LCW 2023

EDUCATION LEGISLATIVE ROUNDUP

Education Legislative Roundup is a compilation of bills, presented by subject, which were signed into law and have an impact on the legal issues our clients are facing. Unless the bills were considered urgency legislation (which means they went into effect the day they were signed into law), bills are effective on January 1, 2024, unless otherwise noted. Urgency legislation will be identified as such. Many of the bills summarized below apply directly to public education districts. Bills that do not directly apply to public education districts are presented either because they indirectly apply, may set new standards that apply or would generally be of interest to our school clients.

If you have any questions about your districts's obligations under the new or amended laws as outlined below, please contact our Los Angeles, San Francisco, Fresno, San Diego or Sacramento office and an attorney will be happy to answer your questions.

INDEX

K-12 SCHOOL DISTRICTS

Assembly Bill 897 – Amends The Calculation Used For 75% Rule For Probationary Employees In An Adult Education Program.

Existing law provides that a probationary employee who works at least 75% of the number of days for the regular school year in any one school year is deemed to have served a complete school year. Current law also provides that probationary employees of an evening school who in any one school year who works 75% of the school days that the school is in session is deemed to have completed the school year. Existing law also allows the governing board of a school district to employ certificated employees in programs and projects to perform services conducted under contract or categorically funded projects that are not required by state or federal law. Existing law requires the parties enter into a written agreement on the terms and conditions of employment.

AB 897 amends existing law by removing the requirement for evening schools, and instead beginning July 1, 2024, provides that a probationary employee of an adult education program that is part of a school district maintaining kindergarten or any grades 1 to 12, who works 75% of the hours constituting a full-time equivalent position for adult education programs in the school district shall be deemed to have completed a school year.

AB 897 does not apply to school districts if the provisions of this bill conflicts with an existing collective bargaining agreement entered into before July 1, 2024, until the expiration or renewal of the collective bargaining agreement.

AB 897 amends Education Code Section 44909 and requires beginning July 1, 2024, that employment agreements between the governing board of the school district and a certificated employee that is hired to perform services in programs or projects under contract or categorically funded projects must include the following terms in a written contract:

- Expected end date of employment.
- The source of funding.
- The nature of the categorically funded program or project.

(AB 897 amends, repeals, and adds Section 44908 and 44909 of the Education Code.)

Assembly Bill 245 - Requires High School Athletic Coaches Receive Training In Cardiac Arrest And Certification In The Use Of An Automated External Defibrillator By July 1, 2024.

Existing law requires high school coaches receive training on their own time in cardiopulmonary resuscitation and first aid. This bill expands the current training requirements to include training in responding to the signs and symptoms of cardiac arrest. The bill also requires that coaches obtain certification in the use of an automated external defibrillator. The training must be provided by July 1, 2024.

Existing law requires the governing board of a school district or charter school that elects to offer any interscholastic athletic program ensure there is a written emergency action plan. In compliance with AB 245, the governing board must ensure their emergency action plan is updated by July 1, 2024, to include a description of the manner and frequency at which the procedures to be followed in the event of sudden cardiac arrest and other medical emergencies related to the athletic program's activities, based on training, will be rehearsed.

(AB 245 amends Sections 35179.1 and 35179.4 of the Education Code.)

Senate Bill 531 – Requires Specific Employees Of Organizations That Offer Employment Opportunities To Public School Pupil Submit To Background Checks.

The Education Code requires any entity that has a contract with a school district, county office of education, or charter school (LEA) to ensure that any employee who interacts with pupils, outside of the immediate supervision and control of the pupil's parent or guardian or a school employee, has a valid criminal records summary.

Under SB 531, all employees of any entity that has a contract with a LEA to offer work experience opportunities for pupils or workplace placements as part of a pupil's individualized education program are not required to have a valid criminal records summary if certain requirements are met. To be exempt from the valid criminal records summary the following requirements must be met:

1. At least one adult employee in the workplace during the pupil's work hours has a valid criminal records summary and such adult employee must have direct contact with the pupil and be designated by the employer entity as the employee of record who is responsible for the safety of the pupil;
2. LEA staff representative must make at least one visitation every three weeks to consult with the

pupil's workplace liaison, observe the pupil at the workplace, and check in with the pupil to ensure the pupil's health, safety, and welfare, including addressing any concerns the pupil has raised; and

3. The pupil's parent or guardian must sign a consent form regarding the pupil's work placement, attesting that the parent or guardian understands the duties assigned to the pupil and the nature of the workplace environment.

If a pupil participates in services provided by a contractor as part of an independent study program and the pupil is under the immediate supervision and control of a parent or guardian during the provision of those services, SB 531 require the LEA to verify completion of a valid criminal records summary for all of the contractor's employees who interact with the pupil. Alternatively, before the pupil's interaction with a contractor's employee, the LEA must require the pupil's parent or guardian to sign a consent form attesting that the parent or guardian understands that the person has not completed a valid criminal records summary.

(SB 531 amends Section 45125.1 of the Education Code.)

Assembly Bill 497 – Requires Braille Instructional Aids Receive Information Regarding Teaching Credential Programs.

Existing law allows local education agencies (LEA) to provide braille instruction using a braille instructional aide who meets specified criteria under the supervision of a teacher who holds an appropriate credential to teach pupils who are functionally blind or visually impaired.

AB 497 amends existing law to require that a LEA employing a braille instructional aid provide the aide with information regarding teaching credential programs, including the California Classified Employee Teaching Credentialing Program in addition to providing information regarding the Teacher Education Internship Act of 1967. The California Classified School Employee Teaching Credentialing program substantially revised and renamed the Wildman-Keeley-Solis Exemplary Teacher Training Act of 1997.

(AB 483 amends Section 56351.5 of the Education Code.)

Senate Bill 612 – Authorize A Speech-Language Pathologist Who Receives Written Verification Meeting The Specified Requirements To Perform Flexible Fiber Optic Transnasal Endoscopic Procedures.

Existing law, until January 1, 2027, establishes the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board within the Department of Consumer Affairs and requires the board to license and regulate speech-language pathologists, audiologists, and hearing aid dispensers. Beginning January 1, 2023, speech-language pathologist are prohibited from performing a flexible fiber optic transnasal endoscopic procedure unless they received written verification from one otolaryngolist certified by the American Board of Otolaryngology that the speech-language pathologist performed a minimum of 25 supervised flexible fiber optic transnasal endoscopic procedures and is competent to perform those procedures.

SB 612 expands existing law to provide that a licensed speech-language pathologist who holds a written verification as described above issued before January 1, 2023 are deemed to meet the specified requirements regarding flexible fiber optic transnasal endoscopic procedures.

(SB 612 amends Section 2530.2 of the Business and Professions Code, and Section 56363 of the Education Code.)

AB 1722 – Authorizes Local Educational Agencies To Hire Licensed Vocational Nurses If Credentialed School Nurses Supervise Them.

Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils, and authorizes the governing board of a school district to employ properly certified persons for that work, such as a school nurse. To meet the minimum qualifications to be a "school nurse," an employee must be currently licensed as a registered nurse and have a credential in school nursing.

This bill authorizes a local educational agency (LEA) to employ a licensed vocational nurse, as long as a credentialed school nurse supervises the licensed vocational nurse. However, a licensed vocational nurse may not perform work beyond the approved scope of practice pursuant to the Vocational Nursing Practice Act. A LEA may hire a licensed vocational nurse and have a school nurse at another LEA supervise the licensed vocational nurse. Both LEAs must enter into a written agreement that describes the duties of each nurse, includes a communication policy between the nurses, financial arrangement, including extra compensation for the school nurse acting as a supervisor, and provides indemnification for the credentialed school nurse for supervisorial liability.

An LEA may only hire a licensed vocational nurse if a diligent search has been conducted for a suitable credentialed school nurse each school year. The bill defines a diligent search as including, but is not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. The LEA must seek approval

from its governing board or body before hiring a licensed vocational nurse and must submit a declaration to the governing board that describes the diligent effort, states that the recruitment for a credentialed school nurse was not successful and that hiring a licensed vocational nurse is necessary to fulfill a critical need. The LEA electing to hire a licensed vocational nurse must certify to the State Department of Education, upon penalty of perjury, that the LEA made a diligent recruitment effort to hire a credentialed school nurse was made.

This bill also encourages county offices of education to establish networks of credentialed school nurses for employment by local educational agencies and to provide mentoring opportunities for licensed vocational nurses.

The bill requires the Department to, on or before January 1, 2028, submit a report to the Legislature containing a list of the LEAs that have used that authority, as provided. The bill would repeal these provisions on January 1, 2029.

Existing law requires the governing board of a school district to provide for the adequate testing of the sight and hearing of each pupil enrolled in the schools of the school district to be given only by specified persons, including, among others, certificated employees of the school district or of the county superintendent of schools who possess the qualifications prescribed by the Commission for Teacher Preparation and Licensing.

This bill expands the personnel that may provide sight and hearing testing to allow those tests to be additionally given by certificated employees, registered nurses, or licensed vocational nurses, under the supervision of a credentialed school nurse of the LEA and by qualified health supervisors.

Existing law requires a school nurse or other authorized person to appraise the vision, including near vision and color vision, of a pupil during kindergarten, or upon first enrollment or entry of that pupil in a California school district at an elementary school, and in grades 2, 5, and 8.

This bill includes far vision in the vision appraisal. To the extent this imposes additional duties on school districts, the bill would impose a state-mandated local program.

(AB 1722 adds Education Code Section 49426.5.)

Senate Bill 350 – Amends Existing Law To Excuse A Pupil's Absence From School To Attend A Funeral Or To Grief The Death Of Family Member Or Equivalent.

Existing law excuses pupils from school for specified absences. One of the specified reasons includes for the attendance of funeral services of a member of the pupil's immediate family.

SB 350 amends existing law to excuse a pupil from school for not more than five days for the purpose of attending the funeral services or grieving the death of, either:

- A family member or
- A person that is determined by the pupil's parent or guardian considered in close association with the pupil as to be considered the pupil's immediate family member.
- The bill also excuses a pupil's absence for not more than three days related to a death as described above: to access services from a victim services organization or agency.
- To access grief support services.
- To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

SB 350 also amends the provision related to attendance at religious retreats. Existing law provides the school administrator the discretion to approve a pupil's absence to attend a religious retreat for not more than four hours during the school day. The bill amends this provision and provides for one school day per semester.

(SB 350 amends Section 48205 of the Education Code.)

Assembly Bill 1503 – Increases The Time Students May Be Absent For Religious Retreats For Up To One School Day Per Semester.

Students between six and 18 years of age are subject to compulsory full-time education, but schools must excuse pupils from school for specified types of absences, including attendance at religious retreats not to exceed four hours per semester.

This bill increases the time excused for attendance at religious retreats to not exceed one school day per semester.

(AB 1503 amends Education Code Section 48205.)

Senate Bill 274 – Extends The Prohibition On Suspension Of Pupils In Grades 9 To 12 Until July 1, 2029, For Classroom Disruption And Willful Defiance And Allows Pupils To Be Referred To Alternative In-School Interventions Or Supports And Includes Other Revisions And Requirements.

Existing law establishes who and when pupils may be expelled or suspended for willful defiance. Currently, and until July 1, 2025, a pupil in grade 6 to 8 may not be suspended for disrupting school activities or willful defiance. SB 274 extends this prohibition for an additional four years (until July 1, 2029).

SB 274 amends existing law to prohibit the suspension of pupils enrolled in any of grades 9 to 12, beginning July 1, 2024 and through July 1, 2029, for disrupting school activities or willful defiance. However, the bill provides that a teacher retains the authority to suspend any pupil in any grade from class for any of the listed acts, including willful defiance for the day of the suspension and the day following.

The bill provides that classified and certificated, including certificated and noncertificated employees at charter schools may refer pupils to school administrators for appropriate and timely in-school interventions and supports for willful defiance, and requires that school administrators within five business days document the action taken and place the documentation in the pupil's record. At the end of the fifth business day, the administrator is required to notify the referring employee, verbally or in writing, what actions were taken, and if none, the rationale used for not providing any interventions or supports.

SB 274 amends existing law to prohibit a suspension or expulsion from being imposed on a pupil based solely on the fact that the pupil is truant, tardy, or absent from school activities.

This bill applies to school districts and charter schools.

(SB 274 amends Sections 48900 and 48901.1 of the Education Code.)

Assembly Bill 1165 – Encourages Districts To Have Both The Victim And Perpetrator Of Racist Bullying, Harassment, Or Intimidation Engage In A Restorative Justice Practice, To Regularly Check On The Victim's Mental Health, And Require Perpetrators To Engage In Culturally Sensitive Programs.

Schools may not suspend students or recommend students for dismissal unless the superintendent of the district or the school principal determines the student has committed specified acts and other means of correction have failed to bring about proper conduct. One of the possible means of corrections is participation in a restorative justice program.

This bill encourages school districts that have suspended a student for an incident of racist bullying, harassment, or intimidation, and have implemented other means of correction to have both the victim and perpetrator engage in a restorative justice practice that is found to suit the needs of both the victim and the perpetrator. The bill also encourages districts to regularly check on the victim of the racist bullying, harassment, or intimidation to ensure that the victim is not in danger of suffering from long-lasting mental health issues. In addition, the bill also encourages districts to require perpetrators to engage in culturally sensitive programs that promote racial justice and equity and combat racism and ignorance.

(AB 1165 amends Education Code Section 4900.5.)

Assembly Bill 5 – Establishes The Safe And Supportive Schools Act.

The policy of the State of California is to afford all persons in public schools equal right and opportunities in the education institutions of the state regardless of their disability, gender, gender identify, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic. Current law requires the State Department of Education (the Department) to develop resources or update existing resources for in-service training on school site and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils, and strategies to increase support for LGBTQ pupils. Existing law encourages schools operated by school districts or county offices of education and charter schools (collectively LEAs) to use the Department's resources to provide training to teachers and certificated employees that serve pupils in grades 7 to 12 at least once every two years.

AB 5 amends existing law to establish the "Safe and Supportive Schools Act." The Safe and Supportive Schools Act requires LEAs to provide at least one hour of training annually to teachers and other certificated

employees serving pupils in grades 7 – 12 beginning 2025-2026 school year and ending with the completion of the 2029-2030 school year. The bill requires the Department finalize the development of an online delivery platform and an online training curriculum to support LGBTQ culturally competency training for teachers and other certificated employees.

The bill requires the training developed by the Department include the following topics:

1. The creation of safe and supportive learning environments for LGBTQ+ pupils, including those with multiple intersecting identities, including, but not limited to, those who are members of the LGBTQ+ community, members of communities of color, immigrants, or people living with the human immunodeficiency virus.

2. Identifying LGBTQ+ youth who are subject to, or may be at risk of, bullying and lack of acceptance at home or in their communities.

