

**ASSEMBLY BILL**

**No. 962**

---

**Introduced by Assembly Member Hoover**

February 20, 2025

---

An act to amend Section 32282 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 962, as introduced, Hoover. Pupil safety: comprehensive school safety plans: use of smartphones.

Existing law provides that it is the intent of the Legislature that all public schools, teaching kindergarten or any of grades 1 to 12, inclusive, operated by a school district, in cooperation with specified entities and individuals, develop a comprehensive school safety plan, as provided. Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for each of its schools, as provided. Existing law requires a comprehensive school safety plan to, among other things, identify 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.

Existing law requires the governing body of a school district, a county office of education, or a charter school to, by July 1, 2026, develop and adopt a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a schoolsite or while the pupils are under the supervision and control of an employee or employees of that school district, county office of education, or charter school. Existing law, however, specifies circumstances in which a pupil may not be prohibited

from possessing or using a smartphone, including, among others, in the case of an emergency or in response to a perceived threat of danger.

This bill would expressly prohibit, if one or more parts of a comprehensive school safety plan address the use of smartphones by pupils, those parts from prohibiting a pupil from possessing or using a smartphone under those specified circumstances.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 32282 of the Education Code is amended  
2 to read:

3 32282. (a) The comprehensive school safety plan shall include,  
4 but not be limited to, all of the following:

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

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

12 (A) Child abuse reporting procedures consistent with Article  
13 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of  
14 Part 4 of the Penal Code.

15 (B) (i) Disaster procedures, routine and emergency, including  
16 adaptations for pupils with disabilities in accordance with the  
17 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.  
18 12101 et seq.), the federal Individuals with Disabilities Education  
19 Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal  
20 Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster  
21 procedures shall also include, but not be limited to, all of the  
22 following:

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

1 (ia) A school building disaster plan, ready for implementation  
2 at any time, for maintaining the safety and care of pupils and staff.  
3 The department shall provide general direction to school districts  
4 and county offices of education on what to include in the school  
5 building disaster plan.

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

12 (ic) Protective measures to be taken before, during, and  
13 following an earthquake.

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

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

25 (III) (ia) Commencing with the 2026–27 fiscal year, establishing  
26 a procedure to identify appropriate refuge shelter for all pupils and  
27 staff to be used in the event of an evacuation order by local  
28 authorities and notify the operational area having jurisdiction within  
29 the school’s boundaries of this identified refuge, in order to first  
30 prioritize the safety of pupils and staff, and then the defense of  
31 that structure in the event of a fire. Each public school, including  
32 a charter school, serving more than 50 pupils in kindergarten or  
33 any of grades 1 to 12, inclusive, that is in a high or very high fire  
34 hazard severity zone, identified pursuant to Section 51178 of the  
35 Government Code or Section 4204 of the Public Resources Code,  
36 shall coordinate the procedure with the operational area having  
37 jurisdiction within the school’s boundaries. For those schools under  
38 the jurisdiction of a school district or county office of education,  
39 the school district or county office of education shall be the entity

1 that coordinates with the operational area having jurisdiction within  
2 each of the school's boundaries.

3 (ib) Commencing with the 2026–27 fiscal year, the development  
4 by each public school, including a charter school, serving more  
5 than 50 pupils in kindergarten or any of grades 1 to 12, inclusive,  
6 that is in a high or very high fire hazard severity zone, identified  
7 pursuant to Section 51178 of the Government Code or Section  
8 4204 of the Public Resources Code, of a communication and  
9 evacuation plan, to be used in the event of an early notice  
10 evacuation warning, that allows enough time to evacuate all pupils  
11 and staff. These plans shall clearly identify a decision process to  
12 determine whether an evacuation order is appropriate.

13 (ic) For purposes of this subclause, “operational area” means  
14 an intermediate level of the state emergency services organization,  
15 consisting of a county and all political subdivisions within the  
16 county area, that serves as a link in the system of communication  
17 and coordination between the state's emergency operation centers  
18 and the operating centers of the political subdivisions that make  
19 up the operational area, as described in subdivision (b) of Section  
20 8559 of the Government Code and Section 8605 of the Government  
21 Code.

22 (ii) The evaluation of a comprehensive school safety plan  
23 pursuant to subdivision (d) and the review of a school safety plan  
24 pursuant to clause (iii) of subparagraph (F) of paragraph (5) of  
25 subdivision (c) of Section 47605 or clause (iii) of subparagraph  
26 (G) of paragraph (5) of subdivision (b) of Section 47605.6, as  
27 applicable, shall include ensuring that the plan includes appropriate  
28 adaptations for pupils with disabilities, as required pursuant to  
29 clause (i).

