

2012-108 AUDIT SCOPE AND OBJECTIVES—School Safety and Nondiscrimination Laws

The audit by the California State Auditor will provide independently developed and verified information related to the California Department of Education's (CDE), local educational agencies' (LEAs), and school sites' implementation of school safety and nondiscrimination laws and will include, but not be limited to, the following:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Review and evaluate the extent to which CDE ensures compliance with state education laws and regulations that prohibit discrimination, harassment, intimidation, and bullying as those terms are defined in the Education Code. This should include a review and assessment of CDE's compliance with key aspects of the law in effect prior to 2012, its monitoring of LEAs and school sites, and the extent to which it evaluates the effectiveness of the complaint policies and procedures required by state law.
3. Determine the extent to which a selection of LEAs and school sites have implemented, or plan to implement, policies and procedures to comply with laws that prohibit discrimination, harassment, intimidation, and bullying in schools. For example, determine whether a selection of LEAs and school sites have done any of the following:
 - a. Updated and distributed materials, policies, and procedures to comply with changes in state law that took effect July 1, 2012, regarding discrimination, harassment, intimidation, bullying, the complaint process, and providing support and resource information to students.
 - b. Provided training to teachers and other school personnel regarding how to respond appropriately if they witness or are informed of an act of discrimination, harassment, intimidation, or bullying.
 - c. Adopted a process for receiving, investigating, and resolving complaints of discrimination, harassment, intimidation, and bullying as required by laws and regulations. For example, determine if these entities or CDE track the number of complaints received or the time it takes to resolve complaints, and, if so, describe the results of these evaluations.
4. Identify any other programs or workshops that were implemented, are planned to be implemented, by a selection of LEAs and school sites to assist in the prevention of intimidation and bullying that go beyond what is required by law. Review and assess the extent to which any such programs or workshops that may exist were evaluated by the LEAs or schools site to determine their effectiveness.
5. To the extent possible, identify and describe any best practices used by the selected LEAs and school sites to address discrimination, harassment, intimidation and bullying.

6. To the extent possible, identify any best practices used by other states that could benefit LEAs and school sites in California. For example, determine if other states, in addressing such acts, use nonpunitive measures that are designed to reduce the recurrence of discrimination and bullying and improve the school environment.
7. To the extent possible, determine the degree to which cost has affected LEAs' and schools' implementation of policies and procedures to comply with laws that prohibit discrimination, harassment, intimidation, and bullying, including laws that require training and receiving and investigating complaints.
8. To the extent feasible, gather statewide data to determine how LEAs and school sites are addressing discrimination, harassment, and bullying.
9. Review and assess any other issues that are significant to the State's school safety and anti-discrimination laws.