



STAFF REPORT

Meeting Date: October 7, 2014

To: Honorable Mayor & City Council

From: Erick Lee, Division Commander 

Subject: Additional Information on School Security Funding Request for FY 2014-2015

Attachments: 1. BHUSD Response to Questions

BACKGROUND

On August 5, 2014, the City Council considered a request from Beverly Hills Unified School District (BHUSD) Board President Noah Margo during the Study Session Agenda to fund 50% of the cost of the District's school campus security program for the next three fiscal years. As recently amended, BHUSD's program costs \$881,423 annually and is provided through a private vendor, Evidence-Based, Inc. (EBi), under contract with the District through June 30, 2015. During the August 5, 2014 meeting, the City Council advised that the City should only consider committing to BHUSD's request for FY14/15 because BHUSD's agreement with EBi does not go beyond the current fiscal year. The total request of the City for FY14/15 is \$440,712.

EBi is a corporation registered with the California Secretary of State. According to filings with the Department of Consumer Affairs, EBi's Chief Executive Officer is John McLaughlin, and its vice-president is Karen Borders. EBi maintains current and valid Private Investigator and Private Patrol Operator licenses.

During the August 5, 2014 meeting, the City Council posed a number of questions to staff, representatives of BHUSD, and EBi. These questions related to school safety, coordination between the Police Department and EBi, liability issues, the role of armed campus security officers in the schools, and financial issues affecting the District. The City Council then requested that answers to these questions be researched and presented at a future meeting for reconsideration of this item.

This report presents the series of questions and corresponding responses directed to staff as well as those directed to and received from the District and EBi representatives.

DISCUSSION

The following questions asked by the City Council have been answered by staff from the Police Department, the Risk Manager, and the City Attorney:

- 1. Are the schools safer if the campuses are closed and utilize unarmed campus security officers with radios? Or are armed campus security officers better?**

BHPD staff believes that an armed campus security officer is a better deterrent than an unarmed campus security officer and better equipped to intervene when it comes to mitigating a violent crime.

- 2. What joint training has actually occurred between BHPD and EBi since January 2014?**

There have been three separate formal sessions of protocol and workflow joint table-top exercises. There have also been an unknown number of informal officer level school walkthroughs that included scenario based strategic planning.

- 3. What are the site specific security plans for each school?**

BHPD has developed comprehensive and site specific plans related to school security. BHPD and EBi are in agreement on the plans. Both entities have received training on the plans.

- 4. What is the integration plan between BHPD and EBi?**

BHPD patrol officers are encouraged to become familiar with EBi campus security officers. Additionally, field training officers have been assigned to each school to serve as liaisons between the campuses and BHPD. In the future, BHPD's Special Tactics Unit will be used to conduct periodic active shooter training/drills.

- 5. Does BHPD have radio communication with EBi?**

Yes. EBi campus security officers can transmit on BHPD's secondary radio frequency to communicate with officers in the event of an emergency.

- 6. Can BHUSD's contract with EBi be co-managed by the City?**

In order to limit the City's liability for the conduct of armed security guards on premises neither owned nor controlled by the City, staff recommends against co-managing BHUSD's contract with EBi.

The Police Department can provide periodic informational updates to the City Council on its interactions with BHUSD and EBi. These updates may include the frequency of its coordinated training activities, walk-throughs of campuses by patrol officers, and the outcomes of regular meetings between BHPD's patrol management team and the campus security supervisor. These updates may also provide the City Council with the information it needs to ensure there is value in the City providing funds for BHUSD's campus security program without making the City a party to the District's contract with EBi.

7. What liability does the City incur by funding BHUSD's request? Does EBi maintain adequate liability insurance to cover both the City and BHUSD?

The City's exposure to liability is directly related to the amount of control that it exercises over the services provided by EBi. The more control that the City exercises, the more exposure to liability it has. If the City simply pays money to BHUSD and exercises no control over the services provided by EBi, then the City has little exposure to liability.

