Water In Containers     | 46 | Food (canned, etc.) | 35 |                         |    |

Ten districts reported supplying schools with emergency supplies or material not listed above, including search and rescue equipment, automated external defibrillators (AED), water drums with purification tablets, UHF “private line” two-way radios, and classroom lockdown kits. The item “Prescription Medication” was an error; however, two districts indicated they provide this item.

*With which larger emergency planning / coordinating systems or agencies does the district communicate with? (Please check all that apply):*

|                         | %  |                          | %  |      | %  |
|-------------------------|----|--------------------------|----|------|----|
| OC Emergency Ops Center | 73 | Other                    | 61 | FEMA | 11 |
| OC Fire Authority       | 69 | OC Emergency Mgmt Bureau | 58 |      |    |
| AlertOC                 | 65 | Red Cross                | 58 |      |    |

Sixteen districts reported being in communication with agencies or entities in addition to the above, including with city-level emergency operations centers, the OC Sheriff’s Department, San Onofre Nuclear Generating Station (SONGS), or combinations of these. (FEMA is the Federal Emergency Management Agency.)

*What is the biggest single constraint on your efforts to plan for emergencies / disasters within your school district?*

All districts responding cited constraints that could be categorized into four issues. The top two concerns, limited Funding (46%) and Time (27%), accounted for 73% of the four. The remaining constraints were limited Resources / Supplies (15%) and Logistical challenges (12%). Logistical challenges, for example, included a district located in a hilly area with limited ingress / egress for emergency vehicles, especially fire trucks. Another challenge for a joint district was the cost of coordinating and collaborating with four different cities, each with its own geographic and demographic characteristics.

*Please provide any explanatory comments to the above items:*

Approximately half of the districts provided additional narrative comments. Of these, the most common theme was the negative impact of limited money and / or time for training (e.g., the cost of removing teachers from classrooms for training, the cost of replenishing supplies for schools, and increased workloads and responsibilities for administrators).

### **ANALYSIS**

In broad overview, Orange County public schools are well prepared for an increasing number of disasters and emergency situations. Preparation and planning takes place on a regular basis, plans are developed and reviewed by a number of stakeholders, and with reference to several governmental and district-developed standards. Drills, training, and other exercises are carried out on regular schedules, and most schools have been able to find funding and resources for material, supplies, and equipment. School officials and district administrators take emergency preparedness seriously, and rank it high on a scale of importance, even though it competes for staff time and money.

Most districts prioritize their efforts to provide macro services such as help with plan development, coordination of resources, district-wide training and exercises, and school site plan review and approval. Most provide specialty services such as the interpretation of codes and regulations, critical incident debriefing, and written resource materials, but only a little over half of the districts report being involved in applying for grants or outside funding to help with emergency planning.

The results show fairly wide differences across the county and between districts with regard to a number of emergency preparedness issues, including the amount and kind of support available to schools from district offices, schools' abilities to develop community support for their plans, districts' abilities to obtain outside funding and grants for emergency planning, and the amount of coordination, integration, and communication with larger local disaster planning agencies, such as the Orange County Emergency Operations Center. The main underlying factor that seems to explain large discrepancies between well-equipped and well-prepared districts and those that are adequately prepared is, of course, money. Fortunately, some districts have developed the ability to access large governmental grants specifically for emergency preparedness, and these successes may provide a model or at least examples of what is possible.

Individual school districts communicate with from two to six or more agencies or networks designed to assist during disasters or emergencies. The average district works with four. For the most part, the different emergency agencies are complementary, in that they work with different aspects of disasters; there doesn't appear to be unnecessary duplication or disorganization. It is not clear whether all districts have a comprehensive overview of the different emergency response networks available to them, or whether each district has managed to assemble the best match of response agencies or services for their jurisdiction.

### **Plan Development, Review and Approval**

Both school and district emergency planning efforts now include responding to an expanding list of disasters. Due to increasing concerns regarding high-profile on-campus shootings, by students or intruders, school plans address Intruder on Campus, Lockdown, and Evacuation at least 95% of the time.

