

**The California State Auditor released the following report today:**

## **School Safety and Nondiscrimination Laws**

*Most Local Educational Agencies Do Not Evaluate the Effectiveness of Their Programs, and the State Should Exercise Stronger Leadership*

### **BACKGROUND**

Despite legislative attempts to address school safety issues, a recent statewide survey indicates that bullying and harassment continue to be pervasive dangers to students inside and outside of schools. Under various federal and state laws, public schools have an obligation to provide students equal educational opportunity by combating racism, sexism, and other forms of bias in schools. The California Safe Place to Learn Act (act) reinforced these state and federal protections by requiring the California Department of Education (Education) to assess whether the nearly 2,000 local educational agencies (LEAs)—school districts, charter schools, and county offices of education—have adopted policies in compliance with the law to address this act, among other requirements.

### **KEY FINDINGS**

During our review of the implementation of school safety and nondiscrimination laws and programs by LEAs and Education, we noted the following:

- Although most LEAs have implemented policies and programs to comply with recent changes to state law regarding discrimination, harassment, intimidation, and bullying, most do not evaluate the effectiveness of their school safety practices.
  - ✓ Despite having data readily available, the three LEAs we reviewed and more than half of the 1,394 LEAs responding to our survey, do not evaluate their programs after implementation.
  - ✓ Only one of the six school sites we visited formally evaluated the effectiveness of its programs and two are in the process of conducting formal evaluations.
  - ✓ The LEAs have weaknesses at either the district office or school sites in their complaint resolution processes—two of the three LEAs we visited did not always resolve complaints within the required 60 days and none of the six school sites we visited properly document complaints—limiting the ability to track frequency, volume, and outcome of incidents.
- Education needs to better fulfill its school safety leadership responsibilities under California law and provide up-to-date guidance on best practices for preventing and addressing bullying and cyberbullying.
  - ✓ It failed to monitor LEAs' compliance with certain provisions of state law for four years.
  - ✓ It did not always resolve appeals of an LEA decision regarding discrimination complaints within the required 60 days. In fact, 11 of the 18 appeals we reviewed were between one and 305 days late, and in half of the 18 appeals, Education did not notify the LEA that an appeal was filed nor did it obtain the LEA's investigative file.
  - ✓ Although it has access to statewide data regarding school climate, suspensions and expulsions, and appeals under the uniform complaint procedures, Education has not used the data to analyze trends or form policies.
- California law does not include some key components of anti-bullying legislation that the U.S. Department of Education has identified.

### **RECOMMENDATIONS**

We made numerous recommendations to the LEAs and school sites on evaluating their programs to ensure that they are preventing and addressing incidents of discrimination, harassment, intimidation, and bullying in their schools. We also made various recommendations to Education geared towards providing stronger leadership with respect to school safety and nondiscrimination laws including: it prioritize the review of complaint appeals, notify LEAs of any appeals and obtain investigative files and other documents from the LEA when reviewing appeals, update information on its Web site and provide best practices or other resources, and use currently available data to determine the effectiveness of its own and the LEAs' efforts in school safety programs. Further, we recommended that the Legislature consider amending state law to ensure it aligns with key components of anti-bullying legislation.