BHUSD's contract with EBi only requires it to maintain \$1,000,000 in general liability insurance. From a risk management perspective, this amount of insurance coverage is on the low end of the spectrum, considering that EBi performs armed security guard work. If the City Council moves to fund BHUSD's request, staff recommends that EBi be required to add the City as an additional insured on its liability policies and increase the amount of general liability coverage to a minimum of \$10,000,000.

Additional questions asked by the City Council were directed to BHUSD and EBi. These questions, along with BHUSD's answers, are included as Attachment #1 to this report.

FISCAL IMPACT

The annual cost for BHUSD's campus security program is \$881,423. The City's cost to fund 50% of the program would be \$440,712 for FY14/15. If the City were to fund this request for three (3) years, the costs would total \$1,322,135. The City has no earmarked funding source for school security and is not aware of any grant source available to pay for school security services provided by a private company. If approved this amount would be appropriated from General Fund Reserves.

RECOMMENDATION

It is recommended that the City Council discuss the request and provide direction to staff.


David L. Snowden, Chief of Police

Approved By

Attachment 1

SCHOOL SECURITY FUNDING REQUEST

Additional Information Requested by the City Council during the August 5, 2014 Meeting

BHUSD Response to Questions

Deployment of EBi Campus Security Officers:

1. What is the best place/role for the campus security officers to be while on campus? Should they be in the classroom assisting teachers and mentoring students or walking around and patrolling the campus? We will be working with EBI to have CSO's in classrooms providing DARE-type instruction and, as needed, safety-related instruction (e.g., lessons and assemblies designed to prevent bullying, juvenile delinquency, and criminal activity and to promote public safety). The rest of their work will largely be outside of the classroom providing for campus and community safety and threat assessment. In our discussions with the union we have repeatedly emphasized that CSO's cannot and should not be assigned to regular patrols, as our district security officers are, as their ability to assess and address threats is dependent upon their ability to vary their locations and to be accessible while also avoiding predictability in determining their deployment on a daily basis.

2. What is the integration plan between BHPD and EBi? BHPD and EBi are integrated both from an emergency response perspective, and day to day calls for service at the school perspective. EBi's on site supervisor, Joe Chirillo, a retired lieutenant with BHPD with 32 years of service, who last served as the Detective Bureau Commander. Chirillo also a former Patrol Bureau Commander, supervised Juvenile Detectives as well as, patrol officers, and is very familiar with the procedures roles and responsibilities of the Patrol Officers who respond to the school for call for service as well as roles of Juvenile Detectives. Lieutenant Chirillo (Ret) formerly ran BHPD's SRO program as a sergeant, and authored most if not all of BHPD's and the district's lockdown, bomb threat, and rapid deployment response protocols for responding to emergencies at each of the district's schools. These response protocols are still current at BHPD, and in place and they have been fully integrated into EBI's response plans. Chirillo also served as the State Training Coordinator for DARE AMERICA and trained and certified over 200 police officers as DARE and School Resource Officers (SRO'S) in California.

Moreover, EBi officers have direct access to BHPD Radio frequencies Blue One (1) (Monitor only) and Blue Three (3) (Broadcast privilege) and can communicate directly with BHPD officers who are responding to a school emergency. EBi officers know what is expected of them during school emergencies: Which is if possible to immediately aggress the threat, notify staff, and initiate a lockdown if one has not already been done and if appropriate to do so.

Most importantly the ability to broadcast on BHPD channel three (3) gives EBi officers the ability to expeditiously and efficiently update and direct responding BHPD personnel, until such time that BHPD or BHPD have arrived and taken command of the situation.

We are further integrated by the fact BHPD Juvenile Detective's and BHPD Dispatch and Watch Commanders are notified daily of which officer is on duty at each site at each school in the district. They are also provided with their radio call signs and their cell phone numbers. EBi officers are trained in BHPD's radio codes so they can effectively communicate each other and BHPD via the radio. Additionally, Chirillo addresses both Patrol and Detective roll calls to encourage interaction between patrol officers and EBi's CSO staff.

