

City of Piedmont
COUNCIL AGENDA REPORT

DATE: May 20, 2019

TO: Mayor and Council

FROM: Paul Benoit, City Administrator

SUBJECT: Acceptance of the California Department of Justice Tobacco Grant MOU

RECOMMENDATION

Accept a Tobacco Grant from the California Department of Justice in the amount of \$391,599 and enter in the accompanying memorandum of understanding.

BACKGROUND

In September of 2018, Chief Jeremy Bowers learned of the Tobacco Grant opportunity during a time when he and Superintendent Randy Booker were in discussions of proposing a School Resource Officer (SRO) position to enhance the delivery of law enforcement services to the school community. While staff would have preferred to apply for the grant after the School Board and City Council had an opportunity to consider and potentially approve the position and program, the established deadline of October 5, 2018, required the submission of the grant or risk missing an opportunity for significant funding. On December 4, 2018, the Piedmont Police Department was notified by the State of California Department of Justice that the grant application for funds authorized under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 had been approved in the amount of \$391,599.

The original concept of funding a School Resource Officer to accomplish the goals and objectives of the grant was fully supported by the Piedmont Unified School District (PUSD) Superintendent. Significant public concern arose during the public process of bringing the matter of an SRO program, which would have been “housed” on the school campuses, to the School Board. The concerns were primarily focused on the SRO being armed on campus, a concern about the criminalization for school disciplinary issues, concern over possible targeting of minority students, and the lack of a Health Educator component aligned with the school districts strategic plan. On February 24, 2019, the PUSD Board of Education voted 4-1 against the SRO model where the position would be housed on a campus. Board President Amal Smith provided direction to Superintendent Booker to continue discussions with Chief Bowers to determine the feasibility of an alternative model which addressed the concerns raised. Acknowledging the concerns and also understanding the challenges and opportunities which exist, Chief Bowers in collaboration with Superintendent Booker agreed to propose the following modifications:

- Instead of an SRO, the Department would establish a Juvenile Officer position which would be “housed” within the police department rather than on the PUSD campus.

- \$50,000 (the approximate cost of a part-time position as communicated by the Superintendent) from the grant award would be provided to PUSD for the final two fiscal years (FY 2019-20 and 2020-21) to fund a Health Education component.

On April 22, 2019, The City/School Liaison Committee, consisting of Mayor Bob McBain, Vice-Mayor Teddy King, City Administrator Paul Benoit, School Board President Amal Smith, Board Member Corey Smegal and Superintendent Randy Booker met to discuss potential modifications to the original concept. Assistant Superintendent Cheryl Wozniak and Chief Bowers were also in attendance. Members of the public also attended the meeting, including representatives from the Piedmont Appreciating Diversity Committee. The meeting participants discussed the proposed modifications, answered questions from the public and concluded with general support for the proposed modifications.

Chief Bowers submitted the modification to the Department of Justice and received approval. The proposed scope of work which reflects the proposed modification of the original grant is attached.

On May 8, 2019, the PUSD Board of Education met to consider acceptance of the grant funds available through the modification. Superintendent Booker presented a 2-year plan which contained specific goals and accompanying actions to accomplish the goals (see Attachment #4). The plan included several actions which would be implemented in partnership and collaboration with the police department and specifically, the Juvenile Officer. Examples of the specific actions include:

- The establishment of a diversion program for youth caught vaping, using drugs or alcohol on campus
- Analysis and implementation of vaping mitigation efforts such as possibly installing sensors which detect when someone is vaping
- Partner in the delivery of classroom lessons identified to meet the California Health Standards in PUSD

The Board approved the plan outlined by Superintendent Booker with a 5-0 vote, and embraced the proposed collaborative work with the police department and Juvenile Officer Position.

Should the Council approve the grant, the Police Department will partner with the District to accomplish the following goals identified in PUSD's 2 year plan: (See Attachment #4)

- SMART Goal #1: PUSD will reduce high school students' on-campus use and exposure to controlled substances and nicotine products (e.g. nicotine, drugs, alcohol) up to 10 percentage points, as measured by students' self-reported responses to the following three questions on the 2021-22 California Healthy Kids Survey
- SMART Goal #2: PUSD will increase high school students' perceived harm of e-cigarettes as compared to smoking cigarettes from None, Slight, or Moderate by 53-57 percentage points (grades 9-12 respectively), as measured by students; self-reported responses to the following question on the 2021-22 California Healthy kids Survey (See

Attachment 4)