3. The provision of targeted support services to LGBTQ+ youth, including counseling services.

4. Requirements regarding school antibullying and harassment policies, and complaint procedures.

5. Requirements regarding suicide prevention policies and related procedures.

6. Requirements regarding policies relating to use of school facilities, such as bathrooms and locker rooms.

7. Requirements regarding policies and procedures to protect the privacy of LGBTQ+ pupils.

8. The importance of identifying local, community-based organizations that provide support to LGBTQ+ youth.

9. The importance of identifying local physical and mental health providers with experience in treating and supporting LGBTQ+ youth.

10. The formation of peer support or affinity clubs and organizations.

11. The importance of school staff who have received anti-bias or other training aimed at supporting LGBTQ+ youth.

12. Health and other curriculum materials that are inclusive of, and relevant to, LGBTQ+ youth.

Pursuant to this bill, the LEA must use the online training curriculum and platform or an in-service training that utilizes the Department's resources to comply with the required training. LEAs must also maintain records documenting the date that each employee received training and the name of the entity that provided the training. Training must be provided annually to teachers and other certificated employees. Teachers and certificated employees that complete the annual training at one LEA and move to another are not required to re-train. However, the bill requires the LEA retain records of the training. To satisfy this requirement, we recommend the employee's new LEA request documentation demonstrating the employee completed the required training and maintain a copy for its records.

The bill does not define "other certificated employees." To ensure compliance with AB 5, we recommend LEAs require all certificated employees receive the required training. Employees must be paid for the time spent training.

Lastly, the Department must monitor compliance with AB 5 as part of the annual compliance monitoring of state and federal programs. The bill requires that within nine months of the completion of the five year training period, the Department report data from that compliance monitoring to the Legislature and make the report available on the Department's internet website.

The bill provides that Education Code Section 218.3 becomes inoperative on July 1, 2031, and repealed effective January 1, 2032.

(AB 5 amends Education Code Section 218, and adds and repeals Section 218.3.)

Senate Bill 857 – Requires The Superintendent Of Public Instruction Establish An Advisory Task Force, No Later Than January 1, 2024, To Identify The Needs Of Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, And Plus (LGBTQ+) Pupils.

Senate Bill 857 requires the Superintendent of Public Instruction to convene an advisory task force, on or before January 1, 2024, to identify the needs of LGBTQ+ pupils and to make recommendations to assist in implementing supportive policies and initiatives to address LGBTQ+ pupil education and wellbeing. The bill identifies five specific subject matters the task force must addressed, including topics like mental health, inclusive access to facilities, and bullying.

The bill further identifies the composition of the task force, which, to the extent possible, shall represent the geographical, racial, ethnic, socioeconomic, cultural, physical, and educational diversity of

California's LGBTQ+ community. The bill requires the Superintendent or their designee select the members of the task.

Finally, the bill provides the task force must report its finding and recommendations on or before January 1, 2026 to the Legislature, the Superintendent of Public Instruction, and the Governor.

(SB 857 adds Section 219 to the Education Code.)

Senate Bill 671 – Requires School Districts, County Offices Of Education, And Charter Schools Include Procedures To Assess And Respond To Reports Of Any Dangerous, Violent, Or Unlawful Activity In School Safety Plans.

Existing law requires school districts, county offices of education, and charter schools (LEA) adopt comprehensive safety plans for their schools that contain processes they will follow to ensure the health and safety of pupils and staff. Exiting law identifies the components that must be included in the school safety plans.

SB 671 requires LEAs include procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at any activity sponsored by the school, or on a school bus serving the school.

The bill also requires that schools of LEAs that serve pupils in grades 7 to 12 include a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

The bill also includes additional non-substantive changes.

(SB 671 amends Sections 32282, 47605, and 47605.6 of the Education Code.)

Senate Bill 291 – Entitles Pupils To Recess Unless It Is A Threat To The Pupil Or Their Peers, Or The Pupil Has A Field Trip Or Is Provided With Other Educational Programs.

Existing law encourages school districts to provide daily recess periods and provides that a teacher may restrict for disciplinary purposes the time a pupil is allowed for recess. SB 291 eliminates the teacher's authority to restrict a pupil's recess for disciplinary purposes. The bill provides that a teacher cannot restrict a pupil's recess unless there is an immediate threat to the physical safety of the pupil or the physical safety of one or more of the pupil's peers. The bill provides that school staff must make all reasonable efforts to resolve such threats and minimize exclusion from recess as much as possible.

SB 291 requires commencing with the 2024-2025 school year that recess, as defined, provided by a public school operated by a school district, county office of education, or a charter school, be no less than 30 minutes on regular instructional days and at least 15 minutes on early release days. The bill further provides that recess is not required on days where there is a field trip or other educational program.

The bill provides that recess shall be outdoors when the weather and air quality permit and allows for recess to be held indoors if outdoors is not possible or outdoor space is not sufficient. Pupils with individualized education plans or 504 plans shall be provided recess in compliance with their plans.

(SB 291 adds Section 49056 and repeals Section 44807.5 of the Education Code.)

Senate Bill 323 – Requires School Districts And Charter Schools Amend Their Comprehensive School Safety Plans To Provide Appropriate Adaptations For Students With Disabilities Under Federal Law, And Establishes A Procedure For School Employees, The Pupil Or Their Parent Or Guardian To Complain Where Inadequate Adaptations Exist.

Existing law require school districts and charter schools develop comprehensive school safety plans. The plans must include disaster procedures and must include adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990.

SB 323 requires school districts and charter schools to revise disaster procedures to also include adaptations for pupils with disabilities in accordance with the Federal Individuals with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973. The bill also requires an annual review of school safety plans to include appropriate adaptations for pupils with disabilities.

The bill also provides that after the first evaluation or review of the comprehensive safety plan, a school employee, pupil's parent, guardian, or educational rights holder, or the pupil themselves may bring concerns about a pupil's ability to access disaster safety procedures as described in the school safety plan to the principal. If the principal determines there is merit to the concern, the principal shall direct the school site council, school safety planning committee, or charter school to make appropriate modifications to the comprehensive safety plan or school safety plan. The bill further provides that a principal may direct the school site council, the school safety planning committee or charter school to make modifications to the plan before the evaluation of the plans. SB 232 amends existing law to provide that a school employee, a pupil's parent, guardian, or educational rights holder, or the pupil

themselves may raise concerns to the principal before the plans are evaluated or reviewed.

SB 232 provides that all deliberations of the school site council, school safety planning committee, or charter school related to individual pupils with disabilities must comply with state and federal laws regarding the privacy of pupil information.

Finally, SB 232 requires schools that serve pupils in grades 7 to 12 to include in their comprehensive school safety plans a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(SB 323 amends Section 32282 of the Education Code.)

Senate Bill 10 – Requires Additions To A School Safety Plan Including A Protocol For A Student Suffering From An Opioid Overdose And Adaptations For Disabled Student That Complies With Federal Special Education Law.

Existing law authorizes a public or private elementary or secondary school to determine whether to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at its school, and to designate one or more volunteers to receive related training to address an opioid overdose.

This bill states the Legislature's encouragement of county offices of education to establish a County Working Group on Fentanyl Education in Schools, for the purposes of outreach, building awareness, and collaborating with local health agencies regarding fentanyl overdoses. The Working Group is encouraged to include representatives from local educational agencies. The bill requires the Department of Education to curate and maintain on its internet website, among other things, informational materials containing awareness and safety advice, for school staff, pupils, and parents or guardians of pupils, on how to prevent an opioid overdose.

Under existing law, each school district and county office of education is responsible for the overall development of a comprehensive school safety plan for each of its schools operating kindergarten or any of grades 1 to 12, inclusive, in cooperation with certain local entities. Existing law requires that the plan identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety. Existing law requires a charter school to include, among other things, a reasonably comprehensive description of the procedures that the charter school will follow to ensure the health and safety of pupils and staff, including the development and annual update of a school safety plan.

This bill additionally requires the comprehensive school safety plan to include the development of a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose, for a school that serves pupils in any of grades 7 to 12. By creating new duties for local educational agencies, the bill would impose a state-mandated local program.

The safety plan must specify disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), in addition to the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.)

This bill provides that a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the school site council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan during the evaluation of the comprehensive school safety plan.

Existing law states the intent of the Legislature is for schools that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. Existing law further states legislative intent that school districts may use the Multi-Tiered System of Supports, which includes restorative justice practices, to help pupils.

This bill states that the Legislature intends for schools to use alternatives to referring pupils to a law enforcement agency in response to an incident involving the pupil's misuse of an opioid and for schools to use Multi-Tiered System of Supports which includes restorative justice practices, trauma-informed practices, social and emotional learning, and school-wide positive behavior interventions and support, to achieve those alternatives.

(SB 10 amends Sections 32282, 47605, and 47606.6 of, and adds Sections 49414.4 and 49428.16 to the Education Code.)

Assembly Bill 1653 – Requires An Interscholastic Athletic Program's Written Emergency Plan To Include Heat Illness And Concussion Procedures.

If a school district or charter school elects to offer any interscholastic athletic program, the governing entity must ensure that there is a written emergency action plan in place that describes the location of emergency equipment procedures personnel must follow if there

is a sudden cardiac arrest or other medical emergency during the athletic program's activities or events.

This bill requires the written emergency action plan to include heat illness and concussion procedures. By July 1, 2024, the written emergency plan must also describe the manner and how often such procedures will be rehearsed. The procedures must be based on the training required under Education Code Section 35179.1, subd. (c)(6). The bill also requires the California Interscholastic Federation, in consultation with the State Department of Education, to develop guidelines, procedures, and safety standards for the prevention and management of exertional heat illness, no later than July 1, 2024.

(AB 1653 amends Education Code Section 35179.)

Assembly Bill 87 – Amends Existing Law To Allow The Recording Of Section 504 Plan Meetings And Team Meetings.

Local education agencies (LEAs) are required to comply with Section 504 of the federal Rehabilitation Act of 1973. Existing law requires LEAs to identify, locate, and assess individuals with exceptional needs and to provide those pupils with a free appropriate public education in the least restrictive environment, with special education and related services as reflected in an individualized education program. Existing law allows the parent, guardian, or LEA of the pupil to audio record the proceedings of individualized education program team meetings.

AB 87 expands existing law to allow a parent, guardian, or LEA to audio record plan meetings and any team meetings held for pupils pursuant to Section 504 of the federal Rehabilitation Act of 1973. A parent, guardian, or LEA intending to audio record a meeting or any team meeting must provide notice of their intent to audio record at least 24 hours before the meeting. If an LEA provides notice of its intent to audio record and the pupil's parent or guardian objects or refuses to attend the meeting because it will be audio recorded, the meeting shall not be audio recorded.

(AB 87 adds Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of Division 1 of Title I of the Education Code.)

Senate Bill 348 – Amends Existing Law To Require Pupils Receive Two Nutritionally Adequate Meals And Sufficient Time To Eat.

Existing law requires local educational agencies (LEAs) that maintain kindergarten or any grades 1 to 12, to provide two nutritiously adequate meals free of charge during each school day regardless of the length of the school day. Meals must be provided to any pupil that requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced meal, with a maximum of one free meal for each meal service period. Existing law also requires that an LEA provide each needy pupil with one nutritionally adequate free or reduced-price meal during each school day.

SB 348 amends existing law to require that LEAs provide a nutritionally adequate breakfast and lunch, and provide pupils sufficient time to eat. LEAs shall review the recommendations provided by the State Department of Education (the Department) in its considerations of the meals. Nutritionally adequate breakfast and lunches must follow guidelines with regard to added sugar and sodium recommendations commensurate with recommendations for children and adolescents.

The bill requires the Department submit a waiver to the United States Department of Agriculture to allow the serving of one meal during a school day lasting four hours or less in a non-congregate manner. Following approval of the waiver, LEAs may provide a breakfast or lunch in a non-congregate manner.

The bill also requires the Department review evidence-based research, studies, and survey findings with school food authorities and school food workers to recommend the amount of time that is adequate for a pupil to eat a school meal and procedures to ensure pupils are provided adequate time to eat the meals. SB 348 provides that LEAs that offer independent study must provide pupils scheduled for educational activities for two or more hours in any school day with a nutritionally adequate breakfast and lunch.

Finally, the bill extends the time for school food program providers to submit claims to the Department from 10 days to 60 days after the close of each claim month.

(SB 348 amends Sections 49492, 49501.5, 49503, 49512, 49531, 49531.1, 49547.5, 49557.5, and 49559, adds Section 49506 to, and repeals Sections 41350, 47613.5, 49500, 49501, 49516, 49517, and 49550, of the Education Code.)

Assembly Bill 95 – Amends Existing Law Relating To Pupil Nutrition.

Existing law requires school districts and county superintendent of schools that maintain kindergarten or any of the grades 1-12 to provide two school meals free of charge during each school day to any pupil requesting a meal without consideration of the pupil's eligibility for a federally funded fee or reduced-price meal. The meals must be nutritiously adequate meals that qualify for federal reimbursement. Schools are authorized to sell food other than meals reimbursed by federal nutrition program during specified periods of time, but only if the food sold meets dietary guidelines appropriate for each grade level.

AB 95 provides that existing law should not be construed to prohibit a school from selling to a pupil an entrée from an additional nutritiously adequate meal that qualifies for federal reimbursement from the save meal service, after the pupil has been provided a school meal that complies with federal nutrition programs.

(AB 95 amends Sections 49431 and 49431.2 of the Education Code.)

Assembly Bill 230 – Amends The Menstrual Equity For All Act Of 2021 To Require That Public Schools Serving Grades 3 To 5 Also Provide Free Menstrual Products In Various Restrooms Beginning Fall Of 2024.

Existing law requires a public school with classes from grades 6 to 12 to stock the school's restrooms with an adequate supply of free menstrual products on or before the start of the 2022-2023 school year. Menstrual supplies must be available in all women restrooms and gender-neutral restrooms, and in at least one men's restroom.

AB 230 amends existing law to expand the existing requirement to public schools maintaining any combination of classes from grades 3 to 12. This requirement applies to schools operated by a school district, county office of education, or charter school. Public schools with classrooms for grades 3 to 12 must make available free menstrual products starting with the 2024-2025 school year. Menstrual product is defined to include menstrual pads and tampons.

Existing law requires schools to post a notice identifying this Education Code section's requirements in a conspicuous location in every restroom required to stock menstrual products. The notice must also identify the individual responsible for restocking the menstrual products and include their email and telephone number. AB 230 extends this notice requirement to Public Schools with grades 3 to 5.

(AB 230 amends Section 35292.6 of the Education Code.)

Assembly Bill 1283 – Authorizes School Districts To Provide Emergency Stock Albuterol Inhalers.

Existing law authorizes school districts to employ properly certified people to provide required care to the health and physical development of students. Districts must provide emergency epinephrine auto-injectors to school nurses or trained personnel who have volunteered, and authorizes them to use emergency epinephrine auto-injectors to provide emergency medical aid to a student suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

This bill authorizes a school district to provide emergency stock albuterol inhalers to school nurses or trained personnel who have volunteered, and would authorize them to use an emergency stock albuterol inhaler to provide emergency medical aid to students suffering, or reasonably believed to be suffering, from respiratory distress. A district that chooses to use stock albuterol inhalers to provide emergency aid cannot be held liable for civil damages for this administration, except for an act or omission constituting gross negligence or willful and wanton misconduct. Districts must also provide defense and indemnity to an employee who volunteers under these provisions for any civil liability.