EBi officers in conjunction with BHPD have conducted lockdown drills at various schools within the district, and EBi has demonstrated that our response protocols are consistent.

Additionally, during our first semester at the district these protocols were tested and proved effective during actual calls. One call was that of a report of man with a gun at the assembly hall at the high School. That was reported directly to BHPD. BHPD dispatch contacted our CSO via cellphone, and advised him of the situation Our CSO immediately notified the Principal who locked down the school, and EBi officer then attempted to aggress the threat while at the same time, updating, and directing responding BHPD units providing critical information and status of the incident until a BHPD command post was established, Once BHPD was on scene The CSO assisted BHPD with their search of the school until he was no longer needed due to the arrival of adequate BHPD personnel. The EBi CSO then responded to The BHPD command post and assisted the incident commander in his handling of the incident. The incident proved to be a hoax but, the incident provided us with an invaluable real life training incident.

The second incident was a report of "Bomb Threat" at the High School that was reported to directly to BHPD. Again dispatch notified the CSO's at the high school who notified the Principal. EBi then initiated the bomb threat protocol. Once on scene, BHPD and EBi officer's teamed up and EBi Officers, assisted BHPD with a cursory search of the school grounds. The CSO supervisor and the BHPD Sergeant who responded both briefed the School administration of our efforts and findings, and we jointly felt this report of the bomb threat was baseless. Again, this was again great real life call that provided us with an invaluable training opportunity.

As always these working relationships are a work in progress. EBi is the process of scheduling more formalized training with both BHPD and BHPD this school year.

3. Is BHUSD committed to always requiring EBi to maintain a retired BHPD officer as its campus security supervisor? Our goal is to always have as many retired BHPD officers as available. As BHPD Officers continue to retire, EBi will continue to attempt to recruit them and come up with a succession plan. Currently, in addition to the supervisor on most days at least 3 of the six officers deployed are retired Beverly Hills Officers. Our current contract with EBi has a key man clause regarding Joe Chirillo. We intend to honor this aspect of the agreement in the future.

4. In regards to threat assessments on the school campuses, who will make, or who has made, those assessments? Teachers, principals, school psychologist, school counsellors, CSO's,

District administrators, and BHPD officers are all involved in the threat assessment process. It should be a team effort. Currently, BHPD has provided the District with a threat assessment form and a criteria for the principals to use to complete their threat assessment. However, although this form encompasses a lot of relevant information, their direction is for the schools to complete it and forward it back to the BHPD. The result is there is no consistent way to assess threats as no training has been provided to the District.

Ebi brings with it a best practices approach and a research validated threat assessment program that creates threat assessment teams at each site. These teams consist of the principal, possibly the assistant principal, the school counselor, a social worker, school psychologist, the CSO and possibly a police officer.

This process works collaterally and separately from the schools disciplinary process but allows the principal the ability to assess the threats and categorize them into three categories and allow the principal the latitude to dispose of minor threats administratively. It also gives the principal the ability to convene the Threat Assessment Team and conduct a full blown assessment. Each member of the team looks at the situation and context of the threat from each of their perspectives and each creates a report. Once this information is gathered, it is coalesced and presented to the principal who makes the final decision over the threat mitigation plan and follow-up procedure.

Moreover, this process takes into account FERPA and IEP considerations which are all included in the report to the principals. Once trained in this process the District will have a state of the art threat assessment program that will help insulate them from the liability of not having a consistent and workable process in which to assess threats.