30 (iii) (I) After the first evaluation or review, as applicable, for  
31 purposes of subdivision (d) and clause (ii) is conducted, and after  
32 each annual evaluation or review thereafter, a school employee, a  
33 pupil's parent, guardian, or educational rights holder, or a pupil  
34 themselves may bring concerns about an individual pupil's ability  
35 to access disaster safety procedures described in the comprehensive  
36 school safety plan or the school safety plan to the school principal.  
37 If the school principal determines there is merit to a concern, the  
38 principal shall direct the schoolsite council, school safety planning  
39 committee, or charter school, as applicable, to make appropriate  
40 modifications to the comprehensive school safety plan or school

1 safety plan, as applicable, during the evaluation of the  
2 comprehensive school safety plan pursuant to subdivision (d) or  
3 the review of the school safety plan pursuant to clause (iii) of  
4 subparagraph (F) of paragraph (5) of subdivision (c) of Section  
5 47605 or clause (iii) of subparagraph (G) of paragraph (5) of  
6 subdivision (b) of Section 47605.6, as applicable. The school  
7 principal may direct the schoolsite council, the school safety  
8 planning committee, or the charter school, as applicable, to make  
9 such modifications before the evaluation of the comprehensive  
10 school safety plan pursuant to subdivision (d) or the review of the  
11 school safety plan pursuant to clause (iii) of subparagraph (F) of  
12 paragraph (5) of subdivision (c) of Section 47605 or clause (iii)  
13 of subparagraph (G) of paragraph (5) of subdivision (b) of Section  
14 47605.6, as applicable.

15 (II) Subclause (I) does not prohibit a school employee, a pupil's  
16 parent, guardian, or educational rights holder, or a pupil themselves  
17 from bringing their concerns to the school principal before an  
18 evaluation or review, as applicable, for purposes of subdivision  
19 (d) and clause (ii) is conducted.

20 (iv) All deliberations of the schoolsite council, school safety  
21 planning committee, or charter school, as applicable, related to  
22 individual pupils with disabilities for purposes of the requirements  
23 of clauses (i) to (iii), inclusive, shall be subject to applicable state  
24 and federal laws regarding the privacy of pupil information.

25 (C) Policies pursuant to subdivision (d) of Section 48915 for  
26 pupils who committed an act listed in subdivision (c) of Section  
27 48915 and other school-designated serious acts that would lead to  
28 suspension, expulsion, or mandatory expulsion recommendations  
29 pursuant to Article 1 (commencing with Section 48900) of Chapter  
30 6 of Part 27 of Division 4 of Title 2.

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

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

36 (F) The provisions of any schoolwide dress code, pursuant to  
37 Section 35183, that prohibits pupils from wearing "gang-related  
38 apparel," if the school has adopted that type of a dress code. For  
39 those purposes, the comprehensive school safety plan shall define  
40 "gang-related apparel." The definition shall be limited to apparel

1 that, if worn or displayed on a school campus, reasonably could  
2 be determined to threaten the health and safety of the school  
3 environment. A schoolwide dress code established pursuant to this  
4 section and Section 35183 shall be enforced on the school campus  
5 and at any school-sponsored activity by the principal of the school  
6 or the person designated by the principal. For purposes of this  
7 subparagraph, “gang-related apparel” shall not be considered a  
8 protected form of speech pursuant to Section 48950.

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

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

13 (I) The rules and procedures on school discipline adopted  
14 pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

15 (J) Procedures for conducting tactical responses to criminal  
16 incidents, including procedures related to individuals with guns  
17 on school campuses and at school-related functions. The procedures  
18 to prepare for active shooters or other armed assailants shall be  
19 based on the specific needs and context of each school and  
20 community.

21 (K) If a comprehensive school safety plan includes procedures  
22 to prepare for active shooters or other armed assailants by  
23 conducting a drill, a school shall comply with all of the following  
24 relating to the drill:

25 (i) (I) The school shall not conduct a high-intensity drill.

26 (II) For purposes of this clause, “high-intensity drill” means a  
27 drill that includes simulations that mimic an actual school shooter  
28 or other armed assailant incident, including, but not limited to,  
29 theatrical makeup or other materials to give an image of blood or  
30 gunshot wounds, acting by an individual posing to be the assailant,  
31 acting by individuals posing as victims, or simulations that instruct  
32 pupils to actively resist an assailant by throwing objects, attacking,  
33 or swarming the assailant.

34 (ii) The school shall not include the use of real weapons, gunfire  
35 blanks, or explosions in the conducting of the drill.

36 (iii) The school shall ensure a trauma-informed approach to the  
37 design and execution of any drill, which shall include all of the  
38 following:

1 (I) Age-appropriate and developmentally appropriate drill  
2 content and terminology developed with the involvement of school  
3 personnel, including school-based mental health professionals.

4 (II) Notice to all parents and guardians of pupils, teachers,  
5 administrators, and school personnel subject to the drills in advance  
6 of the drill and of the drill's expected length of time.

7 (III) The ability for parents or guardians to opt their child or  
8 children out of the drills.