Although school plans address Active Shooter only 78% of the time, it appears that planning for lockdowns and evacuations covers “shots fired” on campus. (Planning for Fire and Earthquakes still tops lists at 99-100%.) Planning for two possible disasters that would affect only some areas of Orange County – a Nuclear Incident and a Tsunami – was apparent in plans of schools near the coast and the San Onofre Nuclear Generating Station.

Looking only at the number of emergency or disaster situations plans address, without respect to the kind of emergency or level of threat, some school plans anticipate as few as two or three of the 13 listed in the survey. (The average number of situations checked was 9.26.) A closer examination of the data shows that when only a few items were checked, they were the “traditional” ones: fire and earthquake, with one or two of the now more common additions of intruder / lockdown, and evacuations. Plans with a minimal number of situations expected possibly are becoming outdated.

Districts and schools develop plans with respect to a number of different yet overlapping regulations, guidelines and standards. Almost half of the districts made reference to using or modeling plans on California’s Standardized Emergency Management System (SEMS) and / or the National Incident Management System (NIMS). Others made reference to the California Education Code. If a district had received a grant, then their plan and preparations were obligated to meet certain requirements specific to the funder. Some districts made no mention of these frameworks and cited completely different criteria, such as liability insurance requirements. If degree of compliance with existing laws or regulations regarding disaster preparedness was a concern, it would be somewhat difficult to decipher which regulations apply to which schools.

For the most part, school plans are reviewed and approved at least annually by principals in conjunction with others, including a site administrator, a School Site Council (SSC), a district administrator, or others from the community (e.g., a local first responder). In this regard, there is ample opportunity for input and review by various stakeholders, including parents. Interestingly, although 96% of the districts responding indicated they provide plan review and approval, only 16% of the schools responding cited district review and approval, either primarily or in conjunction with approval from others.

### **Equipment, Supplies, and Technology**

Both survey results and visits to schools showed most schools are at least adequately equipped. Districts provide some supplies and equipment to schools, although one third of districts commented that emergency supplies are a part of individual school budgets, or have become the responsibility of local communities, parents, and parent-teacher organizations. Most schools have systems in place to maintain a range of essential emergency supplies that are appropriate for the grade levels they cover (e.g., first aid supplies, flashlights, walkie-talkies, batteries, water, etc.), but there is a huge discrepancy between those schools in grant-funded districts and those that are not. For example, some districts have purchased for their schools dedicated-channel UHF transceivers, or sophisticated software programs that provide local first responders with digital images of the buildings on their campuses, to help police locate and apprehend a campus intruder or student with a gun. Another was able, with grant funds, to produce a sophisticated training DVD that documented a SWAT team arriving on campus during a school lockdown. In overview, regardless of the differences found between various schools and districts regarding supplies and equipment,

only seven percent of schools surveyed indicated this issue was a “constraint” on emergency preparedness.

Another way differences between schools and districts can be seen is in the array of emergency or disaster items stored on campus, without respect to the priority or expense of the different item. Some schools report stocking only a few of the 12 items listed in the survey, while others checked all items and then added a list of additional items. One school did not check “First Aid Supplies” as an item stocked. (The average number of items checked was 9.38.)

### **Remaining Issues**

In terms of perceived constraints, or circumstances that have proved to be obstacles in the way of planning effectively for emergencies and disasters, survey results from both schools and districts identified two main limitations – time and money. For schools, these two items accounted for 54% of all responses to that item. Districts had a different order – they ranked money over time, but these same two items accounted for 73% of all of their responses. A small number of schools (only 6%) indicated they were experiencing “no constraints” on emergency planning. Twenty-nine (19%) schools left the item blank, which probably should not be interpreted as “no constraints,” but at least the opportunity to list something was not taken. On the other hand, none of the districts left the item blank, and none volunteered “no constraints” as an answer.