- SMART Goal #3: PUSD will increase middle school students' perceived harm of e-cigarettes as compared to smoking cigarettes from None, Slight, or Moderate (61%) by 36 percentage points, as measured by students' self-reported responses to the following question on the 2021-22 California Healthy Kids Survey (See Attachment 4)
- SMART Goal #4: PUSD will increase elementary school students' perceived harm of e-cigarette use by 10 percentage points, as measured by students' self-reported responses to the following question on the 2021-22 California Healthy Kids Survey (See Attachment #4)

By entering into the MOU, through the work of the Juvenile Officer and the Health Educator for PUSD, the Piedmont Police Department expects to reduce the use of tobacco and nicotine products among Piedmont's youth population through education, intervention and enforcement of existing laws. The original work plan submitted to the State to accomplish the goals and objectives is as follows:

Year 1 (FY 18-19)

- a. Fund and train a Juvenile Officer to work with PUSD with a focus on reduction and mitigation of youth tobacco use.
- b. Work with PUSD staff as they engage in Health Curriculum review, alignment, and development. Which may include tobacco education programs for students, parents, and school staff.
- c. Collaborate with PUSD staff on the identification of model Diversion Programs for tobacco and controlled substance violations.
- d. Collaborate with PUSD staff on the identification of other mitigation opportunities to reduce vaping.

Year 2 (FY 19-20)

- a. Provide funding to PUSD for a Health Educator to work with the Juvenile Officer to development Health Education focused on reduction and mitigation of youth tobacco use.
- b. Work with PUSD staff as they engage in Health Curriculum review, alignment, and development. Which may include tobacco education programs for students, parents, and school staff.
- c. The Juvenile Officer, in collaboration with PUSD, will implement the developed education programs to students, parents and school staff
- d. The Juvenile Officer, in collaboration with PUSD, will implement the newly developed Diversion Program.

- e. Provide funding to PUSD for a Tobacco Health Educator to work with the Juvenile Officer to deliver the programs above.

Year 3 (FY 20-21)

- a. Continue collaborative work with PUSD to provide established programing.
- b. Evaluate effectiveness of established programing.
- c. Ensure long-term benefits of effective practices by conducting staff training on best practices dealing with juveniles, train the trainer for continued delivery of tobacco/vaping education programs and any other established tobacco/vaping mitigation efforts.

The Juvenile Officer position provides an opportunity for the police department and the schools in the City of Piedmont to have a dedicated officer with significant additional school and youth related training to respond to reported incidents on school campuses. The Department will provide the following training for the Juvenile Officer position if approved:

- 40 Hour Basic SRO
- 24 Hour Advanced SRO
- 12 Hour Adolescent Mental Health Training
- 40 Hour Crisis Intervention Training
- 8-10 Hours of Implicit Bias Training
- 8-10 Hours of De-escalation Training
- 8-10 Hours of Legal Update Training
- 48 hours at the California School Resource Officers Association Training Conference (Spotlight on Girls Conference)
- 48 hours of Tactical Response for Schools: Compliance and Strategies.

The proposed Juvenile Officer will be focused on the goals and objectives of the grant as well as the PUSD plan. The job duties will include:

1. Handle calls that are related to the school and would normally be directed to police.
2. Report all significant incidents to a police supervisor.
3. Investigate and follow up on crimes reported at the schools.
4. Assist Patrol and Investigations personnel in the arrest of juveniles at the schools as a result of investigations not originated by the Juvenile Officer.
5. Work closely with other officers of the police department in matters relating to the schools and the community.
6. Assist the school administration with the prevention of crime and delinquency on campus.
7. Strive to increase mutual understanding and respect between youth and law enforcement through interaction during informal situations and activities.

8. Interact with students relating to police/student problems and be a focal point for quelling unrest on campus.
9. Develop and maintain lines of communication between school district staff, students, parents, and the police department.
10. Serve the school and the community as a source of information regarding city and police functions.
11. Provide officer-in-classroom programs when requested. This might include educational presentations to staff, students and parents regarding the criminal justice system, criminal activity, substance abuse education, tobacco/vaping use, driver education and social media topics.
12. Assist school staff in establishing policies that will contribute to the safety of school staff and students.
13. Participate in student counseling and parent conferences, when appropriate.
14. Provide testimony and technical assistance to the school district at expulsion hearings or other proceedings when appropriate.
15. Coordinate and supervise security measures at school activities in conjunction with a vice principal, including sports events, dances, plays, etc.
17. Attend periodic meetings of school resource officers and related organizations.
18. Be a positive role model for youths through positive interaction and projection of a professional image.
19. Provide training for campus supervisors on maintaining a safe and secure environment.
20. Participate in each schools' Safety Team meetings as necessary.
21. Support patrol when not engaged in grant related activities or in the aforementioned job duties.