(AB 1283 adds Education Code Section 4914.7.)

Assembly Bill 1651 – Requires School Districts To Store Emergency Epinephrine Auto-Injectors In An Accessible Location And Provide Notice Of The Location.

School districts, county offices of education, and charter schools are required to provide emergency epinephrine auto-injectors to school nurses or trained volunteer personnel, and authorizes school nurses and trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. The definitions of "volunteer" and "trained personnel" mean an employee who has volunteered to administer epinephrine auto-injectors.

This bill requires school districts, county offices of education, and charter schools store emergency epinephrine auto-injectors in an accessible location and provide the location in an annual notice. This bill expands the definition of "volunteer" and "trained personnel" to include the holder of an Activity Supervisor Clearance Certificate who has volunteered to administer epinephrine auto-injectors.

(AB 1651 amends Education Code Section 49414.)

Assembly Bill 285 – Amends Pupil Instruction And Materials To Require The Inclusion Of Climate Change And Methods To Mitigate And Adapt To Climate Change.

Existing law specifies that certain areas of study must be included in adopted course of study for grades 1 to 6 and grades 7 to 12.

This bill amends existing law to require science studies to include an emphasis on the causes and effects of climate change and methods to mitigate and adapt to climate change. School districts are required to update coursework and pupil materials no later than the 2024-2025 school year.

AB 275 amends Section 51210 and 51220 of the Education Code.)

Assembly Bill 446 – Amends Existing Law To Require Cursive And Other Handwriting Requirements.

Existing law identifies specific areas of instruction that must be taught to grades 1 to 6.

AB 446 amends the existing instructional requirements for English to include instruction in cursive or joined italics in the appropriate grade levels.

(AB 446 amends Section 51210 of the Education Code.)

Assembly Bill 370 – Amends Existing Law Regarding Pupil Instruction For The State Seal Of Biliteracy.

Existing law establishes the State Seal of Biliteracy to recognize high school graduates who have attained a higher level of proficiency in speaking, reading, and writing in one or more languages, in addition to English. To receive the State Seal of Biliteracy, a pupil must complete all English language arts requirements for graduation with an overall grade point average of 2.0 or above; pass the California Assessment of Student Performance and Progress for English language arts; and demonstrates proficiency in one or more languages other than English through at least one method, as specified.

AB 370 changes the existing criteria to require a pupil to both demonstrate proficiency in English by meeting one of the four specific requirements; and demonstrating proficiency in a language other than English by meeting one of three specified requirements.

The new requirements are as follows:

(a) Proficiency in English is demonstrated by satisfying one of the following requirements:

1. Completion of English language arts requirements for graduation with an overall grade point average of 3.0 or better;

2. Pass the California Assessment of Student Performance and Progress for English language arts with "standard met" or above achievement level;

3. Pass an English Advance Placement examination with a score of 3 or higher or English International Baccalaureate with a score of 4 or better; or

4. SAT score of 480 or higher on the Evidence-Based Reading and Writing.

(b) Demonstrating proficiency in one or more language other than English by satisfying one of the following requirements:

1. Passing a world language Advancement Placement examination with a score of 3 or higher; passing a world language International Baccalaureate examination with a score of 4 or higher; or passing a world language ACTFL Writing Proficiency Test and an Oral Proficiency Interview with scores of Intermediate or higher;

2. Successful completion of a four-year course of study of content in a world language at high school or higher level if overall grade point average of 3.0; or above or successful completion of high school level courses completed in another country in a language other than English; or equivalent class at a California Community Colleges, California State University, or University of California.

3. If no AP examination or off-the-shelf language test exists, and the school district can certify to the Superintendent that the test meets the rigor of a four year high school course of study in world language, by passing a school district examination that, at minimum, assesses speaking, reading and writing in a language other than English at the proficient level or higher.

The bill also revises the eligibility requirements for pupils whose primary language is other than English. To receive the State Seal of Biliteracy, the pupil must achieve an Oral Language composite score of level 4 on the English Language Proficiency Assessments for California.

(AB 370 amends Section 51461 of the Education Code.)

Assembly Bill 373 – Provides Foster Children And Homeless Youth With Priority Access To Intersession Periods.

AB 373 requires a school district, county office of education, or charter school that operates an intersession program, including summer school, to provide priority access to foster children or homeless youth (as defined by McKinney-Vento Homeless Assistance Act). The bill further provides that if a foster child or homeless youth will be moving during an intersession period, the pupil's parent, guardian, educational rights holder, or Indian custodian, shall determine which school the pupil attends for the intersession period.

(AB 373 amends Sections 48850 and 48853.5 of the Education Code.)

Assembly Bill 714 – Amends High School Coursework And Graduation Requirements For Newcomer Pupils, And Provides Guidance And Data.

Existing law allocates funds to school districts and offices of education to provide services to newcomer pupils, English learners, and immigrant families. Existing law requires local educational agencies (LEAs) to exempt a pupil participating in a newcomer program and who is in their 3rd or 4th year of high school from all coursework and other graduation requirements adopted by the governing body. The exemption only applies to non- statewide coursework requirements necessary to receive a diploma of graduation from high school, unless the LEA makes a finding that the pupil is reasonably able to complete its graduation requirements in time to graduate by the end of the pupil's fourth year of high school. Existing law also requires LEAs comply with other procedures in relation to pupils participating in newcomer programs, including, consultation and notice provisions. Existing law requires LEA to issue, and new LEA to accept, full or partial credit for all full or partial coursework satisfactorily completed by a pupil participating in a newcomer program while attending a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.

Assembly Bill 714 changes existing law to require the following:

- The State Department of Education must curate and maintain on its website information regarding requirements, best practices, and available state and federal funded programs for newcomers pupils and to annually report the number of enrolled newcomer pupils on its website.
- The Instructional Quality Commission to review the curriculum framework at its next regular scheduled revision to consider inclusion of content designed to provide teachers with resources to meet the unique academic and English language development needs of newcomer pupils at all grade levels.
- LEAs must comply with the course-work exemptions provided, pupil consultations and notice requirements, acceptance of coursework completed at the schools, and other requirements for newcomer pupils, instead of for pupils participating in a newcomer program.
- Authorizes an LEA to deny a middle or high school pupil who is classified as an English learner and who is a newcomer pupil, or is participating in a program designed to meet the transitional needs of newcomer pupils that has a primary objective of developing English proficiency to be denied access to enrollment in courses that are part of the standard instructional program.

(AB 714 amends Sections 51225.1, 51225.2, and 60811.8 of the Education Code, and adds Section 33547, and Article 3.5 (commencing with Section 54450) to Chapter 4 of Part 29 of Division 4 of Title 2 of, the Education Code.)

Assembly Bill 800 – Requires High Schools And Charter Schools Identify The Week That Includes April 28 As Workplace Readiness Week, And Requires Pupil's Receive Information Regarding Employee Rights Before Receiving A Work Permit.

Existing law deems the months of May as Labor History Month throughout public schools and encourages school districts to commemorate that month.

AB 800 requires the week of each year that includes April 28 to be known as the "Workplace Readiness Week." It further requires all public high schools, including charter schools, to provide pupils information on the rights as workers during the week of April 28. The bill requires this information be included in the history-social science framework for grades 11 and 12.

The information provided to pupils must include the following:

1. Local, state, and federal laws regarding the following issues:
    a. Prohibitions against misclassification of employees as independent contractors.
    b. Child labor.
    c. Wage and hour protections.
    d. Worker safety.
    e. Workers' compensation.
    f. Unemployment insurance.
    g. Paid Sick Leave, Paid Family Leave, State Disability Insurance, and the California Family Rights Act.
    h. The right to organize a union in the workplace.
    i. Prohibitions against retaliation by employers when workers exercise these or any other rights guaranteed by law.
2. The labor movement's role in winning protections and benefits regarding items (a) - (i) above; and

3. An introduction to state-approved apprenticeship programs in California, including how to access them, the variety of programs, and how they can provide an alternative career path for those who do not attend college.

The bill requires the Superintendent of Public Instruction to annually send a written notice to every public high school, including charter schools, regarding Workplace Readiness Week.

Beginning August 1, 2024, AB 800 requires that any minor seeking the signature of a verifying authority on a Statement of Intent to Employ a Minor and Request for a Work Permit-Certificate of Age (work permit), receive a document explaining basic labor rights extended to workers before or at the time the minor receives the signature of the verifying authority.

AB 800 encourages the University of California's Berkeley Center for Labor Research to produce, with input from bona fide labor organizations, a draft template for the document that includes is available in languages other than English, and that includes a QR code to electronic versions of the document in various languages.

(AB 800 adds Section 49110.5 to the Education Code.)

Assembly Bill 1605 – Includes The United States Space Force In The Definition Of "Military Services."

Existing law requires school districts offering instruction in any of grades 9 to 12 that provide on-campus access to employers must allow access to military services. The bill would expressly include the United States Space Force in the definition of "military services."

(AB 1605 amends Education Code Section 49603 and Section 49701.)

Assembly Bill 873 – Requests The Instructional Quality Commission Include Media Literacy In The Curriculum Framework.

Existing law establishes the Instructional Quality Commission (the Commission) and requires the Commission recommend curriculum frameworks to the State Board of Education. Existing law requires the State Board adopt standards, rules, and regulations for school library services.

AB 873 expands existing and requires the Commission to consider incorporating the Model Library Standards into the next revision of the English Language Arts/ English Language Development curriculum framework after January 1, 2024. The bill also requires the Commission consider incorporation of the medial literacy content at each grade level into mathematics, science, and history-social science curriculum when those frameworks are next reviewed after January 1, 2024.

(AB 873 adds Section 33548 to the Education Code.)

Senate Bill 369 – Requires Model Curriculum Related To Vietnamese American Refugee Experience Cover The Period From Vietnam War And The Fall Of Saigon In 1975 To 2000; And Cambodian American History And Heritage.

Existing law requires the development of model curriculum relate to the Vietnamese American refugee experience by September 1, 2024. Model curriculum defined as various teaching tools to assist teachers in teaching about, the Fall of Saigon in 1975 and the conditions that led to the resettlement of Vietnamese people in the United States, among other things.

SB 369 amends the definition of "model curriculum" to specify that it must cover the period from the Vietnam War and the Fall of Saigon in 1975 to the year 2000, which captures the experience of postwar Vietnamese immigrants in the United States.

Existing law also requires the development of model curriculum by September 1, 2024 related to the Cambodian genocide. The bill revises and recasts these provisions and requires the development of model curriculum instead relate to Cambodian American history and heritage.

(SB 369 amends Sections 33540.2 and 33540.4 of the Education Code.)

Assembly Bill 889 – Requires The Annual Notification Sent To Parents To Include Information Regarding The Dangers Associated With Using Synthetic Drugs.

Existing law requires the school districts governing board issue a notice at the beginning of the first semester or quarter of each school year to parents or guardians of minor pupils of the parent or guardians specified rights and responsibilities and of certain district policies and procedures.

AB 889 requires a school district, county office of education, and charter school (LEA) to inform the parents or guardians of each enrolled pupil about the dangers associated with using synthetic drugs that are not prescribed by a physician, such as fentanyl. Parents or guardians shall also be informed of the possibility that dangerous synthetic drugs can be found in counterfeit pills.

The bill requires the LEA to provide this information to parents or guardians annually at the beginning of the first semester or quarter of the regular school year. The information may be incorporated in the currently required annual notice. The bill also requires LEAs that maintain a website include this information on their district and school websites.

(AB adds Section 48985.5 to the Education Code.)

Assembly Bill 721 – Requires School District's Post Notice Of Their Public Hearing On Their Proposed Budget On Their Website And Eliminates The Requirement To Publish The Notice On A Newspaper Of General Circulation Beginning January 1, 2027.

Existing law requires the governing board of each school district to hold a public hearing on the proposed budget at a school district facility or at a convenient and accessible location for the school district's residents. The notice must include the date, time, and location of the hearing. The notice must be published at least three days before the proposed budget is available for public inspection by the county superintendent of schools in a newspaper of general circulation in the school district or, if there is no newspaper of general circulation in the school district, in any newspaper of general circulation in the county.

AB 721 amends existing notice provisions and instead requires school districts post notice of the dates and locations of the public hearing on their website no later than 45 days before the final date for hearing, but not less than 10 days before the day set for hearing. The bill requires each county superintendent of schools to verify that the notice is also posted on the school district's website. This requirement is in effect through December 31, 2026.

Effective January 1, 20217, AB 721 amends existing law by removing the requirement to publish the notice in a newspaper of general circulation and instead requires the notice be posted prominently on the homepage of the school district's website at least three days before the proposed budget is available for inspection.

The bill also requires that the State Department of Education select three school districts who agree to provide information regarding the notice requirements. The participating school district needs to provide information to the Department on or about December 31, 2024, December 31, 2025, and December 31, 2026.

(AB 721 amends, repeals, and adds Section 42103 of the Education Code.)

Senate Bill 609 – Requires LEAs Post Their Approved Local Control Accountability Plan For The School Year On The Performance Overview Portion Of The California School Dashboard.

Existing law requires the governing board of a school district and county board of education to adopt local control accountability plans using the State template. Existing law requires a superintendent of a school district, a county superintendent of schools, and the Superintendent of Public Instruction to post local control and accountability plans to various websites.

SB 609 eliminate the provision that requires the Superintendent of Public Instruction to post local control and accountability plans. Instead, the bill requires that each school district, county office of education, and charter school (LEA) post the current school years local control accountability plan adopted by the governing board and approved by the county superintendent of schools on the performance overview portion of the California School Dashboard.

The bill requires the State Department of Education notify each LEA of their obligation under this bill and ensure compliance with the requirements.

(SB 609 amends Section 52065 of the Education Code.)

Assembly Bill 1327 – Requires School Districts To Post A Report Compiled By The California Interscholastic Federation Regarding Incidents Involving Racial Discrimination, Harassment, Or Hazing.

Existing law describes the California Interscholastic Federation as a voluntary organization that is responsible for administering interscholastic athletic activities in secondary schools. The California Interscholastic Federation must report to the Legislature and the Governor regarding specific goals and objectives on or before January 1, 2023, and on or before January 1 every seven years thereafter.

AB 1327 requires the California Interscholastic Federation to make itself available for hearings regarding the information that is covered by the report during years in which the California Interscholastic Federation is not required to submit a report at the request of the appropriate Legislature policy committees. By January 1, 2025, the State Department of Education must develop a standardized incident form to track racial discrimination, harassment, or hazing (defined as a method of initiation into a pupil organization that is likely to cause serious bodily injury or personal degradation resulting in physical or mental harm to a student) that occurs at high school sporting games or sporting events. Additionally, the California Interscholastic Federation must annually

report the information from completed incident forms and information regarding filing a report of a hate incident on the department's internet website. Any district that participates in the California Interscholastic Federation must post the standardized incident form on its internet website and submit information related to any completed standardized incident forms as requested by the State Department of Education on or before April 1, 2025.

