SCHOOL SAFETY

CHANGES IN LAW
2024

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Handful of Bills Make Changes to Comprehensive School Safety Plans (CSSP)

There was a group of bills this year signed into law that made changes or otherwise added new requirements to the CSSP.

- AB 1858 (Ward, D-San Diego) - Prohibits, to the extent that a CSSP contains procedures to prepare for active shooters or other armed assailants, a local educational agency (LEA), county office of education (COE), or charter school from conducting high-intensity active shooter drills and requires an LEA, COE, or charter school to use a trauma-informed approach in the design and execution of any drill

- AB 2887 (Maienschein, D-San Diego) - Requires a LEA, COE, and charter school to add to their CSSP, on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds

- AB 2968 (Connolly, D-San Rafael) - Requires, commencing in the 2026-27 fiscal year, LEAs in high or very high fire severity zones to include in their CSSP procedures related to severe fires, including a communication, refuge, and evacuation plan

In addition to these bills, this year's budget (SB 153) also added a requirement that, beginning July 1, 2025, LEAs must include in their CSSP an instructional continuity plan to establish communication with pupils and their families and provide instruction when in-person instruction has been disrupted due to an emergency. The plan must include all the following:

- Procedures for pupil engagement, as soon as practicable, but no later than 5 calendar days following an emergency. The procedures must be designed to establish two-way communication with pupils and their families and to identify and provide supports for pupils' social-emotional and mental health as well as their academic needs.

- A plan to provide access to in-person instruction or remote instruction throughout independent study, as soon as practicable, but not later than 10 instructional days following the emergency.

Budget trailer bill clean-up (AB 176) then further requires, for J-13A waivers submitted for events occurring after July 1, 2026, an LEA to certify that is has a locally adopted CSSP in place that includes the required instructional continuity plan.

Web-based Safety Apps Now Encouraged in California Schools

As California and the nation continue to grapple with ways to improve school safety, despite the importance of the issue, cost and overly burdensome requirements often disrupt legislative efforts. However, one bill dealing with how schools can respond to safety incidents did make it all the way to the Governor's desk this year and was ultimately signed into law.

AB 960, authored be Assembly Member Devon Mathis (R-Porterville) seeks to bolster school safety without technically putting new requirements on schools in California. Specifically, the bill encourages public schools, including charter schools, with an enrollment of 100 pupils or more, on or before July 1, 2030, to implement a web-based or app-based school safety program. Under the bill, the app would need to have the following major parameters:

- A common alphanumeric grid mapping system for the identification of all buildings and locations upon the schoolsite;

- A multilayered digital map of the schoolsite that contains key information, including, but not limited to, detailed building floor plans, alphanumeric building identification, gate locations, shut-off valve locations, first aid equipment locations, automated external defibrillator locations, links to 360-degree interior and 360-degree aerial photography, and the location of, and field of view of, schoolsite surveillance cameras;

- The ability to place time stamped event markers on the digital map that identify important information about a crisis, including, but not limited to, injuries, hazards, suspect sightings, and safety zones; and,

- The ability to alert first responders from multiple agencies within a reasonable geographic area from the school in the event of an emergency on or around the schoolsite.

In authoring the bill, Assembly Member Mathis noted:

> *"We must do our best to keep our children and staff at schools safe. A society and school system that takes advantage of modern resources, in the best interest of our children, is the society I want to live in and the school system I want to send my children to."*

It is important to note that the bill does not require the use of a web-based safety app, it merely encourages it. That being said, as the Legislature continues to examine new and rapidly evolving technologies (Artificial Intelligence, for example), there will likely be continued efforts in this space to get more and better resources deployed to California schools.

State Bolsters Cyberbullying Laws; Takes Aim at Social Media Platforms

Two years ago, AB 2879 (*Low, Chapter 700, Statutes of 2022*), responding to reports of increased cyberbullying, especially among students in junior high and high schools, enacted the Cyberbullying Protection Act. The bill simply required social media platforms to create a mechanism by which those

with or without an account on the platform could report cyberbullying. In addition, the legislation sought to increase transparency by requiring social media companies to disclose the platform's cyberbullying reporting procedures in the platform's terms of service. Although AB 2879 provided an enforcement mechanism, it limited this to civil actions brought by California's Attorney General. It did not provide for a private right of action.

In response to what some viewed as shortcomings of the original legislation, Senator Henry Stern (D-Los Angeles) introduced SB 1504 this year. The bill was signed into law, and makes a handful of notable changes to the Cyberbullying Protection Act:

- Extends the Act's definition of cyberbullying to include acts committed by any person directed toward one or more minors.

- Inserts a definition of "severe or pervasive conduct."

- Requires the reporting mechanism to be prominent but limits the scope of reporting to cyberbullying or content that violates the terms of service related to cyberbullying.