5. In comparison to nationwide best practices, what is the number of campus security officers that should be provided at each school? What is that information based on? Although there are no national recommendations for how many SRO's or CSO's should be determined at each school site, the number of SRO's/CSO's is determined by the needs of the school district or entity providing the service based on their goals. However, since the FBI statistics show that even when the response time by first responders for active shooter is 3 minutes the average number of fatal casualties is about five lives. Moreover, although the mere presence of a armed officer serves as a deterrent, but it is not a guarantee against preventing an active shooter situation, but having said that, having an armed officer present, who can aggress the threat immediately, does tend to confront the shooter sooner, and in most cases ends the problem sooner which mitigates the loss of more lives. Logic would then seem to dictate that having at least one armed officer on scene who deters this activity and aggresses the threat sooner seems to be the optimal deployment situation.

6. Considering that larger school districts with more schools deploy less officers than BHUSD does, how did BHUSD and Ebi determine that campus security officers should be deployed at each school? Using the original SRO program where BHPD deployed one officer to

each school, we believed one CSO per school site was a minimal requirement. Residents also indicated that they wanted consistency and the ability to know the CSO assigned to a school site.

7. Provide information regarding the BHUSD's goal of one single point of entry plan: The goal is that every campus is secured from unauthorized entry and that one single point of entry be established for each site. For example, City Hall has a monitored, single point of entry. We currently have this model at BV, HM, and Hawthorne. We have plans to create this model at ER and BHHS with our current Measure E program. Access control is the key to campus security.

Financial Issues

1. What process led to BHUSD's hiring of EBi to provide campus security services? Every school district in the United States is facing a unique challenge of increased violence and mass killings on school campuses. In 2008, BHUSD has SRO's and Dare Officers on all campuses, however due to the economic downturn the programs were eliminated by the police department due to downsizing. In today's environment nearly every school district is looking for a solution to enhance the safety of the schools. School districts have two main priorities. One is to provide a quality education and the second is to do it in a safe environment. It doesn't take much to watch the local news and hear about a threat against a school or worse yet a mass killing at a school campus. Research shows that these types of incidents last between 8 to 12 minutes per FBI studies until law enforcement arrives. When there is a school resource officer on campus or an armed campus safety officer on campus these incidents are over in less than 90 seconds according to a study of school shootings. Based on BHUSD unique population, world events and the fact that BH is a destination city which puts it at greater risk for a major event within the city or on a school campus, BHUSD has been searching for a solution for a long time that did not exist until EBi entered the market of Campus Safety.

2. What type of public input was received from parents and the community? How many public meetings were held to determine that there was a need for BHUSD to provide these services? There were at least 4 BOE meetings that were open to public input. One school held an evening Town Hall meeting attended by BHPD representative. Input was sought from the PTA's and parents. In fact, EBi's presence on school campus has been met with overwhelming support by parents and students, especially at the K-8's. Overall there has been strong support at BHHS. However, some students feel the Campus Safety Officers are there to enforce the law rather than to protect them from outside threats. Efforts have been made to dispel this believe and great strides have been made.

3. If the City does not fund BHUSD's request, does BHUSD still intend to continue contracting with EBi to provide its campus security services? Yes but perhaps at a lower level of service which will lessen the level of protection at some of the schools and stretch resources. Yes but perhaps at a lower level of service which will decrease the level of protection at some of the schools and stretch resources.

4. Selection of EBi to provide campus security services:

a. Was an RFP for campus security services issued by BHUSD? No an RFP was not issued rather an RFQ was requested due to EBi being a sole source available to offer a service that provided highly qualified School Resource Officer like services. Along with the fact that EBi provides a holistic approach to campus safety that goes far beyond any security type service available. EBi not only employs Campus Safety Officers, but has mental health professionals and social workers on staff who work collaboratively with the Campus Safety Officers in dealing with any threats. EBi has a specialized threat assessment team that is highly trained in threats made to school campuses. Additionally, EBi has a unique relationship with BHPD in which EBi has access to retired police officers from BHPD to staff these Campus Safety Officer positions. EBi's relationship with the BHPD is based on a high degree of professionalism and trust that allows EBi to be the only private company in California that has access to both monitor and transmit on public safety radio frequencies during emergencies and a coordinate responses with first responders. Again, no other company has this ability. EBi is developing the national standard for placing private School Resource Officers on school campuses from a training perspective, a policy perspective, an emergency planning perspective, a technology perspective, and a training perspective. Again no other company provides such a holistic approach to campus safety.