(AB 1327 amends Education Code Section 33353.)

Assembly Bill 1466 – Requires School Districts To Post A Report Regarding The Use Of Behavioral Restraints And Seclusion On Pupils.

Existing law prohibits an educational provider from using a physical or mechanical behavioral restraint or seclusion except in certain circumstances. School districts must report on the use of behavioral restraints and seclusion for pupils to the State Department of Education annually no later than three months after the end of a school year.

This bill requires districts to post their report on their internet website.

(AB 1466 amends Education Code Section 49006.)

Assembly Bill 1445 – Authorizes Districts To Provide Informational Materials Regarding Drowning Prevention.

Existing law requires the Division of Boating and Waterways, in cooperation with the Department of Education, to develop an aquatic safety program available for use at an appropriate grade level in public elementary schools at no expense to the schools.

This bill authorizes specified organizations to provide informational materials, in electronic or hardcopy form, to a public school regarding specified topics relating to drowning prevention. These topics include the role that water safety education courses and swimming lessons play in drowning prevention and saving lives, accessing age-appropriate local water safety and swimming skills programs, and contact information of the organization to receive further water safety education information. A school may request the organization to provide the informational materials in the three most commonly spoken languages associated with the population attending the school.

(AB 1445 adds Article 4 (commencing with Section 51140) to Chapter 1.5 of Part 28 of Division 4 of Title 2 of the Education Code.)

Assembly Bill 1173 – Requires School Districts To Notify Each Community College That Has Overlapping Jurisdiction That The School District Is Planning To Hold A College Or Career Fair.

Currently, school districts must notify each apprenticeship program, in the same county as the school district, of the date, time, and location of a planned college or career fair. A "college fair" is an event where multiple college or university representatives are invited to present college options to pupils. The law defines "career fair" as an event where multiple private businesses, governmental agencies, university representatives, or career technical school representatives present career options or career technical education options to pupils.

This bill requires a district that serves students in grades 9 to 12 to notify each community college district that has overlapping jurisdiction with the district of the date, time, and location of a planned college or career fair.

(AB 1173 adds Article 6 (commencing with Section 52770) to Chapter 11 of Part 28 of Division 4 of Title 2 of the Education Code.)

Senate Bill 413 – Amends Existing Law To Allow A County Board Of Education In A Class 1 Or Class 2 County To Extend The Time To Respond To A Pupil's Interdistrict Appeal Under Specified Circumstances.

Existing law authorizes the governing board of two or more school districts to enter into an agreement for the interdistrict attendance of pupils who are residents of the school districts. Existing law further provides that a parent may appeal the school district's decision denying the interdistrict transfer within 30 calendar days of the school district's final decision to the county board of education. The county board of education must issue a decision on the appeal within 30 calendar days of receipt.

SB 413 amends existing law to allow the county board of education in a class 1 or class 2 county to extend the time to respond to the appeal to up to 60 calendar days if one or more of the following circumstances apply:

1. A delay in response by the parent, guardian, educational rights holder, or school district.

2. A delay due to incompatible availability for the factfinding hearing of the parent, guardian, educational rights holder, or school district.

3. A request to delay a factfinding hearing or board hearing by the parent, guardian, or educational rights holder, or an inability of the parent, guardian,

or educational rights holder to attend a factfinding hearing or board hearing.

4. A school district has closed their annual application window and is no longer accepting permit applications for the remainder of the current or future school year.

(SB 413 amends section 46601 of the Education Code.)

Assembly Bill 665 – Amends The Family Code To Allow Minors Covered By Medi-Cal Access To Mental Health Treatment And Counseling Without Parental Or Legal Guardian Consent.

Existing law authorizes a minor who is 12 years of age or older to consent to mental health treatment or counseling on an outpatient basis or to residential shelter services, if the minor is mature enough to participate intelligently in the outpatient services or resident shelter services, if the minor would present a danger of serious physical or mental health to themselves or to other, or the minor is the alleged victim of incest or child abuse. Existing law also requires in certain situations the minor's parent or legal guardian's involvement when seeking services unless the professional person treating or counseling the minor, after consultation with the minor, determines such involvement would be inappropriate.

AB 665 amends existing law to make it easier for minors to receive mental health treatment without consent from a parent or legal guardian as required by Medi-Cal. The bill removes the requirement that minors are only able to consent to health care treatment or counseling if the minor presents a danger of serious physical or mental harm to themselves or others or is an alleged victim of incest or child abuse.

The bill also amends existing law to require the professional person treating or counseling the minor to consult with the minor before determining whether involvement of the minor's parent or legal guardian is inappropriate.

AB 665 amends the existing definition of professional person to include a registered psychologist, a registered psychological assistant, a psychological trainee, an associate clinical social worker, a social work intern, a clinical counselor trainee working under the supervision of a licensed professional, and a board-certified psychiatrist.

AB 665 expands mental health treatment services to minors by allowing minors to consent for treatment covered by Medi-Cal. Existing law does not permit a minor to consent to mental health treatment or counseling covered by Medi-Cal and requires consent from the parental or legal guardian.

AB 665 is effective January 1, 2024, but the provisions of the bill are operative July 1, 2024.

(AB 665 amends, repeals, and adds Section 6924 to the Education Code.)

Assembly Bill 10 – Requires The Department Of Education Create And Make Available A Body Shaming Model Policy And Related Resources.

Existing law provides that the California Healthy Youth Act's purpose is to provide pupils with the knowledge and skills they need to develop healthy attitudes concerning, among other things, body image.

This bill requires the California Department of Education (Department) to develop and post on its website a model policy and resources about body shaming. The Department must consult with the California Health and Human Services Agency, the Mental Health Services Oversight and Accountability Commission, and other relevant stakeholders to develop the model policy and resources. The model policy and resources must be appropriate for pupils in kindergarten and grades 1-12.

The model policy and resources must be made available on or before June 30, 2025. The bill encourages school districts, county offices of education, and charter schools (LEAs) to inform teachers, staff, parents, and pupils about the available resources. The bill also encourages LEAs to provide information regarding body shaming in pupil and employee handbooks and include the information on each school site's website.

(AB 10 adds Article 4.7 (commencing with Section 232.7) to Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code.)

Assembly Bill 1071 – Requires The Department Of Education Make Available Resources On Abuse, Including Sexual, Emotional And Physical Abuse And Teen Dating Violence Prevention.

Existing law requires educational institutions to take certain steps to communicate sexual harassment policies, including displaying such policy in a prominent location, providing students with regular notice, and displaying posters in bathrooms and locker rooms, among other things.

AB 1071 requires the State Department of Education provide the following on its website:

1. Resources on abuse, including sexual, emotional, and physical abuse, and teen dating prevention for professional learning purposes.

2. Information about local and national hotlines and services for youth experiencing teen dating violence.

3. Other relevant material for parents, guardians, and other caretakers of pupils.

(AB 1071 adds Section 231.7 to the Education Code.)

Senate Bill 872 – Requires The Department Of Education Publish An Annual Report On Its Website Identifying The Average Class Size Of Schools In School Districts, County Offices Of Education, And Charter Schools.

Existing law requires public elementary and secondary schools in California to record attendance and retain related records.

SB 872 establishes a new reporting requirement for the State Department of Education (the Department). The bill requires the Department annually prepare and post publically a report of public school pupil enrollment. The report shall be known as the "California raw class size data report" in a manner that allows the public to determine the following data:

1. The average class size for self-contained and departmentalized class for each school site from transitional kindergarten through all elementary school grades.

2. The average class size for self-contained and departmentalized class for each school site for each middle school grade.

3. The average class size for self-contained and departmentalized class for each school site for each high school grade.

This bill applies to school districts, county offices of education, and charter schools.

(SB 872 adds Section 33317.5 to the Education Code.)

Senate Bill 293 – Requires The Department Of Education Provide Statewide Summative California Assessment Of Student Performance And Progress Results By October 15.

Existing law establishes the California Assessment of Student Performance and Progress (CAASPP) as the statewide system of pupil assessments. Existing law requires the State Board of Education adopts regulations that outline a calendar for delivery and receipt of summative CAASPP results.

SB 293 requires the State Board of Education to make statewide summative CAASPP results publicly available on or before October 15 of each year. The bill also requires that the State Board of Education's calendar for delivering results to the State Department of Education also occur on or before October 15.

(SB 293 amends Section 60641 of the Education Code.)

Assembly Bill 1340 – Requires The Department Of Education To Post Information Regarding Graduation Rates For Students With Disabilities.

This bill requires the Department of Education to include a report on its internet website that allows the public to view statewide-level four-year and five-year cohort graduation rates for students with disabilities disaggregated by certain disabilities on or before January 1, 2025.

(AB 1340 amends Education Code Section 60900.2.)

Assembly Bill 1354 – Requires The Department Of Education To Consider Inclusion Of Instruction Regarding Asian Americans, Native Hawaiians, And Pacific Islanders.

Existing law requires the California Department of Education to incorporate materials relating to civil rights, human rights violations, genocide, slavery, and the Holocaust into the subject frameworks on history and social science.

This bill recognizes that California has the largest population and the second highest percentage of Asian Americans in the country, that Asians are the fastest-growing ethnic group in the state, and that Asian Americans continue to be targets of hate, violence, and discrimination. To help prevent discrimination and violence, this bill requires the Department of Education Instructional Quality Commission to consider including in its recommended history-social science curriculum framework, related evaluation criteria, and accompanying instructional materials, instruction regarding the historical, social, economic, and political contributions of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States and examples of racism, discrimination, and violence perpetrated against Asian Americans, Native Hawaiians, and Pacific Islanders in the United States when the history-social science curriculum framework is next revised.

(AB 1354 amends Education Code 51226.3.)

Assembly Bill 393 – Requires The Director Of Social Services To Report On Dual Language Learners In Preschool Programs Through Data Collection, And Clarifies That A Family's Refusal To Participate Does Not Disqualify A Child From Eligibility In The Preschool Program.

Existing law requires the Superintendent of Public Instruction to provide an inclusive and cost-effective preschool program through the Early Education Act. The law requires the Superintendent develop procedures for state preschool contractors to identify and report data on dual language learners enrolled in the preschool program. The procedures must include, at minimum, the inclusion of a distribution and collection of a family language instrument and a family language interest interview.

AB 393 requires the Director of Social Services to develop procedures for general or migrant childcare and development contractors to identify and report data on dual language learners enrolled in a general childcare and development program or migrant childcare and development program (collectively "a program"). The Director must develop informal directives and adopt regulations to implement these provisions. The bill also requires the Superintendent and the Director to coordinate efforts to implement these provisions.

This bill amends existing law to allow a state preschool contractor to use the previous designation of a child as a dual language learner by a general childcare and development program to identify the child as dual language learner.

AB 393 provides that parents or guardians cannot be compelled to participate in the data collection and a family's refusal to complete the family language instrument or family language and interest interview shall not affect the contract of a program contractor. Such refusal does not affect the child's eligibility to enroll in a program.

AB 393 establishes new requirements. It requires that teachers conduct an interview with the parents of any child identified as a dual language learner to inquire and discuss the strengths and interests of the child, the language background of the child, and the needs of parents, guardians, or family member of the child to support the language and development of the child.

(AB 393 amends Section 8241.5 of the Education Code, and adds Section 10206.6 to the Welfare and Institutions Code.)

Assembly Bill 483 – Requires The State's Health Department To Amend The State's Medi-Cal Plan To Provide LEAs Settlements By March 1.

AB 483 amends existing law to require the State Department of Health Care Services (the Health Department) to notify a local education agency (LEA) with its audit findings within 18 months of the date that the Cost and Reimbursement Comparison Schedule (CRCS) is submitted. The bill requires that the Department provide LEAs with an interim settlement or final settlement within 12 months of the March 1 due date for the CRCS. The Department is required to update and distribute the Medicaid program guide to all patriating LEAs by July 1, 2024.

The bill further provides that the Health Department's summary of activities report must include training for LEAs and a summary of the number of audits conducted of Medi-Cal Billing Option claims.

(AB 483 amends Section 14115.8 of the Welfare and Instructions code.)

Senate Bill 648 – Requires That Employees Of The Mountain Valley Special Education Joint Powers With The Required Certifications And Registration Are Employees Of The School District In The County Of Shasta Or An Employee Of The Shasta County Office Of Education.

SB 648 requires that an employee of the Mountain Valley Special Education Joint Powers Authority who possess a valid certification document, registered as required by law is an employee of the school district in the County of Shasta or an employee of the Shasta County Office of Education.

This bill was urgency legislation that became effective upon the Governor's signature on October 8, 2023.

(SB 648 adds Section 46300.3 to the Education Code.)

Assembly Bill 1273 – Creates The Classified Employee Staffing Ratio Workgroup.

This bill requires the Department of Education, in consultation with the Division of Occupational Safety and Health, the Labor Commissioner, representatives of employee organizations, and volunteer representatives of school districts, convene the Classified Employee Staffing Ratio Workgroup on or before December 31, 2024. The workgroup must group classified assignments in a manner that reflects the environmental setting of the assignment, the type of work to be completed, the impact on the assignment made by enrollment at a school site, specialized needs, including certifications or licenses, and other

reasonable factors, as specified, and to recommend staffing ratios compared to students per grouping. The workgroup will take into account the physical, mental, and emotional impact of the pandemic or other emergency environment on workers. The workgroup will report its recommendations to the Legislature on or before December 31, 2025.

9AB 1273 adds Education Code Section 45118.)

Senate Bill 887 – Makes Various Non-Substantive Changes To The Education Code.

SB 887 amends various provisions of existing law including the Education Code. The revisions to the Education Code are not substantive and do not establish or amend existing law.

(SB 887 amends various codes including Sections 94874.8, 94874.9, 94878, 94897, 94902, 94905, 94910, 94910.5, 94911, 94913, 94941, 94942, and 94949.73 of the Education Code.)

TEACHER CREDENTIALING

Senate Bill 223 – Authorizes The Commission On Teacher Credentialing To Approve A Program Of Professional Preparation Offered By A Local Educational Agency For A Pupil Personnel Services: Child Welfare And Attendance Services.

Existing law requires the Commission on Teacher Credentialing to establish standards for the issuance and renewal of credentials, certificates, and permits. Under existing law, the services credential, with a specialization in pupil personnel services, authorizes the holder to perform, at all grade levels, the pupil personnel service approved by the commission as designated on the credential, including, among others, in child welfare and attendance services.

Existing law establishes the minimum requirements for the services credential with a specialization in pupil personnel services, which include, among others, completion of a commission-approved program of supervised field experience that includes direct classroom contact, jointly sponsored by a school district and a college or university.

This bill authorizes the Commission to approve a program of professional preparation offered by a local educational agency if the program of professional preparation meets standards of program quality and effectiveness that have been adopted by the commission for students to obtain a services credential with a specialization in pupil personnel services in the area of child welfare and attendance services.