- Mandates the mechanism meet specified criteria, including:

    - The mechanism provides, within 36 hours of receipt of a report, written confirmation to the reporting individual that the social media platform received that individual's report.
    - The mechanism issues periodic updates and a final written determination to the reporting user.

- Authorizes, in addition to the Attorney General, the parent or legal guardian of a minor, or a school administrator, that reports cyberbullying to the platform, as well as any city attorney, district attorney, or county counsel, to bring a civil action for violations and raises the statutory damages available. A prevailing plaintiff may be awarded reasonable attorney's fees and costs.

- Provides that the remedies provided are in addition to any other civil, criminal, and administrative remedies, penalties, or sanctions provided by law and do not supplant, but are cumulative to, other remedies, penalties, or sanctions. The duties and obligations imposed are cumulative with any other duties or obligations imposed under other law and shall not be construed to relieve any party from any duties or obligations imposed under other law.

For his part, Senator Stern noted:

> *"Existing California law falls short in addressing this pressing issue. Current statutes lack specific provisions holding platforms accountable for failing to address cyberbullying and offer insufficient protections for bullied children. SB 1504 seeks to rectify these deficiencies by updating current legislation to ensure platforms respond promptly and effectively to reports of cyberbullying."*

There were several bills this year looking to address the student mental health crisis - SB 1504 being just one of them. Many did not make it to the Governor's desk, but we anticipate the Legislature will continue to look at ways to tackle this problem when they return in January to commence the 2025-26 Legislative Session.

The Governor signed the following school safety bills:

Drugs

AB 1976 (Haney) - Occupational safety and health standards: first aid materials: opioid antagonists.

This bill requires the Division of Occupational Safety and Health, before December 1, 2027, to submit a draft rulemaking proposal to revise specified regulations on first aid materials and emergency medical services to require first aid materials in a workplace to include naloxone hydrochloride or another opioid antagonist approved by the United States Food and Drug Administration to reverse opioid overdose and instructions for using the opioid antagonist. The bill also requires the standards board to consider for adoption revised standards for the standards described above on or before December 1, 2028.

Chapter 689, Statutes of 2024

AB 2690 (Patterson, Joe) - Pupil safety: parental notification: synthetic drugs.

Current law requires a school district, COE, and charter school to annually inform parents or guardians, at the beginning of the first semester or quarter of the regular school term, of the dangers associated with using synthetic drugs and the possibility that dangerous synthetic drugs can be found in counterfeit pills. AB 2690 requires a LEA to, as part of the above-described annual notification to parents or guardians, also include the risk of social media platforms being used as a way to market and sell synthetic drugs, such as fentanyl.

Chapter 241, Statutes of 2024

AB 2998 (McKinnor) - Opioid overdose reversal medications: pupil administration.

AB 2998 prohibits a school district, COE, or charter school from prohibiting a pupil 12 years of age or older, while on a schoolsite or participating in school activities, from carrying or administering, for the purposes of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose, a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication that is federally approved for over-the-counter, nonprescription use.

Chapter 974, Statutes of 2024

AB 3218 (Wood) - Unflavored Tobacco List.

Current law prohibits a person from selling or otherwise furnishing tobacco products to a person under 21 years of age. The Stop Tobacco Access to Kids Enforcement (STAKE) Act provides for enforcement of that prohibition by the Attorney General. This bill would require the Attorney General to, by no later

than December 31, 2025, establish and maintain on the Attorney General's website a list of tobacco product brand styles that lack a characterizing flavor.
Chapter 849, Statutes of 2024

SB 908 (Cortese) - Fentanyl: child deaths.
The California Department of Public Health (CDPH) administers the California Overdose Surveillance Dashboard that provides data on state- and local-level drug-related overdose outcomes for California, including, among other data, the number of deaths related to fentanyl overdoses. This bill requires CDPH to use best efforts to utilize all of its relevant data regarding overdoses in the state to monitor and identify current trends of fentanyl-related deaths of children 0 to 5 years of age. The bill also requires CDPH to develop guidance and spread awareness of the trends to protect and prevent children from fentanyl exposure and, on or before January 1, 2026, to annually distribute its findings and guidance to local health departments, county boards of supervisors, and the Legislature.
Chapter 867, Statutes of 2024

SB 997 (Portantino) - Pupil health: opioid antagonists and fentanyl test strips.
SB 997 prohibits school districts, COEs, and charter schools from prohibiting pupils in middle schools, junior high schools, high schools, or adult schools, while on a schoolsite or participating in school activities, from carrying fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose.
Chapter 872, Statutes of 2024