FISCAL CONSIDERATIONS

In the original grant application all of the funds were to be allocated to a sworn officer position. Now through the proposed modification, the school district will be eligible for up to \$100,000 of the grant funds for the Health Education element. The Department will use COPS funds in the amount of approximately \$60,000 to supplement the salary of the Juvenile Officer position due to the inclusion of the Health Education component of this plan.

The Chief of Police has requested an increased award from the state as a result of the modification and addition of the Health Education component for the PUSD. While it was communicated by the grant administrator that there was no additional funding for this fiscal year, the request for additional funds will be considered in future fiscal years should supplemental funds become available. Costs associated to training and overtime will be provided for within

existing and future police department budgets.

GRANT REQUIREMENTS

There is no requirement for matching funds associated with the grant. The Department will be required to submit quarterly progress reports to the DOJ. These reports, which will describe progress made on the recipient's Scope of Work, shall be submitted to DOJ according to the following schedule:

January 1 through March 31: Due April 15
April 1 through June 30: Due July 15
July 1 through September 30: Due October 15
October 1 through December 31: Due January 15

Additionally, grantees shall submit any other reports and data as may be required by the DOJ. Refer to the attached MOU for additional administrative requirements. The attached agreement has been approved by City Attorney as to form and legality:

ATTACHMENTS

- #1 - MOU Between the City of Piedmont and the California Department of Justice
- #2 - Approved Budget
- #3 - Approved Scope of Work
- #4 - PUSD Health Education – California Department of Justice Grant 2 Year Plan

By: Jeremy Bowers, Chief of Police

City of Piedmont
Piedmont Police Department

Jeremy Bowers, Chief of Police
(403 Highland Avenue
Piedmont, CA 94611)
(510) 420-3010
(jbowers@piedmont.ca.gov)

MEMORANDUM OF UNDERSTANDING

with the

California Department of Justice

December 1, 2018 – June 30, 2021

I PURPOSE

This Memorandum of Understanding (the “MOU”) is entered into by the Department of Justice (“DOJ”) and the City of Piedmont, Piedmont Police Department (hereinafter, “Grantee”), to provide grant funds to Grantee for expenditure. The Grantee will expend funds for the purposes identified in the approved Grant Application submitted by Grantee in response to the DOJ’s Request for Proposals for activities of Local Law Enforcement Agencies to be funded under the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (the “Act”), approved by the voters as Proposition 56.

This MOU becomes effective upon completion of all signatures, and expires on June 30, 2021.

The DOJ, Tobacco Grant Unit, grants to Grantee \$391,599, (the “Grant Amount”) for expenditure in accordance with this MOU, including the Scope of Work included in the approved Grant Application.

The Request for Proposals, Grantee Handbook and Grant Application are incorporated by reference into this MOU.

II COMMUNICATION

All reports, notices, requests, and/or correspondence pertaining to this MOU shall be forwarded to the Tobacco Grant Unit at:

California Department of Justice
Division of Law Enforcement
Tobacco Grant Unit
1300 I Street, Suite 1140
Sacramento, CA 95814
Devin.Rodriguez@doj.ca.gov.

III BUDGET

Grantee agrees to expend the Grant Amount in accordance with the approved Budget (Attachment 1).

Grantee must submit any request for a change to a Budget item in writing or via e-mail to the DOJ and any changes to the Budget must be pre-approved in writing by the Tobacco Grant Unit at least thirty (30) days in advance of any change to the Budget item.

IV COST REIMBURSEMENT/INVOICING

DOJ agrees to reimburse Grantee, in arrears, for Grantee’s actual expenditures in performing the Scope of Work, upon receipt of invoices from Grantee and approval of the invoices by DOJ. Grantee will submit only one (1) invoice each month for items included in the Budget, included

completed travel and training. The Grantee is required to ensure that all vendor deliverables are accepted and approved, equipment delivered, travel completed, and administrative activities performed. Invoiced amounts may not exceed the costs specified in the approved Budget.¹

Grantee will provide substantiation to DOJ pertaining to acceptance of hardware, software, services, and deliverables along with approved invoices for payment. Invoices paid by the Grantee and submitted to the DOJ for reimbursement must include the invoice number, invoice date, service period, agreement number, vendor name, vendor contact information, amounts, along with the approved Budget Template clearly identifying which expenditure the invoice is associated with. Grantee shall provide copies of packing slips substantiating delivery of purchased equipment. Grantee invoices and supporting documentation must be sent to the DOJ in hard copy format no later than the 15th calendar day following the month of expenditure. (Example, a purchase made on June 2nd would require invoice to be received by the DOJ no later than July 15th).