(SB 223 amends Education Code Section 44266.)

Assembly Bill 934 – Requires The Commission On Teacher Credentialing To Contract With A Public Relations Organization, Or Similar, To Develop A Public Awareness Campaign Highlighting The Value And Benefits Of Educational Careers In California Public Schools.

AB 934 requires the Commission of Teacher Credentialing to contract with a public relations organization or other organization with similar expertise to develop a public awareness campaign that highlights the value and benefits of education careers in California's public schools spanning from prekindergarten to kindergarten to elementary and secondary schools.

The bill requires the campaign recognize the value of the contributions made by public school teachers and encourage individuals to enter the teaching profession. The campaign shall include information about available high-quality teacher credentialing pathways and available financial support.

Finally, AB 934 provides that the campaign may include the development and distribution of statewide public service announcements relating to teacher recruitment and outreach to high school pupils and college students.

(AB 934 adds Section 44224 to the Education Code.)

Assembly Bill 1127 – Expands The Eligibility Criteria For Professional Development Service Grants To Include Teachers Who Are Enrolled In Or Have Completed Programs To Support Bilingual Teacher Education In Specified Languages.

The State Department of Education in consultation with the Commission on Teacher Credentialing administers the Bilingual Teacher Professional Development Program, which provides grant funding to eligible school districts, charter schools, county offices of education, or a consortia of local education agencies to provide eligible teachers with professional development services.

AB 1127 expands the eligibility requirement for professional development services to include participants who are currently enrolled in or have completed programs to support bilingual education in languages in the classroom such as Arabic, Cantonese Mandarin, Spanish, Tagalog, and Vietnamese, and other languages, as represented in an instructional program.

(AB 1127 amends Section 52202 of the Education Code.)

Assembly Bill 1251 – Creates A Workgroup To Discuss Credentialing For Computer Science Instruction.

This bill requires the California Commission on Teacher Credentialing (CTC) convene a workgroup by July 1, 2024 on credentialing for instruction in computer science. The workgroup will determine which single subject teaching credentials or designated subjects career technical education teaching credentials, if any, should also authorize teaching computer science and determine whether the CTC should establish a single subject teaching credential in computer science. The workgroup will also make recommendations on strategies to meet the workforce demands associated with expanding access to computer science instruction to all pupils.

(AB 1251 adds Education Code Section 44257.5.)

COMMUNITY COLLEGE DISTRICTS

Assembly Bill 264 –Allows Governing Boards Of Community College Districts To Negotiate Replacing Lincoln Day And Washington Day With The Date Corresponding With The Second New Moon.

Existing law requires community college districts to close on specific holidays, including Lincoln Day and Washington Day. AB 264 authorizes the governing board of a community college district to negotiate replacing Lincoln Day or Washington Day with the Lunar New Year. The legislation provides districts with some flexibility to observe the lunar new year without increasing the number of days they're closed.

(AB 264 amends Sections 79020 and 88203 of the Education Code.)

Assembly Bill 91 – Exempts Nonresident Students From The Nonresident Tuition Fee After They Meet Certain Criteria And Apply To Attend A Specified Community College Districts Near The California-Mexico Border.

Existing law requires that community college districts admit nonresident students and charge them nonresident tuition fee unless an exemption applies. Currently, nonresidents who are both citizens and residents of a foreign country who demonstrate a financial need are exempt from paying the nonresident tuition fee.

AB 91 amends existing law to provide for an additional exemption from the nonresident tuition fee if a low-income student meets the following criteria:

1. Is a nonresident, low-income student who is a resident of Mexico; and

2. Registers for lower division courses at Cuyamaca College, Grossmont College, Imperial Valley College, MiraCosta College, Palomar College, San Diego City College, San Diego Mesa College, San Diego Miramar College, or Southwestern College; and

3. Has residence within 45 miles of the California-Mexico border for at least one year immediately before seeking the fee exemption.

This bill does not become operative unless the Board of Governors of the California Community Colleges enters into an attendance agreement that operates reciprocity rights to California residents attending a university in the State of Baja California that reasonably conforms to the benefits conferred upon residents of Mexico.

For the listed colleges to use this exemption, the governing board of the community college must:

- Adopt a uniform policy to determine a student's residence classification;

- Establish procedures for an appeal and review of the residence classification; and

- Determine whether a student is low income.

As a condition of this exemption, the governing boards of the colleges that choose to use this exemption must collaborate to ensure the adoption of a uniform policy. The governing boards that choose to use this exemption are required to jointly submit a report to the Legislature that includes, but is not limited to, the demographics, attendance rate, and class completion rate of nonresident students who receive the exemption on or before January 1, 2028.

The bill authorizes the attendance of nonresident students who receive this exemption to be reported as resident full-time equivalent students (FTES) for state apportionment purposes. Each community college using this exemption cannot exempt more than 150 FTES in any academic year. Additionally, any students exempt under this exemption do not count against the existing exemption for both citizens and residents of a foreign country who demonstrate a financial need to be exempt from the nonresident tuition fee.

This bill becomes inoperative on July 1, 2028, and is repealed on January 1, 2029.

(AB 91 amends, repeals and adds Section 76140 to the Education Code.)

Senate Bill 444 – Establishes The Mathematics, Engineering, Science, Achievement (MESA) Program And Encourages Community College District Establish MESA Programs At College Campuses.

SB 444 encourages community college district establish and implement MESA programs at community colleges. Programs should be directed at identifying students affected by social, economic, and educational disadvantages; increasing the number of eligible students served under MESA programs; and increasing student success in transferring and completing baccalaureate degree programs in science, technology, engineering, and mathematics majors at four-year higher education institutions.

The bill requires the Board of Governors adopt regulations for the operation of MESA programs at community colleges that align with the programmatic components of MESA programs. The bill also requires the operation of MESA programs and the regulations adopted by the Board of Governors to accomplish the following goals:

1. Increasing the number of socially, economically, and educationally disadvantaged students pursuing baccalaureate degrees in STEM majors who are eligible to transfer to four-year higher education institutions.

2. Implements efficient processes and practices and uses existing college transfer centers to achieve greater MESA program student transfers to four-year higher education institutions.

3. Implements strategies to increase the rate at which MESA program students are deemed transfer-ready in STEM majors to four-year higher education institutions.

4. Improves the academic performance of MESA program students.

5. Increases the leadership skills and raises the educational expectations of MESA program students.

6. Strengthens relationships with educators and prospective employers in business and industry to establish student internships, scholarships, and other career opportunities for MESA program students.

7. Establishes partnerships with the University of California and the California State University MESA programs and Mathematics, Engineering, Science, Achievement College Preparatory programs, California Alliance for Minority Participation programs, or similar programs in an effort to provide optimal student support services.

8. Implements strategies to collaborate with campus programs, such as the Student Equity and Achievement Program and the Student Success and Support Program to leverage additional resources and opportunities for MESA program students and ensure integrated of MESA program in campus culture and infrastructure.

SB 444 does not permit the governing board of a community college district to utilize funds received from the state for the operation and administration of MESA programs to supplant existing college resources, programs, or services. The governing board may use MESA program funds to meet the matching requirements to receive federal funds, or funds granted by nonprofit foundations, designated for the same purposes as described in this bill.

Finally, MESA program support provided by a community college shall supplement, but not supplant, the regular educational programs offered by the college to encourage and support the enrollment of MESA program students who seek a baccalaureate degree in STEM majors at four-year higher education institutions.

(SB 444 adds Part 52.8 (commencing with Section 88680) to Division 7 of Title 3 of the Education Code.)

Senate Bill 467 – Amends Existing Law To Prohibit Denying A Student With An Individual Tax Identification Number From Admission To An Apprenticeship Or Internship Training Program.

Existing law authorizes a student enrolled in an apprenticeship training program or an internship training program class or classes that does not have a social security number may use an identification number for purposes of a background check for the class or program.

Senate Bill 467 amends existing law prohibiting denying student's admission to an apprenticeship or internship training program because the student uses an individual tax identification number.

(SB 467 amends Section 79149.25 of the Education Code.)

Senate Bill 633 – Establishes The DREAM Grant Program, Which Authorizes Participating Institutions To Award Grant-Eligible Students With Grants To Support Their Education.

Existing law establishes the California DREAM Loan Program, which provides a student attending a

participating campus of the University of California or California State University with a DREAM loan. Eligible students are exempt from paying nonresident tuition.

SB 633 establishes the DREAM grant program. The bill authorizes participating institutions to award a DREAM grant commencing with the 2024–25 academic year to a grant-eligible student attending a participating institution. The bill provides that such awards may be made only if the institution has unawarded funds in the institution's DREAM revolving fund that were new state, institutional matching, or loan repayment funds deposited during the previous academic year. The bill requires the distribute of DREAM grants during the academic year immediately following the academic year in which there was an unawarded DREAM revolving fund balance.

The bill further restricts the DREAM grant to only the amount of a student's financial need in a given academic year. SB 633 provides that the participating institution determines the amount of the awarded and requires that grants for instructional programs have priority. The bill also states that a DREAM grant does not count towards the annual and aggregate borrowing limits of the California DREAM Loan Program.

(SB 633 amends Sections 70032 and 70036 of, and adds Section 70035.5 to the Education Code.)

Assembly Bill 368 – Amends The Definition Of "Underrepresented In Higher Education" In College And Career Access Pathway Agreements To Provide Priority To Certain Pupils In Dual Enrollment Opportunities.

Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnerships with the governing board of a school district or a county office of education for the purpose of offering or expanding dual enrollment opportunities for underrepresented in higher education.

AB 368 amends existing law to define "underrepresented in higher education" to include first-time college students, low-income students, students who are current or former foster youth, homeless students, students with disabilities, and students with dependent children. The bill requires that the community college district participating in a CCAP partnership assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program. The bill exempts pupils from fee requirements.

(AB 368 amends Section 76004 of the Education Code.)

Assembly Bill 634 – Expands State Funding Eligibility For Non-Credit Career Development And College Preparation Courses.

Existing law provides that non-credit career development and college preparation courses offered at community colleges are eligible for state funding under the following circumstances: if they are offered in a sequence leading to a certificate of completion for improved employability or job placement opportunities, or for a certificate of completion as specified, completion of an associate of arts degree, or for transfer level course work (educational outcomes).

AB 634 amends existing law to provide funding eligibility for non-credit courses that are offered in both face-to-face and distance education instructional methods and eliminates the requirement that the courses be offered in a sequence of courses. The statute now allows students to take courses in a program simultaneously, rather than in a sequence. The courses must still meet the existing educational outcomes.

(AB 634 amends Section 84760.5 of the Education Code.)

Assembly Bill 1096 – Amends Exiting Law To Allow Community College Districts To Offer Courses Taught In Languages Other Than English.

Existing law requires English to be the basic language of instruction in all schools and authorizes the governing board of a school district, community college district, or private school to determine when and under what circumstances instruction may be given bilingually.

AB 1096 amends Education Code Section 30 to authorize a community college to offer courses in languages other than English. Students may enroll in these courses without being required to concurrently enroll in an English as a Second Language course. The bill does not preclude a student from choosing to enroll in an English as a Second Language course.

(AB 1096 amends Section 30 of the Education Code.)

Assembly Bill 1342 – Allows Students Who Attended Community College In High School To Be Eligible For A Fee Waiver Under The California College Promise Funding.

Existing law establishes the California College Promise to provide funding to community college districts who meet the requirements of Education Code Section 76396.2. Community colleges may use that funding to waive some or all of the fees for two academic years for first-time community college students and returning community college students who are enrolled in 12

or more semester units or the equivalent, or less for students certified as "full time," and who complete and submit either a Free Application for Federal Student Aid or a California Dream Act Application. Assembly Bill 1342 adds to the definition of "first time community college student," a high school student who attended a community college full-time, part-time, or in a dual enrollment program.

(AB 1342 amends Education Code Section 76396.3.)

Assembly Bill 1400 – Requires Use Of The College Access Tax Credit Fund To Award Grants To Community College Students Transferring To Historically Black Colleges And Universities.

Existing law establishes the Cal Grant A and B Entitlement Awards, the California Community College Expanded Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes the eligibility requirements for awards under these programs for participating students attending qualifying institutions.

The College Access Tax Credit Fund provides a tax credit to taxpayers and businesses who contribute to Cal Grants, the State of California's largest source of educational financial aid. The credit can be used to offset or reduce taxes. The credit is equal to 50% of a contribution to the College Access Tax Credit Fund. The moneys in the College Access Tax Credit Fund go to the General Fund, then, upon appropriation, to specified agencies for administrative costs related to this credit, and lastly continuously appropriated for Cal Grant awards.

This bill instead requires that the College Access Tax Credit Fund moneys continuously appropriated to the Student Aid Commission be used to provide a one-time grant to a student transferring from a community college to regionally accredited Historically Black Colleges and Universities that have associate degree for transfer memoranda of understanding on file with the office of the Chancellor of the California Community Colleges. The bill makes an appropriation by changing the purposes for which moneys are used in a continuously appropriated fund.

(AB 1400 amends Education Code Section 69431.7.)

GOVERNANCE

Senate Bill 328 –Amends The Political Reform Act Contribution Limits And Authorizes The Governing Board Of A School District Or Community College District To Limit Campaign Contributions Or Expenditures In District Office Elections Until January 1, 2025.

SB 328 amends provisions of the Political Reform Act and Education Code. Pursuant to the Political Reform Act, limits total contributions by one individual to a candidate for elective state, county, and city office. This bill amends existing law to apply the contribution limits to candidate for elective school districts, community college districts, and special districts beginning January 1, 2025.

The bill also amends existing law permitting the governing board of a school district, community college district, and special district to limit, by resolution, campaign expenditures, or contributions to district office. The bill provides that the provisions in the Education Code permitting these limitations are repealed by December 31, 2024.

The bill further provides that the contribution limitation of this bill apply to candidates of a school district, community college district, and other special district elections. The campaign contributions under this bill only apply to contributions made by individuals and do not apply to small contributor committees or political party committees.

(SB 328 amends and repeals Sections 35177 and 72029 of the Education Code, Section 10544 of the Elections Code, and to amend, repeal, and add Sections 85301, 85305, 85306, 85307, 85315, 85316, 85317, 85318, and 85702.5 of the Government Code.)

Senate Bill 494 – Prohibits The Governing Board Of A School District From Terminating The Superintendent At A Special Or Emergency Meeting Or Within 30 Days After The First Meeting Of The Board Following An Election.

Senate Bill 494 prohibits the governing board of a school district from terminating their superintendent or assistant superintendent, or both, without cause at a special or emergency meeting. The bill provides that the governing board may hold a regular meeting during any month in which a regular meeting of the governing board is not held for purposes of terminating a superintendent or assistant superintendent, or both, without cause.

The bill also prohibits the governing board from terminating a superintendent or assistant superintendent, or both, without cause, within 30 days of first convening the governing board after an election at which one or more trustees were elected or recalled.

(SB 494 adds Section 35150 to the Education Code.)