School Safety

AB 262 (Holden) - Children's camps: safety and regulation.
This bill, subject to an appropriation by the Legislature for this purpose, requires the California Department of Social Services (DSS) to prepare a report, in consultation with a wide variety of stakeholders, regarding approaches for children's camp health and safety regulation and oversight. The bill requires the stakeholder group to be composed of representatives of designated state entities, including, but not limited to, the CDPH and the California Department of Education (CDE), and other stakeholders, such as parent advocate groups and local parks and health departments. Under the bill, DSS will be required, following consultation with the stakeholder group, and within 24 months after funds are appropriated, to submit its recommendations in a report to the Legislature.
Chapter 341, Statutes of 2024

AB 960 (Mathis) - School safety: web-based or app-based school safety programs.
This bill encourages each public school, including charter schools, with an enrollment of 100 pupils or more, to implement a web-based or app-based school safety program that includes specified program parameters, including, among others, (1) a multilayered digital map of the schoolsite that contains key information, (2) the ability to alert first responders from multiple agencies within a reasonable geographic area from the school in the event of an emergency on or around the schoolsite, to be used only when there is a situation involving imminent danger of serious physical injury or death to a person on school property, and (3) detailed schoolsite information, including, but not limited to, the general

schoolsite location, schoolsite size, pupil populations, the schoolsite's grade levels, the number of staff on campus, and the emergency procedures for that schoolsite.
Chapter 528, Statutes of 2024

AB 1858 (Ward) - Comprehensive school safety plans: active shooters: armed assailants: drills.
Under current law, LEAs are required to develop a comprehensive school safety plan (CSSP) for each of its schools operating kindergarten or any of grades 1 to 12, inclusive, in cooperation with certain local entities. Current law requires the comprehensive school safety plan to include the development of procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. AB 1858 additionally requires, if the CSSP includes procedures to prepare for active shooters or other armed assailants by conducting a drill, the development of specified procedures relating to that drill. The bill also requires, on or before June 15, 2025, CDE to curate and post on its website best practices pertaining to school shooter or other armed assailant drills for use by LEAs and encourages LEAs to comply with those best practices.
Chapter 530, Statutes of 2024

AB 2887 (Maienschein) - School safety plans: medical emergency procedures.
This bill requires, as part of a school's CSSP when the plan is next reviewed and updated on or after July 1, 2025, the inclusion of procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds..
Chapter 419, Statutes of 2024

AB 2968 (Connolly) - School safety and fire prevention: fire hazard severity zones: comprehensive school safety plans: communication and evacuation plans.
This bill, commencing with the 2026–27 fiscal year, requires the disaster procedures in CSSPs to include the establishment of a procedure to identify appropriate refuge shelter for all pupils and staff, for use in the event of an evacuation order, and to notify the operational area having jurisdiction of the refuge. The bill also requires, as applied to public schools serving more than 50 pupils in a high or very high fire hazard severity zone, the procedure to be coordinated with the operational area, and requires, commencing with the 2026–27 fiscal year and as a part of the CSSP for these schools, the development of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allowed enough time to evacuate all pupils and staff.
Chapter 582, Statutes of 2024

AB 3262 (Maienschein) - Automated external defibrillators.
AB 3262, when an automated external defibrillator (AED) is placed in a public or private school serving grades 6 to 12, requires the principal to, at least annually, notify pupils as to the location of all AED units on the campus.
Chapter 19, Statutes of 2024

SB 400 (Wahab) - Peace officers: confidentiality of records.
Under current law, the personnel records of peace officers and custodial officers are confidential and not subject to public inspection, though there are certain exemptions to this confidentiality, including the reports, investigations, and findings of certain incidents involving the use of force by a peace

officer. This bill would clarify that this confidentiality does not prohibit an agency that formerly employed a peace officer or custodial officer from disclosing the termination for cause of that officer.
Chapter 3, Statutes of 2024

SB 1504 (Stern) - Cyberbullying Protection Act.

The Cyberbullying Protection Act requires a social media platform to disclose all cyberbullying reporting procedures in the social media platform's terms of service and to establish a mechanism within its internet-based service that allows an individual, whether or not that individual has a profile on the internet-based service, to report cyberbullying or content that violates the existing terms of service. SB 1504 generally applies the Act's provisions to minors rather than pupils. The bill also defines the phrase "severe or pervasive conduct" to include only content that has, or can be reasonably predicted to have, specified harmful, detrimental, or substantially interfering effects and provide that "severe conduct" may also include conduct that, among other things, calls for self-injury or suicide of a minor or a specific person or of a group of individuals related to a minor.
Chapter 900, Statutes of 2024

Capitol Advisors Group has produced a set of comprehensive client briefs detailing new education laws that were passed by the Legislature and signed into law by Governor Newsom in 2024. Each brief is organized by subject area and includes an executive summary highlighting major changes we think you should know about. Bills signed by the Governor take effect on January 1, 2025, unless the bill specifically states otherwise.