Many principals are concerned about asking teachers to trim in-classroom time in order to attend any training not germane to improving academic achievement. District level staff persons complain good disaster training turns out to be an “unfunded mandate.” One described a sort of double-bind: “The primary role of a school teacher is instruction...their regularly scheduled workday does not allow them to be out of the classroom for training, unless we hire a substitute teacher...We are contractually obligated to pay teachers for any training held after their scheduled workday. Either way, there is an additional cost to provide [disaster] training for teachers...” Again, the availability of grant funds goes a long way to solve this time-money dilemma for those districts fortunate enough to have obtained them.

Few schools have plans or emergency preparation information available in languages other than English. Given the growing number of predominately Spanish- and Vietnamese-speaking households in the county, this finding at first seems problematic. However, wholesale translations of comprehensive disaster plans would be of doubtful utility. It would be more feasible to translate only critical sections of plans, or updates, summaries and bulletins into other prevalent languages for parents and guardians, rather than comprehensive, district-wide plans.

Twenty, or 15% of schools surveyed indicated they have not anticipated the prescription medication or other special medical needs of students in the case of a major disaster or extended emergency. Another 15 schools left this item blank, which can be interpreted to mean an additional unknown number may be unprepared countywide.

***FINDINGS***

In accordance with California Penal Code Sections 933 and 933.05, the 2010-2011 Grand Jury requests or requires responses from the agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its review of emergency preparedness in Orange County schools, the 2010-2011 Grand Jury has seven findings, as follows:

- F.1:** With respect to reported constraints on emergency planning and preparation, over half of schools and almost three quarters of districts identified either limited time or funds.
- F.2:** Six (of 17) school districts have managed to apply for and receive relatively large grants from governmental agencies to greatly enhance their emergency planning efforts, while others have not.
- F.3:** Some schools anticipate responding to only a few emergency situations (e.g., earthquake and fire), while others have developed plans to respond to over a dozen different threatening situations.
- F.4:** School districts develop plans with respect to a number of different but overlapping regulations and standards, including those required by the county, state, and the federal government.
- F.5:** Some schools reported they have not adequately anticipated the needs of students taking prescription medications, or with specialized medical needs, in the event of some emergencies, such as an extended lockdown.
- F.6:** School districts are in communication with a variety of local and county departments, agencies, and systems to help them prepare for and respond to disasters or emergencies; not all districts access the same resources.
- F.7:** Few schools have plans or emergency preparation information available in languages other than English.

***RECOMMENDATIONS***

In accordance with California Penal Code Sections 933 and 933.05, the 2010-2011 Grand Jury requests or requires responses from the agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its review of emergency preparedness in Orange County schools, the 2010-2011 Grand Jury makes the following five recommendations:

- R.1:** **Those districts which have yet to identify disaster grant opportunities, especially from governmental agencies, investigate the availability of potential resources. Forming inter-district**

**collaboratives, learning from districts in the county that have been successful, pooling resources, and asking for consultation from the Orange County Superintendent of Schools/ OCDE may help in these efforts.**

- R.2: Districts review their plans, and the plans specific to each of their campuses, with respect to emergencies or possible disaster situations they have not anticipated.**
- R.3: Districts review their level of compliance with various existing codes, regulations, and liability insurance issues that pertain to emergency preparedness in public schools.**
- R.4: Districts review their plans, and the plans specific to each of their campuses, to ascertain whether the special medical and / or prescription medication needs of all students are adequately anticipated, especially during an extended disaster situation.**
- R.5: Districts survey their campuses with respect to the needs of non- or limited-English-speaking parents and guardians, and develop outlines or summaries of critical emergency planning information in Spanish, Vietnamese, and other threshold languages prevalent in their local communities.**

***REQUIREMENTS AND INSTRUCTIONS:***

Comments to the Presiding Judge of Superior Court in compliance with Penal Code Section 933.05 are required as follows:

The California Penal Code Section 933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code Section 933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.