Assembly Bill 472 – Amends Existing Law Explicitly Authorizing A Governing Board To Grant Voluntary Leaves Of Absence And Requires Employee Compensation When An Employee Is Placed On An Involuntary Leave Of Absence.

Existing law allows the governing board of a school district and a community college district to grant classified employees leaves of absence with or without pay.

AB 472 amends existing law by explicitly stating in Education Code Sections 45190 and 88190 that a governing board may grant voluntary leaves of absence and vacations, with or without pay.

The bill also revises the provisions related to certain criminal charges for which district may impose a compulsory leave of absence or suspension without pay. The bill provides that a classified employee placed on an involuntary leave of absence while criminal charges, a criminal investigation, or an administrative matter is pending, is entitled to receive full compensation for the period of involuntary leave if the matter is resolved in the employees favor. This provision applies to both merit and non-merit districts.

(AB 472 amends Sections 45190 and 88190 of the Education Code.)

Assembly Bill 1326 – Amends Existing Law To Require That Districts Post Board Vacancies On Their Website.

Existing law authorizes the governing board of a school district or community college to fill a board vacancy within 60 days of the vacancy if certain criteria is met. Existing law requires that notice of the board vacancy be posted within 20 days of making a provisional appointment in three public places in the school district and in a newspaper of general circulation published within the school district.

AB 1326 adds an additional notice requirement. The bill requires a school district post the vacancy notice on the school district's internet website. The bill also provides that if there is no newspaper of general circulation within the school district, the district need not publish the newspaper notice.

The notice requirements only apply if the board makes a provisional appointment to fill a vacancy.

(AB 1326 amends Section 5092 of the Education Code.)

Assembly Bill 764 – Amends Existing Rules Related To Local Redistricting And Adds The Fair And Inclusive Redistricting For Municipalities And Politician Subdivisions (FAIR MAPS) Act Of 2023.

Existing law requires county boards of education and governing boards of school districts and community college districts (local jurisdictions) in which trustee areas have been established to adopt new boundaries for their trustee areas following each federal decennial census. AB 764 revises and recasts provisions in the Education Code, Code of Civil Procedure, Elections Code and Government Code regarding local restricting rules for public agencies, including county boards of education, school districts, and community college districts.

AB 764 amends Education Code Section 1002, which identifies the responsibilities of county boards of education, and the criteria the county committee on school district organization shall follow when asked to change the boundaries of any or all of the trustee areas in the county, or proposes an increase or decrease in the number of members of the county board of education. The bill eliminates the criteria that could be considered by the committee when redrawing boundaries and now requires that boundaries be adopted in accordance with Chapter 2 of Division 21 of the Elections Code.

AB 764 also eliminates Education Code Section 5019.7, which stated that the redistricting requirements in Education Code Section 5019.5 do not apply to multiple campus community college districts with campuses in more than one county.

AB 764 adds the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act of 2023, which establishes new requirements for redistricting. The new requirements consist of, but are not limited to, the following:

- Boundaries for redistricting occurring in 2031 and thereafter must be adopted no later than 204 days before the county or district's next regular election occurring after January 1 in each year ending in the number two. If the redistricting body misses the deadline to adopt election maps, the redistricting body must petition the superior court within its local jurisdiction, within five days after the deadline, for an order adopting election district boundaries. If the redistricting body does not petition a superior court, a resident of the local jurisdiction may file the petition. If the Court

grants the petition, the Court has the authority to appoint a special master to assist with adopting district boundaries. The local jurisdiction is responsible for paying the cost of a special master and any associated costs.

- Trustee areas shall be substantially equal in population as required by the United States Constitution.

- The redistricting body shall determine whether it is possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district, as set forth in *Thornburg v. Gingles (1986) 478 U.S. 30.*

- If the redistricting body determines, after conducting an analysis, that racially polarized voting exists, the redistricting body must publish on its redistricting webpage a summary of its analysis and findings within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

- New criteria applies when adopting election districts and provides an order of priority.

- Districts, except for small educational districts, must hold at least one public workshop before drawing a draft map.

- Districts, except for small educational districts, must hold at least three public hearings after drawing draft maps.

- At least two workshops or public hearings shall be held on a Saturday, Sunday, or after 6 p.m. on a weekday.

- Five public hearings must be held before adopting district boundaries. Hearings held by an advisory or hybrid redistricting commission must comply with the same requirements applicable to hearings held by the districting body.

- The district's governing body must adopt a redistricting public education and outreach plan at least four weeks before holding its first hearing or workshop. Elections Code Section 21160 identifies additional requirements for the public education and outreach plan.

- The district must establish and maintain an accessible internet web page dedicated to redistricting that provides the public with information related to redistricting, including copies of draft maps, workshop or public hearing notices, and other information. The webpage must be made available prior to holding its first workshop or public hearing.

- The redistricting web page must make available the following information available within the specified time frames:

  1. Recordings or written summaries of oral public comments made at workshops or public hearings, within 14 days of a workshop or public hearing. The information must also be made available 72 hours before holding the first of its final two workshops or public hearings; and

  2. Public written comments and draft maps, no later than 14 days after receipt. All public written comments and draft maps received within four business days must also be made available 72 hours before holding the first of its final two workshops or public hearings.

- Within 21 days of adopting the final election district maps, the district's body must issue a report that explains the basis on which the districting body made its decisions in achieving compliance with the requirements and criteria listed in Election Code Section 21130, subdivision (c).

The bill requires the Secretary of State to develop templates for the web pages and to provide redistricting training for local jurisdictions. This bill also requires the Secretary of State to make available to the public a free electronic mapping tool.

(AB 764 repeals Section 1005 and 5019.7, amends Section 1002, 5019, 5019.5, 5021, 5023, 5027, 5028, and adds Section 1005, 5020 to the Education Code. The bill also repeals, amends, and adds various Sections to the Code of Civil Procedure, Government Code, and Elections Code.)

Assembly Bill 275 – Revises Existing Rules Regarding Compensation For Board Members And Pupil Board Members Of A School District, Charter School, Or County Office Of Education.

Existing law provides that members of a governing board of a school district, county board of education, or charter school (LEA) may receive compensation for all meetings attended. Currently, the law allows pupil board members to receive elective course credit but does not allow for compensation.

This bill amends existing law to allow the governing board to compensate a pupil board member for their

attendance at board meetings.

AB 275 amends existing law to allow the governing board of the LEA to provide pupil board members with elective credit or monthly financial compensation, or both for attending board meetings to the same extent that regular board members of an LEA are compensated. The bill further authorizes the governing board of an LEA to authorize an absent pupil member or an absent regular member to be paid for any meeting if the governing board of the LEA authorizes payment by approved resolution.

(AB 275 amends Sections 1000, 1090, 35012, 35120, and 47604.2 of the Education Code.)

Assembly Bill 417 – Authorizes Pupil Board Members To Receive Compensation And School Credit For Their Service On A County Board Of Education.

Existing law provides the process for adding pupils to the governing board of a county board of education. It also provides a process for pupils to petition for a pupil on the governing board. Existing law provides that pupils may receive class credit for serving on the board.

AB 417 amends existing law clarifying that a pupil enrolled in a high school under the jurisdiction of the county board of education, and who may be less than 18 years of age may be appointed to serve on the governing board. The bill further amends existing law to allow a pupil to receive compensation for attending meetings of the governing board of the county board of education.

(AB 417 amends Section 1000 of the Education Code.)

Assembly Bill 1078 – Prohibits The Governing Board Of A School District From Banning Or Refusing To Approve Textbooks Or Instructional Material That Study The Role And Contributions Of The Identified Protected Groups; And Revises Existing Law Related To Complaints Of Insufficient Textbooks Or Instructional Materials.

AB 1078 was urgent legislation and became effective upon the Governor's signature on September 25, 2023.

The Safe Place to Learn Act requires the State Department of Education to conduct regular monitoring a local education agency (LEA) to ensure it adopts, among other things, a policy prohibiting discrimination, harassment, intimidation, and bullying based on specified protected characteristics. Existing law requires the governing board of a school district to hold a hearing regarding the sufficiency of textbooks. Existing law also requires a school district to use its uniform complaint process to help identify and resolve any deficiencies related to instructional material and requires a complaint under this process to be filed with the principal of the school or their designee.

AB 1078 requires that an LEA include a statement that its policy applies to all acts of the governing board or body of the LEA, the superintendent of the school, and the county superintendent of schools in enacting policies and procedures. The bill requires the State Department of Education, no later than July 1, 2025, to develop guidance and public education materials to ensure that all Californians can access information about educational laws and policies that safeguard the right to an accurate and inclusive curriculum.

The bill also requires the governing board of a school district that makes a determination that it has insufficient textbooks or instructional materials via a resolution, to present a copy of the resolution to the county superintendent of schools no later than three business days after the governing board hearing.

AB 1078 amends existing law to revise the uniform complaint procedure to authorize a complaint that more than one pupil does not have sufficient textbooks or instructional materials as a result of an act or omission by the governing board of the school district, to be filed directly with the Superintendent. The bill authorizes the Superintendent to directly intervene without waiting for the school district's principal or designee to investigate.

The bill also authorizes the Superintendent to take the necessary action to remedy the insufficiency of textbooks or instructional materials if, (1) it receives a resolution from the governing board of the district related to the insufficiency of textbooks and instructional material; (2) it receives a report of an unresolved complaint related to instructional material; or (3) a report related to a required audit provides an audit exception related to the inventory of equipment and use of instructional materials program funds. Any purchase of materials by the Superintendent shall be considered a loan, due and payable by the school district.

The bill revises the list of subject matters that must be included in social science instruction to include the role and contributions of people of all genders, Latino Americans, LGBTQ+ Americans, and members of other ethnic, cultural, religious, and socioeconomic status groups.

The bill requires the State Department of Education to provide, no later than July 1, 2025, guidance related to how to help school districts, county offices of education, charter schools (collectively LEAs), and school personnel manage conversations about race and gender, and how to review instructional materials to

ensure that they represent diverse perspectives and are culturally relevant.

AB 1078 prohibits the governing board or body of an LEA from refusing to approve or prohibiting to use any textbook, instructional material, or other curriculum or any book or other resource in a school library on the basis that it includes a study of the role and contributions of any individual or group consistent with the above-described requirements relating to instruction in social sciences and the adoption of instructional materials that accurately portray the cultural and racial diversity of our society. The bill also prohibits the governing board of a school district or a county board of education from prohibiting the continued use of an appropriately adopted textbook, instructional materials or curriculum on the basis it contains inclusive and diverse perspectives.

(AB 1078 amends Sections 234.1, 1240, 35186, 51204.5, 51501, 60040, and 60119, adds sections 202, 242, 243, and 60040.5, and Article 8 (commencing with Section 60150) to Chapter 1 of Part 33 of Division 4 of Title 2 to the Education Code.)

Assembly Bill 1541 – Entitles Student Trustees To Cast Advisory Votes.

Existing law requires the governing board of each community college district to include one or more non-voting students within the governing board membership. A student trustee must be enrolled in a community college of the district and chosen by students enrolled in the community colleges of the district, in accordance with procedures prescribed by the governing board.

This bill gives each student member of the governing board of a community college district an advisory vote. The student board member is entitled to cast the advisory vote immediately before the regular members of the governing board cast their votes. By requiring community college districts to revise governing board procedures, the bill imposes a state-mandated local program.

(AB 1541 amends Education Code Section 72023.5.)

HIGHER EDUCATION

Senate Bill 808 – Requires The California State University Prepare An Annual Report For The Legislature On Investigations And Outcomes Of Formal Sexual Harassment Complaints, And Make The Report Available On Its Website.

Senate Bill 808 establishes a new reporting requirement for the California State University. The bill requires that the California State University prepare and submit a report related to formal sexual harassment complaints to the Legislator on or before December 1 of each year.

The bill requires the California State University report on investigations and outcomes of formal complaints of sexual harassment. The bill provides a list of the specific items the California State University must report on, includes, but is not limited to:

- The number of sexual harassment reports filed disaggregated by each individual campus and the chancellor's office.
- The number of formal sexual harassment complaints filed with the campus-based or systemwide Title IX coordinator disaggregated by each individual campus and the chancellor's office, whether or not an investigation was conducted. Formal sexual harassment complaints shall include all formal sexual harassment complaints submitted to a Title IX office regardless of whether or not an official investigation has begun.
- The length of time taken from the beginning of an investigation to the completion of a final investigative report disaggregated by each individual campus.
- The number of hearings conducted for formal sexual harassment complaints and the outcomes of those hearings disaggregated by each individual campus and the chancellor's office.
- The number of appeals requested by the complainant or respondent disaggregated by each individual campus and the chancellor's office; and the outcomes of the appeals.

(SB 808 adds Section 66282 to the Education Code.)

Assembly Bill 1138 – Requires That The California State University And The University Of California Provide Victims Of Sexual Assault With Access To Rape Kits And Transportation Free Of Charges As A Condition Of Receiving State Funds For Student Financial Assistance.

Existing law requires the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions to enter into memoranda of understanding, agreements, or collaborative partnerships with existing on-campus and community-based organizations to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, and including resources for the accused in order to receive state funds for student financial assistance.

AB 1138 amends existing law to require as a condition of receiving state funds for student financial assistance that the Trustees of the California State University and the Regents of the University of California, to the extent possible, ensure that when a student experiences sexual violence and seeks support services from a campus advocate or community-based organization pursuant to a memorandum of understanding, agreement, or collaborative partnership, that all the following occur:

- The student receives information about the student's options and rights to obtain a sexual assault forensic medical examination.
- Student eligible to obtain a sexual assault forensic medical examination receive information about the student's right to be accompanied to the examination by a certified sexual assault counselor or support person of the student's choosing, or both a certified sexual assault counselor and a support person of the student's choosing.
- Student eligible for a sexual assault forensic medical examination shall receive information about how to access transportation to an examination site, including transportation options that can be provided by or arranged by the campus.

The bill requires, commencing with the 2025–2026 school year, that the Trustees of the California State University and the Regents of the University of California shall, to the extent practicable and necessary, provide to students who request and are eligible to obtain a sexual assault forensic medical examination, transportation to and from a SAFE or SART exam center for a qualified health care provider to administer a sexual assault forensic medical evidence kit.

AB 1138 further requires, to the extent practicable and necessary, that students be provided at no charge and in a manner that protects student confidentiality, transportation to and from a local Sexual Assault Forensic Examination (SAFE) or Sexual Abuse Response Team (SART) exam center for a qualified health care provider to administer the sexual assault forensic medical evidence kit.

The bill requires that on or before June 30, 2026, and biennially thereafter, as a condition of receiving state financial assistance funds, the trustees and the regents submit a report to the Legislature on whether their respective institutions have provided transportation for students to and from a local SAFE or SART exam center for a qualified health care provider to administer the sexual assault forensic medical evidence kit and the manner in which students received the transportation.

(AB 1138 amends Section 67386 of the Education Code.)

Senate Bill 886 – Amends Existing Law To Eliminate The Requirement That The Student Aid Commission Provide Written Notice That A Student Is In Default On Loans Under The Federal Family Education Loan Program.