9 (IV) An announcement to pupils and educators immediately  
10 before the start of the drills and an announcement to pupils and  
11 educators immediately after the drills have concluded.

12 (V) A notice to all parents and guardians after the drill has  
13 concluded.

14 (VI) The provision of contact information for community-based  
15 resources, including local organizations with objectives to reduce  
16 gun violence or provide mental health counseling, to parents or  
17 guardians, pupils, and staff who are negatively impacted by the  
18 drills, and, where available, prioritizing school-based resources.

19 (L) Procedures to assess and respond to reports of any  
20 dangerous, violent, or unlawful activity that is being conducted or  
21 threatened to be conducted at the school, at an activity sponsored  
22 by the school, or on a schoolbus serving the school.

23 (M) (i) When a comprehensive school safety plan is next  
24 reviewed and updated on or after July 1, 2025, procedures to  
25 respond to incidents involving an individual experiencing a sudden  
26 cardiac arrest or a similar life-threatening medical emergency while  
27 on school grounds.

28 (ii) The procedures described in clause (i) are encouraged to  
29 integrate evidence-based core elements, including any  
30 cardiopulmonary resuscitation training offered and the placement  
31 of any automated external defibrillator available on the schoolsite  
32 in accordance with nationally recognized evidence-based  
33 emergency cardiac care guidelines, as dictated by the school safety  
34 plan.

35 (N) For schools that serve pupils in any of grades 7 to 12,  
36 inclusive, a protocol in the event a pupil is suffering or is  
37 reasonably believed to be suffering from an opioid overdose.

38 (3) (A) Beginning July 1, 2025, an instructional continuity plan  
39 to establish communication with pupils and their families and  
40 provide instruction to pupils when in-person instruction is disrupted

1 due to an emergency pursuant to Section 41422 or subdivision (a)  
2 of Section 46392. The plan shall include all the following:

3 (i) Procedures for pupil engagement, as soon as practicable, and  
4 no later than five calendar days following the emergency.  
5 Procedures shall be designed to establish two-way communication  
6 with pupils and their families and identify and provide supports  
7 for pupils' social-emotional, mental health, and academic needs.

8 (ii) A plan to provide access to in-person instruction or remote  
9 instruction pursuant to Sections 51747 and 51749.5, as soon as  
10 practicable, but no later than 10 instructional days following the  
11 emergency. The plan may include support to pupils and families  
12 to enroll in or be temporarily reassigned to another school district,  
13 county office of education, or charter school.

14 (B) Local educational agencies are encouraged to plan to meet  
15 instructional standards that are at least equivalent to those  
16 applicable to independent study programs.

17 (C) (i) For purposes of this paragraph, "temporarily reassigned"  
18 means temporarily reassigned to another local educational agency  
19 outside of the school district, but within the county or an  
20 immediately adjacent county, in which the pupil's parent or  
21 guardian resides. Notwithstanding Section 48200 or any other law,  
22 a pupil who is temporarily reassigned shall be deemed to have  
23 complied with the residency requirements for attendance in the  
24 local educational agency that is temporarily serving the pupil  
25 pursuant to this section.

26 (ii) Notwithstanding Section 48200 or any other law, a school  
27 district, county office of education, or charter school may continue  
28 to enroll a pupil who is temporarily reassigned to another school  
29 district, county office of education, or charter school pursuant to  
30 this section in order to facilitate the timely reentry of the pupil in  
31 their prior school after the emergency event has ended.

32 (D) This paragraph applies to school districts, county offices of  
33 education, and charter schools.

34 (b) It is the intent of the Legislature that schools develop  
35 comprehensive school safety plans using existing resources,  
36 including the materials and services of the partnership, pursuant  
37 to this chapter. It is also the intent of the Legislature that schools  
38 use the handbook developed and distributed in partnership by the  
39 department's Safe Schools and Violence Prevention Center and  
40 the Attorney General's Crime and Violence Prevention Center



1 entitled “Safe Schools: A Planning Guide for Action” in  
2 conjunction with developing their plan for school safety.

3 *(c) If one or more parts of a comprehensive school safety plan*  
4 *address the use of smartphones by pupils, those parts shall not*  
5 *conflict with subdivision (b) of Section 48901.7.*

6 ~~(e)~~

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

11 ~~(d)~~

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

18 ~~(e)~~

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

23 ~~(f)~~

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

28 ~~(g)~~

29 *(h) The department shall maintain and conspicuously post on*  
30 *its internet website a compliance checklist for developing a*  
31 *comprehensive school safety plan, and shall update the checklist*  
32 *when necessary.*

33 ~~(h)~~

34 *(i) On or before March 1, 2025, the Superintendent shall develop*  
35 *and post on the department’s internet website instructional*  
36 *continuity plan guidance, including guidance for continued*  
37 *academic and school engagement strategies during disruptions in*  
38 *instruction due to emergencies.*

O