

SB 1273 (Bradford) – FAQ

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Q. What does SB 1273 do?

- A. SB 1273 will eliminate the mandatory requirements for notification of law enforcement under Education Code section 48902 (drug and alcohol offenses, certain dangerous objects possession) and 44014 (criminal penalties for school staff who fail to report any assault or physical threat to a school employee, no matter how minor). The bill would also eliminate criminal penalties for “willful disturbance” of a school or school meeting.

Q. Why do we need this bill?

- B. Decades of research show the long-term harm to young people of even minimal contact with the juvenile or criminal justice systems. Once students make contact with these systems, they are less likely to graduate high school and more likely to wind up in jail or prison. Our existing system has led to alarming disparities in the type of students who are most likely to suffer these harms. Black students, Latinx students, students of color, and students with disabilities are disproportionately referred to law enforcement, cited, and arrested. However, existing law often forces school administrators and staff to notify law enforcement even when they know this will be harmful to students. As many California educators seek to support students by responding to behavioral issues with needed services, existing laws remain in place which legally mandate school officials to notify law enforcement of certain behaviors. These laws require notification regardless of the particular circumstances of the incident or the individual student’s situation.

Q. Does the bill eliminate mandatory notifications to law enforcement for all types of incidents?

- C. No. Under Education Code Section 48902, and as required by federal law, educators and school personnel will still be required to notify law enforcement for incidents involving possession of firearms or other weapons listed in Penal Code sections 626.9 and 626.10. A few exceptions to that requirement are made in the bill for items such as box cutters, where federal law does not require notification of law enforcement.

Q. Does the bill *prohibit* the notification of law enforcement?

- D. No; teachers and administrators will still be able to call law enforcement if they believe that is the right response to a particular incident, but they will not be required to do so.