Existing law requires the governing board of every community college district, the Trustees of the California State University, and the Regents of the University of California (if appropriate resolutions are adopted), and the Board of Directors of the College of the Law, San Francisco to adopt regulations withholding institutional services from students or former students who have been notified in writing that they are in default on a loan or loans under the Federal Family Education Loan Program. Existing law requires the Student Aid Commission to give notice of the default to all institutions through which the individual acquired the loan or loans.

SB 886 amends existing law by removing the requirement that the Student Aid Commission give notice of default to all institutions through which the individual acquired the loan(s).

The bill renames the "Online Education Initiative Consortium" to the "California Virtual Campus" and makes change to the relevant Education Code sections in compliance with this name change.

Existing law establishes the Cash for College Program under the administration of the Student Aid Commission (the Commission). The bill authorizes the Commission to allocate funds to regional coordinating organizations, as defined, to plan, coordinate, or conduct Cash for College workshop series within specific regions in the state. The bill amends these

provisions to permit the Commission to provide funding to an organization that is not part of a regional coordinating organization, including high schools and community-based organizations, but has a written partnership agreement with the commission or a regional coordinating organization, may offer free local and regional workshops through the Cash for College Program.

(SB 886 amends Sections 66022, 66770, 66771, 68101, 69551, and 89304 of, and repeals Sections 69615.4, 69618.8, and 70108 of, the Education Code.)

Assembly Bill 226 – Strongly Urges The University Of California To Report On Its Efforts To Comply With California Native American Graves Protection And Strongly Urges The Prohibition Of The Use Of Any Native American Human Remains Or Cultural Items For Teaching Or Research.

In accordance with the California Native American Graves Protection and Repatriation Act of 2001 (the Act), higher institutions that receive state funding and have possession or control over collection of California Native American human remains and associated funerary objects to inventory those remains and objects for repatriation to the appropriate California Indian tribes.

AB 226 strongly urges the University of California to report, on or before June 30, 2024, each campuses efforts towards completing repatriation as required by the Act. The bill strong urges the office of the President of the University of California to provide available funding to support each campuses efforts towards completing repatriation under the Act. Finally, the bill strongly urges the University of California prohibit the use of any Native American human remains or cultural items for purposes of teaching or search at the University of California.

The bill also amends extending law to continue to require the State Auditor audit the University of California in 2024 and 2026 regarding the University of California's compliance with the federal Native American Graves Protection Repatriation Act. The bill further amends existing law to require the State Auditor to report its findings to the Native American Heritage Commission, in addition to the Legislature and other appropriate entities. The bill or existing legislation identify who the "other appropriate entities" are.

(AB 226 adds Article 2.9 (commencing with Section 92618) to Chapter 6 of Part 57 of Division 9 of Title 3 of the Education Code, and amends Section 8028 of the Health and Safety Code.)

Assembly Bill 322 – Requires California Community Colleges And The California State University, And Requests The University Of California, To Identify In First Year And Transfer Orientations, A Contact Person For Student Military Veterans.

AB 322 requires campuses of the California Community Colleges, the California State University, and requests the University of California, to include in their orientation sessions for first-year and transfer students the location and contact information for students who are veterans of the Armed Forces of the United States, members of the California State Guard and California National Guard and their dependents. The contact information must be included beginning 2025-2026 academic year.

The bill also requires a hardcopy form that includes information on policies, resources, and services for these students and their dependents at the point of contact's location. The bill requires California Community Colleges, the California State University, and requests the University of California, to create a document that identifies the location of the campus point of contact and to post the document at the site and on the campus's internet website.

(AB 322 adds Section 66225 to the Education Code.)

Assembly Bill 607 – Requires Disclosure Of The Total Cost Of Course Materials For Online Courses Beginning July 1, 2024.

Existing law requires California Community Colleges and the California State University, and requests the University of California, to clearly highlight the courses that exclusively use digital materials. The law also requires that students be informed that the course material is free of charge and does not have to be purchased. A low-cost option for print versions may be made available.

AB 607 amends existing law to require beginning July 1, 2024, the California Community Colleges and the California State University, and requests the University of California, to prominently display the estimated costs for required material and fees for each course. The cost of materials must be posted for the following total number of courses on the online campus course schedule for which a faculty member or course instructor is assigned:

- 40% by January 1, 2025;
- 55% by January 1, 2026;

- 65% by January 1, 2027; and
- 75% by January 1, 2028.

AB 607 amends the existing definition of "course material" to include digital or physical textbooks, devices such as calculators and remote attendance platforms, and software subscriptions. The bill also adds definitions for the following two terms:

- "Course schedule" is a collection of available classes, course sections, or both, published electronically, before the start of an academic term.
- "Open educational resources" are high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license, such as a Creative Commons license, that permits their free use and repurposing by others, and may include other resources that are legally available and free of cost to students. This includes, but is not limited to, full courses, course materials, modules, textbooks, faculty-created content, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.

(AB 607 amends, repeals, and adds Section 66406.9 to the Education Code.)

Assembly Bill 760 – Amends Existing Law To Require California Community Colleges, The California State University, And Requests The University Of California, To Establish A Process That Allows Students To Request Name And Gender Changes Without Presenting Legal Documents, Unless Legally Required To Do So.

The Equity in Higher Education Act requires the University of California, the California State University, and California Community Colleges to update a former student's records to include an updated legal name or gender if the institution receives government-issued documentation from a former student demonstrating that the former student's legal name or gender has been changed. Starting with the graduation class of 2023-2024, existing law prohibits an institution from requiring a graduation student to provide legal documentation sufficient to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's diploma.

AB 760 amends existing law, starting with the graduating class of 2023-2024 to prohibit an institution from requiring a graduating student to provide legal documentation sufficient to demonstrate a legal name or gender change in order to have the student's chosen name be the sole name listed on the student's diploma. An institution is only authorized to require such legal documentation if necessary to meet a legally mandated obligation.

Existing law requires the governing board of a California Community Colleges to implement a system that allows students to identify their name and preferred gender where legal names are not required. AB 760 amends existing law to require the Trustees of the California State University, and request the Regents of the University of California, to implement a system by which current students, staff, and faculty can declare an affirmed name, gender, or both name and gender identification. The California State University must, and the University of California should, be fully capable of allowing current students, staff, or faculty to declare an affirmed name, gender or both, starting with academic year 2024-2025.

AB 760 also requires the California State University, and requests the University of California, to update records upon request. California State University campuses are prohibited from charging a fee for any change, and University of California campus are requested not to charge a fee higher than the actual cost to correct, update, or reissue a document or records based on the declaration of an affirmed name or gender identify.

(AB 760 amends Sections 66271.4 and 66271.41 of the Education Code.)

Assembly Bill 255 – Requires California State Universities That Provide A Priority Enrollment/ Registration System To Specified First Responders Starting In Academic Year 2025-2026.

AB 255 requires that the California State University that administer a priority enrollment system provide priority registration for enrollment to first responders starting academic year 2025-2026. The bill also requests, but does not require, that the University of California provide the same priority.

This bill provides priority registration to first responders after verifying the student's employment as a first responder. For purposes of this bill, "first responders" includes: peace officer, firefighter (with some exceptions), paramedic, an emergency medical technician, and public safety dispatcher or public safety telecommunicator.

(AB 255 adds Section 66025.82 to the Education Code.)

Assembly Bill 656 – Authorizes The California State University To Request Approval From The Trustees Of The California State University To Offer Doctoral Degrees Without Requiring University Of California Agreement.

Existing law provides that the University of California has the sole authority in public higher education to award doctoral degrees in all fields of learning, except that it may agree with the California State University to award joint doctoral degrees in selected fields. Existing law authorizes the California State University to offer doctoral programs in education, audiology, physical therapy, occupational therapy, and public health without agreement with the University of California.

AB 656 amends existing law to authorize the California State University to award professional or applied doctoral degrees statewide that do not duplicate University of California doctoral degrees and satisfy certain requirements. AB 656 requires a California State University campus seeking to offer a professional or applied doctoral degree program to submit specified information on the proposed doctoral degree for review by the office of the Chancellor of the California State University and approval by the Trustees of the California State University. Doctoral degrees approved by the Board of Trustees may be offered at any California State University campus but would limit the number of doctoral degree programs that may be offered at a California State University campus.

The bill further prohibits the Trustees of the California State University from approving more than 10 new doctoral degree disciplines per academic year.

(AB 656 repeals Section 66046.3 and adds Article 4.92 (commencing with Section 66046 of the Education Code) to Chapter 2 of Part 40 of Division 5 of Title 3 to the Education Code.)

Assembly Bill 447 – Authorizes The California State University, And Requests The University Of California, To Establish And Maintain Inclusive College Programs For Students With Intellectual And Developmental Disabilities.

AB 447 requires the California State University, and requests the University of California, to develop or expand college programs for students with intellectual and developmental disabilities at four-year public postsecondary educational institutions. The allocated funds may be used to expand or create new programs at campuses that don't have them. Funds may also be used for:

1. Administrative salaries, including a program director at a campus with an inclusive pilot program and other administrative staff, including academic coordinators, employment and internship coordinators, social inclusion coordinators, and residential coordinators.

2. Additional program staff, including instructors, peer mentors, residential support staff, and administrative assistants.

3. Training for higher education faculty in evidence-based best practices.

4. Augmentation of existing assistive technologies and other academic support services offered by campus disability programs and resource centers.

5. Scholarships for student tuition, fees, and living expenses.

6. Additional student supports including counseling, residential needs, mentor services, and transportation services.

7. Outreach, including internet website design, disseminating information to high school transition programs, local educational agencies, special education local plan areas, and college and career centers, and advertising placements and campaigns, including the cost of printing any materials.

8. Data collection and dissemination.

The bill also establishes the criteria that must be met by the inclusive programs. Specifically, an inclusive program must:

1. Serve students with intellectual and developmental disabilities who are at least 18 years of age, even if the students are not taking courses for credit or may not be seeking a traditional degree.

2. Provide students with a person-centered planning process and the opportunity to pursue an educational credential, including, but not limited to, a degree, certificate, or nondegree credential issued by the institution.

3. Provide inclusive academic enrichment, socialization, independent living skills, and integrated work experiences that develop career skills that can lead to gainful employment.

4. Provide individual support and services for academic and social inclusion in academic courses,

extracurricular activities, housing, and other aspects of campus life.

5. Establish strategies to recruit and support students from historically underserved communities.

To ensure student eligibility for financial aid, AB 447 requires the inclusive college programs comply with the requirements for, and must apply for, federal status as a Comprehensive Transition and Postsecondary Program.

(AB 447 adds Section 66031 to the Education Code.)

Assembly Bill 1291 – Creates An Associate Degree For Transfer To The University Of California Pilot Program.

Existing law, the Student Transfer Achievement Reform Act, requires a student who earns an associate degree for transfer to be deemed eligible for transfer into a California State University baccalaureate degree program if the student meets certain requirements. The act also requires the California State University to guarantee these students are admitted with junior status.

This bill creates the University of California Associate Degree for Transfer Pilot Program, which requires the University of California, Los Angeles to declare at least 8 majors by the 2026–27 academic year, and at least 12 majors by the 2028–29 academic year, to transfer similar to the Student Transfer Achievement Reform Act from select community colleges chosen by the University of California, Los Angeles. By the 2028–29 academic year, the University of California must designate at least 5 campuses to declare at least 12 majors to transfer from select community colleges chosen by the applicable campus. Students who earn an associate degree for transfer and meet the requirements of one of the transfer model curricula would have priority for admission. If a student meets those requirements and other University of California admission requirements but is not granted admission to the applicable campus, that campus will redirect the student to other campuses and at least one other campus of the University of California must offer admission to the student.

(AB 1291 adds Education Code Section 66749.9, immediately following Section 66749.8.)

Assembly Bill 1540 – Requires An Institute Of Higher Education To Accept An Affidavit To Get An Exemption From Paying Nonresident Tuition If It Is Part Of The File From The Student Aid Commission.

Students are exempt from paying nonresident tuition at the California State University and the California Community Colleges if the student attended California schools full time for three years or attained equivalent credits earned while in those schools, or the student completes three or more years of full-time high school coursework in California and attended California elementary schools or California secondary schools for three or more years. A student who is an immigrant without lawful immigration status, can file an affidavit with the institute stating that the student has filed an application to legalize the student's immigration status, or will file an application as soon as the student is eligible to do so.

This bill requires the California State University and California Community Colleges, and request the University of California and independent institutions of higher education, to accept an affidavit the student provided to the Student Aid Commission as part of the student's financial aid application and shall not require the student to file a separate affidavit with the institution. An institution that receives the affidavit from the Student Aid Commission may share it with any departments who require an affidavit so the student is not required to submit multiple affidavits. The institution may verify the information in the affidavit from the Student Aid Commission. By imposing new duties on community college districts, the bill imposes a state-mandated local program. If the Commission on State Mandates determines that this act contains costs mandated by the state, it will order reimbursement for those costs.

(AB 1540 amends Education Code Section 68130.5 of the Education Code.)

Assembly Bill 1311 – Requires The Legislative Analyst's Office To Assess Joint Allied Health Programs.

This bill requires the Legislative Analyst's Office to conduct an assessment to the efficacy of existing programs in allied health jointly offered between campuses of the California Community Colleges, the California State University, and the University of California, on or before January 1, 2025. The assessment includes the extent to which the allied health programs fulfill workforce shortages, information regarding the job placement of graduates, costs and funding sources of allied health programs. Completion and time-to-completion rates, and recommendations on whether and how joint allied

health programs can or should be extended and expanded. The bill requires only one assessment and will repeal as of January 1, 2026.

(AB 1311 adds Education Code Section 66026.5.)

Assembly Bill 1745 – Amends Eligibility Of Tuition Waivers For Children Of Military Veterans And Students Who Are Recipients Of A Medal Of Honor.

Existing law establishes the University of California, the California State University, and the California Community Colleges, as the three segments of public postsecondary education in the state. The Donahoe Higher Education Act prohibits campuses of those three segments from charging mandatory systemwide tuition or fees to specified students who are California residents and who apply for a waiver. This includes a child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability and annual income of the child does not exceed the state poverty level. Additionally, an undergraduate student who is a recipient of a Medal of Honor and an undergraduate student who is a child of a recipient of a Medal of Honor where the student is no more than 27 years old and the annual income of the recipient or child, including the value of any support received from a parent, does not exceed the national poverty level is eligible for a waiver of mandatory systemwide tuition or fees.

In these two situations where the student's eligibility depends on the income of the child or student, this bill instead requires that the annual income of the child not exceed the state poverty level. The bill defines state poverty level as an annual household income that is less than the amount calculated for a single person with no dependents pursuant to Section 18501 of the Revenue and Tax Code. To the extent these provisions adds additional duties on community college districts, the bill imposes a state-mandated local program.

(AB 1745 amends Education Code Section 66025.3.)

TERMS OF EMPLOYMENT

Senate Bill 791 – Requires Community Colleges, California State University, And Requests The University Of California, Ask Applicants Following Verification Of Minimum Qualification To Disclose A Final Decision Finding The Applicant Committed Sexual Harassment.