Invoices must be e-mailed or delivered via U.S. Mail addressed to:

California Department of Justice
Division of Law Enforcement
Tobacco Grant Unit
1300 I Street, Suite 1140
Sacramento, CA 95814
Devin.Rodriguez@doj.ca.gov

V BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under the agreement does not appropriate sufficient funds for this MOU, this MOU shall be of no further force and effect. In this event, the DOJ shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this MOU and Grantee shall not be obligated to continue performing any provisions of this agreement for which it would have been reimbursed.

If funding for any fiscal year is reduced or deleted in the Budget Act for purposes of this MOU, the DOJ shall have the option to either cancel this MOU with no liability occurring to the DOJ, or offer an amendment to the Grantee to reflect the reduced amount.

VI QUARTERLY REPORTING REQUIREMENTS

Grantee will submit quarterly progress reports to the DOJ. These reports, which will describe progress made on the recipient's Scope of Work, shall be submitted to DOJ according to the following schedule:

January 1 through March 31: Due April 15
April 1 through June 30: Due July 15

¹ Approved Budget included under Attachment 1.

July 1 through September 30: Due October 15
October 1 through December 31: Due January 15

Grantees shall submit any other reports and data as required by the DOJ.

VII ADMINISTRATION AND AUDIT

The DOJ is not liable for the Grantee's use of funds or any subsequent audit findings.

Grantee agrees that the DOJ and the California State Auditor, or their designated representatives shall have the right to review and copy any records and supporting documentation pertaining to the funds expended by Grantee and the Grantee's performance of the Scope of Work under this MOU. Grantee agrees to maintain all such records and reports for possible audit for a minimum of three (3) years after payment by DOJ of the final invoice submitted by Grantee. Grantee agrees to allow access to such records during normal business hours and to allow interviews with officers and employees who might reasonably have information related to such records. [Grantee agrees to include a similar right for DOJ and the California State Auditor to audit records and interview staff in any subcontract related to performance of the MOU.]

Should Grantee fail to comply with this MOU, including any expenditures for purposes not permitted under the MOU, DOJ may take one or more of the actions described under Remedies for Noncompliance in the Grant Handbook. Actions include but are not limited to requiring Grantee to return grant funds, and any other remedies available under law, and the Grantee may be disqualified from applying for or receiving future grant funds.

VIII GRANTEE CONTACT INFORMATION

Jeremy Bowers, Chief of Police
Piedmont Police Department
403 Highland Avenue
Piedmont, CA 94611
(510)420-3010
jbowers@piedmont.ca.gov

Chris Monahan, Police Captain
Piedmont Police Department
403 Highland Avenue
(510)420-3012
cmonahan@piedmont.ca.gov

IX MISCELLANEOUS PROVISIONS

Amendment-No amendment or variation of the terms of this MOU is valid unless made in writing, and signed by the duly authorized representatives of the parties.

Assignment- This MOU is not assignable by Grantee in whole or in part.

Indemnification- Grantee agrees to indemnify and hold harmless the DOJ, its officers, agents and employees from all claims, liabilities, or losses in connection with the performance of this MOU.

Termination – The DOJ may terminate this MOU and be relieved of any obligation to provide grant funds to Grantee should Grantee fail to perform the Scope of Work at the time and in the manner provided in this MOU.

X AUTHORIZATION

The DOJ and Grantee, by their duly authorized officials, have executed this MOU on the respective dates indicated below. This MOU and any future amendments shall be forwarded to the Division of Law Enforcement, Office of the Chief, with all its attachments, and will become effective upon completion of signature from all parties.

Robert McBain, Mayor
City of Piedmont

Date

Attest:

John O. Tullock, City Clerk
City of Piedmont

Date

Approved as to form and legality:

Michelle Marchetta Kenyon, City Attorney
Sergio Rudin, Assistant City Attorney
City of Piedmont

Date

SHANNON PATTERSON, GRANT MGR.
Office of the Chief
California Department of Justice

Date

KEVIN GARDNER, Chief
Office of the Chief
California Department of Justice

Date

CHRIS RYAN, Chief
Division of Operations
California Department of Justice

Date

Costs Per Fiscal Year (July 1 - June 30)

A. Personal Services

Salaries

Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2020-21	
Police Officer/Juvenile Officer	1 Police Officer Position, Calculated with current MOU	\$ 9,379	\$ 106,305	\$ 69,398	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
	106305	SUBTOTAL	\$ 9,379	\$ 106,305	\$ 69,398