b. Were other vendors considered besides EBi? No, other vendors were not considered due to EBi's unique approach that brings Campus Safety Officers and mental health providers together in a holistic manner in the prevention of violence on school campuses.

c. Why was EBi selected as the vendor to provide campus security services? There were no other providers of the service that EBi offers. EBi services go well beyond any security company services.

d. How do EBi's costs compare with those of other security companies? For comparable services, if available by any other vendor, EBi would be competitively priced. However, no other company offers the level of service or the type of service that EBi offers.

e. What are the EBi's qualifications for campus security officers? EBi Campus Safety Officers are either former sworn police officers or military veterans who receive extensive training in issues involving school campuses. EBi Campus Safety Officers receive training that far exceeds any requirement for security guards and in fact exceeds training requirements for School Resource Officers. EBi has the only public-private partnership with Golden West College Criminal Justice Training Center (one 1 of 5 to obtain this status in the United States) to provide on-going training for the Campus Safety Officers. To date, the Criminal Justice Training Center has provide the Campus Safety officers with 40 hours of school specific training, with additional training planned for later in the year. EBi Campus Safety Officers are also trained in mental health issues. EBi also employs a full time training coordinator with over 30 years of experience in training specific to law enforcement and safety issues to ensure all Campus Safety Officers are up to date and properly training in continuing education requirements.

f. How are EBi's campus security officers screened? Each Campus Safety Officers goes through an extensive hiring process that includes oral interviews, Pre-Employment Background Check (similar to those conducted on police candidates), follow up interviews with management staff before being selected to be a Campus Safety Officer. Since EBi recruits heavily from the local police department, most candidates are familiar with the local law enforcement agency. Also, most of EBi Campus Safety Officers were School Resource Officers or Dare Officers at some point in their career.

5. In regards to BHUSD's \$880,000 annual contract with EBi, how does that amount breakdown in terms of: a. Staffing/Personnel wages and hourly rates 75% (work comp insurance, liability and Errors and Omissions Insurance and all payroll and wages expenses) b. Equipment 10% (Uniforms, vest, duty belts, computers, radios) c. Vehicles 15% (Vehicles, vehicle equipment, insurance, fuel)

- a.) EBi CSO's hourly wages are between \$25 and \$35, with the majority making between \$30 and \$35. EBi supervisor ranges from \$35 to \$40 per hour. Many work year round training during no school times, covering summer school, BHUSD special events and preparing for the school year. Work comp rates are roughly 15% of wages. Administrative wages are paid at \$30 per hour.
- b.) Each EBi CSO is issued between \$3,500 and \$4,500 in equipment (uniforms, ballistic vest, duty belts, equipment, uniforms, computers and radios compatible with BHPD radio frequencies). A records management system and reporting system (Software as a Service) user cost \$1,000 per BHUSD CSO and supervisor.
- c.) Dedicated vehicles for BHUSD, including safety equipment (light bars, bumpers, etc.) on vehicles, is roughly \$10,000 per vehicle per year, including commercial vehicle insurance policies, fuel, maintenance and care.

6. What is the justification for the City paying a portion of costs associated with equipment and vehicles? The uniforms are designed to be easily recognized by first responders who may respond to the schools in an emergency. Uniformed EBi CSO's also provide the city with additional immediate responders on school campuses during an emergency or eliminate the need for BHPD to respond for minor infractions that can be handled within the school discipline process. The vehicles are designed to be clearly marked as Campus Safety and provide the initial layer of protection to the schools. In an emergency, the city may benefit from the uses of the Campus Safety vehicles as they may be used to block traffic or assist in controlling a crime scene located on a school campus. These vehicles are marked with light bars, push bumpers, and other equipment that would be helpful to law enforcement during an emergency. The vehicles basically provide the city and the school district with 7 additional vehicles that act as emergency vehicles during a major incident within the city that affects school campuses.

7. What have been BHUSD's General Fund legal expenses for the last two years? In 2012-2013, the District spent \$612,200 on general fund legal expenditures. In 2013-2014, the expenditures were \$2,096,614. The increase can be attributed to two very involved legal challenges requiring the District to defend its position.

8. BHUSD receives \$10M per year from the Joint Powers Agreement, has a \$10M endowment fund, and receives funding from BHEF. How are these funds being spent and why can't they be used to fund the campus security services provided by EBi? The funds received through the Joint Powers Agreement are utilized to support infrastructure, facilities maintenance, and other programs. When the SRO program was reduced and then eliminated, there were no new funds received to fund campus security services such as those provided by EBi. The funds held in the endowment are one-time funds that do not replenish, and utilizing those funds to support programs will encroach on the District's reserves and prevent the District from being able to manage its own cash flow (potentially requiring the District to engage in short-term borrowing through a county pool, incurring additional costs). BHEF has created a grant writing request system to allocate their funds to the BHUSD. Currently, BHUSD has not requested that BHEF funds be allocated to the EBi contract. We budgeted \$600,000 through BHEF for this year for a number of academic/athletic programs.

9. What is the condition of BHUSD's reserve fund? The District maintains the \$10M endowment fund (Fund 17), which holds both the state-minimum 3% reserve and additional reserves to protect the district against unpredictable fluctuations in tax revenues and which allow the district to manage cash flow by borrowing from itself (rather than having to borrow – and pay fees and interest – through a County pool). As a Community Funded (Basic Aid) district, BHUSD's funding is directly tied to property tax collections and is more vulnerable than LCFF-Funded districts to unexpected economic conditions – even if assessed value rises, the District faces the potential of revenue fluctuations due to non-payment of taxes by property owners and other such conditions. It may be important to know that the property tax revenue provided to the District is determined not only by Beverly Hills tax collections but also by Los Angeles County tax collections.

10. In regards to funds received from the State of California, what is the difference between last year's funding and this year's funding levels? In regards to funds received from the State of California, the District has received less revenue this year than it did last year, because last year the state provided one-time revenue of \$900,000 to support a transition to the common core. In regards to funds received through property tax revenue, the District received \$36,402,055 in 12-13 and \$38,195,679 in 13-14. We do expect a slight decrease in funding for the 2014-15 school year. Changes in state funding under the Local Control Funding Formula will not impact district revenue, as property tax revenue exceeds the LCFF allotment (this is what qualifies the District to be a Basic Aid/Community Funded district). Other state revenue, including Lottery funds (for instructional materials), mandated cost reimbursement, common core transition funds, and other such sources, is projected to decrease by 23.6% between 2013-14 and 2014-15. ROP funding coming to the District through the County is flat funded for the current year but will decrease by \$600,000 over the next six years. The only increases to district funding would come through local property tax growth.

11. How much have BHUSD employee's salaries increased over the past few years? Teachers' salaries were increased by 4.04% in 2011 and by 5.16% in 2014 (prior to 2011, the last increase was given in 2008). Classified and unrepresented salaries were increased by 3% in 2012 and most (all except CSEA) were increased by 5.16% in 2014 (prior to 2012, the last increase was given in 2008). Management salaries (except Superintendent, Chief Administrative

Officer, CBO, and Chief Academic Officer – no raises were given to these individuals) were increased by 3% in January 2014 and again by 5.16% in July 2014 (prior to 2014, the last increase was given in 2008

Year	Certificated Salary	Classified Salary	Benefits
2011-2012	\$26,550,000	\$7,197,000	\$9,414,000
2012-2013	\$27,328,000	\$7,335,000	\$9,008,000
2013-2014	\$26,740,000	\$7,267,000	\$8,764,000
2014-2015	\$25,806,000	\$7,633,000	\$9,744,000