Overtime

Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2020-21	
City to pay		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		SUBTOTAL	\$ -	\$ -	\$ -

Benefits

Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2020-21	
Police Officer/Juvenile Officer	1 Police Officer Position, Calculated with current MOU	\$ 4,083	\$ 50,460	\$ 51,974	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		SUBTOTAL	\$ 4,083	\$ 50,460	\$ 51,974
		TOTAL PERSONAL SERVICES	\$ 13,462	\$ 156,765	\$ 121,372

B. Operating Expenses (e.g. supplies, signage, tobacco products, etc.)

Description	Computation	FY 2018-19	FY 2019-20	FY 2020-21	
City of Piedmont to Pay		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		TOTAL	\$ -	\$ -	\$ -

C. Equipment (tangible items with a per-unit cost of \$5,000 or more)

Description	Computation	FY 2018-19	FY 2019-20	FY 2020-21
City of Piedmont to Pay		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

D. Travel Expenses/Registration Fees*

Description and Destination	Computation	FY 2018-19	FY 2018-19	FY 2020-21
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

*Travel rates must adhere to State rules and limits.

E. Other Expenses

Description	Computation	FY 2018-19	FY 2019-20	FY 2020-21
Piedmont Unified School District Health Educator		\$ -	\$ 50,000	\$ 50,000
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ 50,000	\$ 50,000

F. Administrative Costs*

Description	Computation	FY 2018-19	FY 2019-20	FY 2020-21
City to Pay		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
TOTAL		\$ -	\$ -	\$ -

*Administrative costs may not exceed 5% of the total budget.

SUMMARY

Budget Category	FY 2018-19	FY 2019-20	FY 2020-21	Total Request
A. Personal Services	\$ 13,462	\$ 156,765	\$ 121,372	\$ 291,599
B. Operating Expenses	\$ -	\$ -	\$ -	\$ -
C. Equipment	\$ -	\$ -	\$ -	\$ -
D. Travel/Registration	\$ -	\$ -	\$ -	\$ -
E. Other Expenses	\$ -	\$ 50,000	\$ 50,000	\$ 100,000
F. Administrative Costs	\$ -	\$ -	\$ -	\$ -
TOTAL PROJECT COSTS	\$ 13,462	\$ 206,765	\$ 171,372	\$ 391,599

Scope of Work

Summary

- a. Agency Description – The Piedmont Police Department is a professional organization which serves the City of Piedmont. Piedmont, with its population of approximately 11, 000 residents, is located in the Bay Area and unique as it is completely surrounded by another larger city, the City of Oakland. The Piedmont Police Department is staffed with 19 sworn officers (1 chief, 1 captain, 4 sergeants, and 13 officers) as well as 9 full-time support staff. Each of the four patrol teams is made up of one sergeant and three police officers. The Department maintains one full-time detective.
- b. Funding Requested – The Piedmont Police Department is respectfully requesting funding in the amount of \$391,599.
 - a. Year 1 - \$13,462
 - b. Year 2 - \$206,765
 - c. Year 3 - \$171,372
- c. Goals and Objectives – The grant will fund a Juvenile resource officer and fund a Health Education component within the Piedmont Unified School District (PUSD) to collaboratively conduct student and parent education classes on the harms of tobacco use and develop a Diversion Program for youth who are detected using tobacco products. The Juvenile Officer will also conduct tobacco enforcement operations where minors are likely to be present. Finally, the Juvenile Officer will work with the PUSD to identify and implement tobacco/vaping mitigation strategies. By funding the Juvenile Officer and the Health Educator for the PUSD to provide the services described above the Piedmont Police Department expects to reduce the use of tobacco and nicotine products among Piedmont’s youth population through education, intervention and enforcement of existing laws.
- d. Measureable Outcomes – The police department will track the number of education classes provided to students, parents, and school staff. The police department will also track the number of intervention encounters with youth. Finally, the police department will evaluate external measures such as the California Healthy Kids Survey to assess the admitted use of, and exposure to, tobacco products as another indicator of effectiveness.

Problem Statement

The City of Piedmont is located in the Bay Area and unique as it is completely surrounded by another larger city, that being the City of Oakland. Piedmont is a small city with very few licensed tobacco retailers within our jurisdiction. In actuality the community has had very few incidents of local (in-city) sales of tobacco products to minors. Our challenge is the access the

youth in this community have to e-cigarette and vaping devices via the internet and perhaps by venturing into our neighboring city to obtain such devices. Anecdotal reports from the Piedmont Unified School District have indicated a very high use of these devices on school property. There have been several reports of students actually using vaping and e-cigarette devices in the classroom, during class. This use is particularly concerning since it has also been reported the youth generally maintain inaccurate beliefs that there are low to no health effects with the use of e-cigarettes and vaping devices. The self-report rates for youth use of e-cigarettes or other vaping devices is very high. Self-report rates contained in the California Healthy Kids Survey 14-15 and 16-17 have approached and in some measures exceeded the 40% mark for the number of students who admit to ever using e-cigarettes or other vaping device by the time they are a senior in high school.

The City of Piedmont is a built-out residential community with very little sales tax or other revenue-generating mechanisms making the addition of public safety personnel a challenge. This funding would allow the City of Piedmont to partner with the Piedmont Unified School District in an effort to launch tobacco/vaping mitigation programs and efforts. There are two high schools, one middle school and three elementary schools within the Piedmont Unified School District. The student population of the schools are as follows:

Piedmont High School: 856

Millennium High School (alternative high school): 67

Piedmont Middle School: 652

Havens Elementary School: 439

Wildwood Elementary School: 296

Beach Elementary School: 280

The high schools and middle school are physically located on the same general geographic footprint and would be the focus of the school resource officer. However, age appropriate early education courses focused on the dangers of tobacco may also be provided to the elementary schools.

Project Description

The Piedmont Police Department will work collaboratively with the Piedmont Unified School District (PUSD) to reduce the amount of youth use of tobacco products, specifically the use of e-cigarettes and other vaping devices as measured by applicable areas of the 2021-22 California Healthy Kids Survey. The effort will be accomplished by:

Year 1 (FY 18-19)

- a. Fund and train a Juvenile Officer to work with PUSD with a focus on reduction and mitigation of youth tobacco use
- b. Work with PUSD staff as they engage in Health Curriculum review, alignment, and development. Which will include tobacco education programs for students, parents, and school staff.
- c. Collaborate with PUSD staff on the identification of model Diversion Programs for tobacco.
- d. Collaborate with PUSD staff on the identification of other mitigation opportunities to reduce vaping.

Year 2 (FY 19-20)

- a. Provide funding from the Tobacco Grant to PUSD for a Health Educator to work with the Juvenile Officer to development Health Education focused on reduction and mitigation of youth tobacco use
- b. Work with PUSD staff as they engage in Health Curriculum review, alignment, and development. Which may include tobacco education programs for students, parents, and school staff
- c. The Juvenile Officer, in collaboration with PUSD, will implement the developed education programs to students, parents and school staff
- d. The Juvenile Officer, in collaboration with PUSD, will implement the newly developed Diversion Program
- e. Provide funding to PUSD for a Tobacco Health Educator to work with the Juvenile Officer to deliver the programs above

Year 3 (FY 20-21)

- a. Continue collaborative work with PUSD to provide established programing and continue Tobacco Grant funding for Health Educator component.
- b. Evaluate effectiveness of established programing
- c. Ensure long-term benefits of effective practices by conducting staff training on best practices dealing with juveniles, train the trainer for continued delivery of tobacco/vaping education programs and any other established tobacco/vaping mitigation efforts

Project Personnel

This proposal includes the funding for one (1) Juvenile Officer who will be a fully sworn peace officer recognized by the State of California and California Peace Officer Standards and Training

(POST). Funding would also provide for a Health Educator component which would take the form of consultant services, and credentialed staff. The administration of the grant would be the responsibility of the Operations Division of the Piedmont Police Department. The Operations Commander, a police captain, oversees the Operations Division.

There is no existing Juvenile Officer position. The approximate selection for the new juvenile officer position would occur in June of 2019

Budget

Budget Detail – See budget detail

Other funds to address overtime, operating expenses, equipment, training, travel expenses and administrative costs will be provided by the City of Piedmont's general operating budget.

PIEDMONT UNIFIED SCHOOL DISTRICT**M E M O R A N D U M**

TO: Board of Education

FROM: Randall Booker, Superintendent

DATE: May 8, 2019

**RE: DEPARTMENT OF JUSTICE TOBACCO CESSATION GRANT –
PUSD HEALTH EDUCATION PROPOSAL**

I. SUPPORT INFORMATION

At the February 27, 2019 Board of Education Meeting, the Board passed a motion 4-1 to not accept a grant award of \$390,000 from the California Department of Justice Tobacco Grant Program to implement a School Resource Officer that would serve across the secondary campuses.

Additionally, the Board directed District staff to partner with Piedmont Police Chief Jeremy Bowers to determine if the proposal could be altered in a way that better meets the interests of the Board.

The Board communicated that their interests were mainly on addressing:

- the possible negative impact of an SRO on groups of students who may already feel marginalized in our schools (e.g. students of color, students not residing in Piedmont, non-neurotypical students).
- the possible negative impact of an SRO being armed.
- the desire for increased counseling services for students.
- the desire for tobacco and alcohol intervention and cessation programs/counseling.

During the February 27, 2019 Board of Education Meeting, Chief Bowers indicated that the program proposal could be altered to require the Officer to be “housed” at the police station, rather than the school building. This shift would then result in the Officer to be on PUSD Campuses only at the request of school staff for specific needs.

This specially trained officer (Juvenile Officer) will partner with PUSD to collaboratively conduct student and parent education classes on the harms of tobacco use and develop a Diversion Program for youth who are detected using tobacco products. Finally, the Juvenile Officer will work with the PUSD to identify and implement tobacco/vaping mitigation strategies.

Additionally, with the support of the Dept. of Justice Tobacco Cessation Grant, PUSD staff has developed goals and actions to help mitigate controlled substance use (e-cigarettes, drugs, alcohol):

PUSD Health Education - CA Dept. of Justice Tobacco Prevention Grant
 2 Year Plan - \$100,000

Year 1

SMART Goal #1: PUSD will reduce high school students’ on-campus use and exposure to controlled substances and nicotine products (e.g. nicotine, drugs, alcohol) up to 10 percentage points, as measured by students’ self-reported responses to the following three questions on the 2021-22 California Healthy Kids Survey (see Tables A6.8, A6.9, A7.3):

Question 1: During the past 30 days, on how many days on school property did you use...

- at least one drink of alcohol;
- marijuana (smoke, vape, eat, or drink);
- any other drug, pill, or medicine to get “high” or for reasons other than medical?

2017-18 Results: Table A6.8 (CHKS Item: HS A.80-82/MS A.72-74)				
Current Substance Use on School Property, Past 30 Days				
	Grade 9%	Grade 10%	Grade 11%	Grade 12%
Alcohol				
- 0 days	98	97	98	99
- 1 to 2 days	1	2	2	1
- 3 or more days	2	1	0	0
Marijuana (smoke, vape, eat, or drink)				
- 0 days	96	95	96	88
- 1 to 2 days	3	4	2	6
- 3 or more days	2	2	2	6
Any other drug, pill, or medicine to get “high” or for reasons other than medical?				
- 0 days	99	99	100	99
- 1 to 2 days	0	1	0	1
- 3 or more days	1	0	0	0
Any of the above	4	6	6	12

Question 2: During your life, how many times have you been drunk on alcohol or “high” on drugs on school property?

2017-18 Results: Table A6.9 (CHKS Item: HS A.63/MS A.57)				
Lifetime Drunk or “High” on School Property				
	Grade 9%	Grade 10%	Grade 11%	Grade 12%
0 times	95	91	85	76
1 to 2 times	2	4	5	8

3 to 6 times	2	2	6	8
7 or more times	0	3	3	8

Question 3: During the past 30 days, on how many days did you use

- cigarettes... smokeless
- tobacco (dip, chew, or snuff)
- electronic cigarettes, e-cigarettes, or other vaping device such as e-hookah, hookah pens, or vape pens?

2017-18 Results: Table A7.3 (CHKS Item: HS A.67-69/MS A.61-63)				
Any Current Use and Daily Use				
	Grade 9%	Grade 10%	Grade 11%	Grade 12%
Cigarettes				
- Any	0	1	7	5
- Daily (20 or more days)	0	0	0	0
Smokeless Tobacco				
- Any	0	1	3	3
- Daily (20 or more days)	0	0	0	0
Electronic Cigarettes or other vaping device				
- Any	9	17	23	24
- Daily (20 or more days)	1	4	4	4

SMART Goal #2: PUSD will increase high school students' perceived harm of e-cigarettes as compared to smoking cigarettes from None, Slight, or Moderate by 53 - 57 percentage points (grades 9-12 respectively), as measured by students' self-reported responses to the following question on the 2021-22 California Healthy Kids Survey (see Table A7.7):

Question 4: How much do people risk harming themselves physically and in other ways when they do the following?

2017-18 Results: Table A7.7 CHKS Item: (HS A.85)				
Perception of Health Risk of Electronic Cigarette Use				
	Grade 9%	Grade 10%	Grade 11%	Grade 12%
Use e-cigarettes or vaping device occasionally compared to smoking cigarettes.				
- Great	18	17	19	22
- Moderate	37	38	40	42
- Slight	39	38	32	32
- None	6	6	9	5

SMART Goal #3: PUSD will increase middle school students' perceived harm of e-cigarettes as compared to smoking cigarettes from None, Slight, or Moderate (61%) by 36 percentage points, as measured by students' self-reported responses to the following question on the 2021-22 California Healthy Kids Survey (see Table A7.6):

Question 5: How much do people risk harming themselves physically and in other ways when they do the following?

2017-18 Results: Table A7.6 CHKS Item: (HS A.85)	
Perception of Health Risk of Electronic Cigarette Use	
	Grade 7 %
Use e-cigarettes or vaping device occasionally compared to smoking cigarettes.	
- Great	39
- Moderate	28
- Slight	16
- None	17

Year 1 (19-20): Actions integrated into our LCAP to accomplish our SMART Goals.

Health Education Experts/Consultants

- **Health Education Consultant Contract**
- **Restorative Justice/Diversion Program Consultant Contract**
- **Mental Health Counselor/Therapist Stipend**
 1. Cost of initial training services for admin, teachers, classified staff, counselors, nurses, and students.
 2. Cost of ongoing consultation with admin, teachers, classified staff, counselors, nurses and students.
 3. Cost of any student/parent/community-wide educational presentations.

Health Curriculum Review, Alignment, and Development

1. Review the California Health Standards and Unit Plans in:
 - PHS/MHS PE, Biology, and Social Psychology Courses
 - PMS PE, Science 6, 7, and 8, and Health Course
 - 4th and 5th grades
2. Identify where California Health Standards **are** and **are not** being addressed in PUSD courses, grades 6-12.
 - Identify any areas of the California Health Standards that may not be currently addressed **or** where they may be improved
 - Develop a plan, with the support of a health education expert, to address the areas in need of improvement
 - Identified costs associated with these actions include, but are not limited to:
 - Paid time for a health education expert to lead unit plan development.
 - Paid time for teachers and staff to meet with a health education expert and discuss the California Health Standards and unit plans.
 - Paid time for teachers and staff, with the support from a health education expert, to develop additional unit plans as needed.

Training on Restorative Justice Practices in School Districts

1. Using a team approach, administrators, counselors, teachers, classified staff, students, and police officers will be trained on the structure and best practices for Restorative Justice protocols.
2. Investigate, develop, and implement a student Diversion Program for tobacco and controlled substance violations.
3. Costs associated with these actions include, but are not limited to:
 - Training fees for presenters / and paid time for ongoing consultation by a Restorative Justice expert.
 - Paid time for staff to receive training
 - Paid time for teachers and staff to discuss and develop tobacco/controlled substance related Restorative Justice Practices and a Diversion Program for secondary students.

Year 2 (20-21): Actions integrated into our LCAP to accomplish our SMART Goals

SMART Goal #4: PUSD will increase elementary school students’ perceived harm of e-cigarette use by 10 percentage points, as measured by students’ self-reported responses to the following question on the 2021-22 California Healthy Kids Survey (see Table A10.2):

Question 6: Do you think using an electronic cigarette, e-cigarette, hookah pen, or other vaping device is bad for a person’s health?

2017-18 Results: Table A10.2 CHKS Item: (ES A.65)	
Perception of Health Risk of Electronic Cigarette Use	
	Grade 5 %
E-Cigarette	
- No, not bad	0
- Yes, a little bad	12
- Yes, very bad	88

Health Curriculum Review, Alignment, and Development

Pilot and evaluate newly developed unit plans at the elementary and secondary schools that address any areas of the California Health Standards that may not be currently taught or where they may be improved. This may include a partnership with the Wellness Center, Counseling Office, and the Piedmont Police Department.

Restorative Justice Practices in School Districts

Continue and evaluate newly developed Restorative Justice Practices and a Diversion Program for tobacco and controlled substance violations. This may include a partnership with the Wellness Center, Counseling Office, and the Piedmont Police Department.

Health Education Experts/Consultants

Health Education Consultant Contract

Restorative Justice/Diversion Program Consultant Contract

Mental Health Counselor/Therapist Stipend

Continue to employ Health Education Expert/Consultant for ongoing consultation with admin, teachers, classified staff, and students.

Continue to provide a mental health/counselor stipend for ongoing student/parent/community-wide educational presentations.

II. **RECOMMENDATION: REVIEW AND ACTION**

District staff requests that the Board accept the Department of Justice Tobacco Cessation Grant to address student use, exposure, and perceived harm of controlled substances (e.g. alcohol, drugs, and e-cigarettes).