SB 791 requires the governing board of a community college, the Trustees of the California State University, and request the Regents of the University of California, to require as part of its hiring process to ask applicants to disclose any final decisions finding the applicant engaged in sexual harassment. The inquiry is only permissible after a community college district, California State University, or University of California determines the applicant meets the minimum employment qualifications stated in the notice issued for the position.

The bill requires that a community college district, California State University, and requests the University of California, require an applicant for an academic or administrative position disclose any final administrative decision, or final judicial decision issued within the last seven years from the date they submitted their employment application determining that the applicant committed sexual harassment. The bill allows an applicant to disclose if they filed an appeal with their previous employer, or if applicable, the United States Department of Education.

The bill includes the following definitions:

- Final administrative decision - means the written determination of whether or not sexual harassment occurred as determined by the decision maker following the final investigative report and the subsequent hearing.
- Final judicial decision - means a final determination of a matter submitted to a court that is recorded in a judgment or order of that court.
- Sexual harassment – means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature; sexual battery; sexual violence; sexual exploitation; sexual assault. (See, Education Code Section 66262.5 and Section 106.30 of Title 34 of the Code of Federal Regulations.)

(SB 791 adds Sections 87604.5, 89521, and 92612.1 to the Education Code.)

Assembly Bill 520 – Establishes Joint And Severable Liability For Unpaid Wages

Current law authorizes the Labor Commissioner to investigate employee complaints and to provide for a hearing in any action to recover wages, penalties, and other demands for compensation. Under existing law, any individual or business entity is jointly and severally liable for unpaid wages, to the extent the amounts are for services performed under that contract, as provided, and except as specified. This bill would additionally provide that any public entity, defined as a city, county, city and county, district,

public authority, public agency, and any other political subdivision or public corporation in the state, is similarly jointly and severally liable for any unpaid wages.

When two or more parties are jointly and severally liable for a tortious act, each party is independently liable for the full extent of the injuries stemming from the liability. Thus, if a plaintiff wins a money judgment against the parties collectively, the plaintiff may collect the full value of the judgment from any one of them. That party may then seek contribution from the other wrongdoers. This concept of choosing the defendant(s) from whom to collect damages is called the law of indivisible injury.

(AB 520 amends Section 238.5 of the Labor Code.)

Assembly Bill 594 – Alternative Enforcement Of Labor Code.

Assembly Bill 594 authorizes a public prosecutor to prosecute an action for a violation of specified provisions of the Labor Code or to enforce those provisions independently. The bill requires moneys recovered by public prosecutors under the Labor Code to be applied first to payments due to affected workers. The bill also requires all civil penalties recovered pursuant to those provisions to be paid to the General Fund of the state, unless otherwise specified.

(AB 594 amends Sections 218 and 226.8 of, adds Chapter 8 (commencing with Section 180) to Division 1 of, and repeals Section 181 of, the Labor Code.)

LEAVES

Senate Bill 616 – Amends California Paid Sick Leave Law To Provide Five Days Of Leave And Requires CBAs Comply With Certain Provisions.

Senate Bill 616 increases California Paid Sick leave from three days to up to five days. It also increases the cap that employers can place on paid sick days from six to 10 days and 48 to 80 hours and increases the number of paid sick days an employee can roll over to the next year from three to five days. Further, the bill extends procedural and anti-retaliation provisions in existing paid sick leave law to employees covered by a valid collective bargaining agreement that is exempt, if they meet specified criteria, from other provisions of the paid sick leave law.

Additionally, SB 616 requires the following:

- Employees must be provided with 24 hours (3 days) of Paid Sick Leave time by the 120th day of employment.
- Employees are required to be provided an additional 16 hours of Paid Sick Leave by the 200th calendar day of employment (for a total of 40 hours).
- If employers use the accrual method, any remaining accrued Paid Sick Time must carry over to the next calendar year, year of employment, or 12-month period. Employers may limit this carry-over to 40 hours.
- Employers may limit the use of Sick Time to 40 hours (or 5 days) for each calendar year, year of employment, or 12-month period.

Existing law exempts from the definition of "employee" an employee covered by a collective bargaining agreement, if the collective bargaining agreements provides the following:

- Expressly provides for the wages, hours of work, and working conditions of employees;
- Expressly provides for paid sick days or a paid leave or paid time off policy that permits the use of sick days for those employees;
- Provides final and binding arbitration of disputes concerning the application of its paid sick days provisions;
- Provides premium wage rates for all overtime hours worked; and
- Regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. (Note that effective January 1, 2024, the minimum age rate is $16.00.)

This provision remains except SB 616 requires that employees covered by a valid collective bargaining agreement be allowed to use sick leave for the same reasons and under the same conditions provided in Labor Code Section 246.5.

(SB 616 amends Sections 245.5, 246, and 246.5 of the Labor Code.)

Senate Bill 848 – Requires Employers Provide Leave For Reproductive Loss.

Effective January 1, 2024, SB 848 requires the following employers to provide reproductive loss leave to eligible

employees under specified circumstances:

1. Any person who employs five (5) or more persons to perform services for a wage or salary; and

2. The state and any political or civil subdivision of the state, including, but not limited to, cities and counties.

An employee is eligible for reproductive loss leave after at least 30 days of employment. An eligible employee is entitled to take up to five days of reproductive loss leave (which may be taken nonconsecutively) per reproductive loss event, up to a total amount of 20 days of reproductive loss leave within a 12-month period.

A reproductive loss event means "the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction" (i.e., an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure). The bill provides that employees eligible for reproductive loss leave under the following circumstances related to a reproductive loss event:

- A failed adoption event applies to an employee who would have been a parent of the adoptee if the adoption had been completed.

- A failed surrogacy event applies to an employee who would have been a parent of a child born as a result of the surrogacy.

- A miscarriage event applies to an employee who experienced a miscarriage, who is the current spouse or domestic partner of a person who experienced a miscarriage, or who would have been a parent of a child born as a result of a pregnancy that resulted in miscarriage.

- A stillbirth event applies to an employee whose pregnancy resulted in a stillbirth, who is the current spouse or domestic partner of a person whose pregnancy resulted in a stillbirth, or who would have been a parent of a child born as a result of a pregnancy that resulted in stillbirth.

- An unsuccessful assisted reproduction event applies to an employee who experienced such event, who is the current spouse or domestic partner of a person who experienced such event, or who would have been a parent of a child born as a result of a pregnancy had the assisted reproduction been successful.

Reproductive loss leave must be taken within three (3) months of the reproductive loss event. However, if, prior to or immediately following a reproductive loss event, an employee is on or chooses to go on Pregnancy Disability Leave (Gov. Code, Section 12945), leave under the California Family Rights Act (Gov. Code, Section 12945.2), or any other leave entitlement under state or federal law, the employee must complete their reproductive loss leave within three (3) months of the end date of the other leave. Reproductive loss leave is taken pursuant to any existing applicable leave policy the employer may have. If the employer does not have an existing applicable leave policy, the reproductive loss leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

SB 848 requires employers maintain employee confidentiality relating to requests for and any information received concerning reproductive loss leave, and prohibits employers from disclosing any such information except to internal personnel or counsel, as necessary, or as required by law. SB 848 is silent on whether an employer may request documentation supporting an employee's need for reproductive loss leave.

Under SB 848, it is an unlawful employment practice for an employer to refuse to grant a request from an eligible employee to take reproductive loss leave, or for an employer to retaliate against an eligible employee because the employee exercised the right to reproductive loss leave or gave information or testimony as to reproductive loss leave. It is also an unlawful employment practice for an employer to interfere with, restrain, deny the exercise of, or deny the attempt to exercise the rights afforded to employees under the reproductive loss leave law.

(SB 848 adds Section 12945.6 to the Government Code.)

RETIREMENT

Senate Bill 327 – Reduces The Timeframe Members May Backdate Their Service Retirement Or Service Retirement During Evaluation Of A Disability Application.

Existing law establishes the State Teachers' Retirement System (STRS) and creates the Defined Benefit Program of the State Teachers' Retirement System. STRS is administered by the Teachers' Retirement Board. Existing law authorizes a member of STRS eligible for and who applies for a disability allowance or retirement to apply to receive a service retirement

pending the determination on their application for disability, subject to certain conditions. As a condition, the member must submit an application on a prescribed form by STRS for disability. Existing law further provides that if a member's application for disability is denied or canceled, the service retirement date of a member who submits an application pursuant to these provisions may not be earlier than January 1, 2014.

SB 327 amends existing law as follows:

1. Prohibits the service retirement date of a member who submits an application for retirement under these provisions from being earlier than 270 calendar days prior to when the application for service retirement is received by STRS.

2. The service member's retirement allowance terminates no earlier than 270 calendar days prior to the date STRS received the applicant's application for service retirement following the denial or cancellation of an application for disability retirement.

3. The effective date of the service retirement for a member who applied under a specified formula applicable to members 55 years of age or older is no earlier than 270 calendar days prior to when the application for service retirement is received by STRS.

Lastly, the revisions under SB 327 are not effective immediately. The bill requires the Teachers' Board determine the date implementation based on STRS capacity to implement the changes. The Teachers' Retirement Board must post the date of implementation on STRS website no later than January 1, 2026.

(SB 327 amends, repeals, and adds Sections 24201.5 and 24204 of the Education Code.)

Senate Bill 432 – Amends The State Teachers' Retirement System Related To The Publishing Of Resources And The Reliance Of Those Resources That Result In Errors.

Existing law establishes various requirements for the State Teachers' Retirement System (STRS). STRS is required to provide resources annually that interpret and clarify the applicability of creditable compensation and service pursuant to its laws and regulations. Employers are required to ensure compliance with STRS rules.

SB 432 requires STRS to make resources available on its website. The bill requires the resources to be relied upon for purposes of audits and other actions related to compliance by the employers unless the resources are revoked or suspended.

The bill amends existing law prohibiting the retroactive application of new or different interpretations of the law related to creditable compensation and services. The bill revises this provision to provide that the prohibition on retroactive application applies to different interpretations of the law including those that differ from the STRS resources, except if the retroactive applicability is a result of state or federal law, executive order of the Governor, or final court order.

SB 432 amends existing law related to recovery of overpayments. The bill provides that if an overpayment is a result of the application of a STRS rule that STRS misinterpreted in its resources, the error is deemed an error by STRS and subject to the STRS recovery process. The bill requires STRS make a written determination of the error and identify the amount of the overpayment to the person responsible for the overpayment. STRS must include additional information in the required written notice.

The bill deletes the prohibition that changes in interpretation cannot be applied before the next July 1, unless the changes are due to changes in state or federal law, an executive order of the governor, an advisory letter, or programs require application or revision of the creditability of compensation on an earlier basis.

Existing law provides that overpayments that occur due to an employer's reliance on an advisory letter that is later determined to be incorrect due to change in the law are errors of STRS. SB 432 deletes these provisions to provide that if an error occurs following changes in any resources, including by a final court order, the overpayment is an error by STRS. The bill makes additional conforming changes to specify that advisory letters related to specific compensation language apply only to the employer identified in the advisory letter.

Finally, the bill amends existing provisions regarding recovery of an overpayment. The bill provides that the recovery of an overpayment due to inaccurate information, untimely submission, or non-submission of information by or on behalf of a recipient, is limited to no more than 15% of the overpayment.

(SB 432 amend Sections 22325, 22326, 24616.2, and 24617 of the Education Code.)

Senate Bill 765 – Amends Existing Law Related To Retiree Compensation Limitations.

Existing law prohibits a retiree from working within the first 180 calendar days of retirement unless the retiree

reached retirement age while earning compensation and the retiree is appointed by the governing board during a public meeting. Existing law also restricts the amount of income a retiree may earn during any school year while receiving retirement benefits.

SB 765 amends existing law to permit a retiree to earn compensation for performing retired member activities in any school year up to the permitted limit. However, the retiree may not contribute to the plan or accrue service credit based on the postretirement compensation. The exemption from the first 180 calendar days only applies if the superintendent, the county superintendent of schools, or the chief executive officer of a community college submits a request for exemption and is approved by STRS with certification made under penalty of perjury of the following:

1. The nature of the employment.

2. That the appointment is necessary to fill a critically needed position before 180 calendar days have passed.

3. That the participant is not ineligible for application of this subdivision pursuant to the regulations.

4. That the termination of employment of the retired participant with the employer is not the basis for the need to acquire the services of the participant.

5. That the employer did not have a reduction-in-force layoff, pursuant to state law, within the prior 18 months.

The Legislature declares in SB 765 that the amends made by this bill are necessary to address the shortage in teachers and staff the state is experiencing. The bill further declares that retired teachers and staff are some of the best-equipped candidates to provide instruction and services to our students. The bill makes additional declarations related to the increase in service retirement since the onset of COVID and teacher shortage.

The bill further amends existing law to increase the limit of postretirement compensation in any school year to 70% of the median final compensation of all members who retired for service during the fiscal year ending in the previous calendar year. The STRS is required to calculate the amount by July 1 of each year.

The amendments made by SB 765 become operative January 1, 2024, and remain in effect through June 30, 2025 unless amended by the Legislator.

(SB 765 amend, add, and repeal Sections 24214, 24214.5, and 26812 of the Education Code.)

BUDGET & FINANCE

Assembly Bill 872 – Elementary And Secondary Education Omnibus Bill.

AB 872 amends existing law to prohibit a person who does not possess a valid credential issued by the Commission on Teacher Credentialing (Commission) from being elected or appointed to office as county superintendent of schools. The bill requires that all county superintendents of schools in counties within classes (1) to (8) possess an administrative credential from the Commission.

The bill also amends provisions of the Health and Safety Code. The bill authorizes community care facilities, licensed foster family homes, and foster family agencies to include non-minors who are individuals with exceptional needs within the group of children with varying designations and varying needs that may be placed in the applicable facility, home, or agency, so long as the facility is licensed and meets all other licensing requirements.

(AB 872 amends Sections 1206 and 1208 of the Education Code, and Section 1501.1 of the Health and Safety Code.)

Assembly Bill 908 – Repeals The Additional Funding Provision In The LCFF Provided To Districts For Migrant Pupils Based On Migrant Housing Projects Within The District And Amends The National Board For Professional Standards To Provide An Additional Award Of $495 To Eligible Teachers.

AB 908 is an urgency bill that became effective upon the Governor's approval on October 13, 2023.

Existing law includes average daily attendance as a component of the calculation under the local control funding formula (LCFF). Currently, for each school district that operates a school where one or more state-operated migrant housing projects are located within the attendance area of the school, and at least 1/3 of the maximum number of pupils enrolled in the school district are migrant, the LCFF provides an increase in district's fiscal year average daily attendance.

AB 908 removes from existing law the increase in the district's fiscal year average daily attendance based on pupil enrollment classified as migrants by repealing Education Code Section 42238.053.

Existing law establishes the National Board for Professional Teaching Standards, which provides that teachers who attain a national board certification are eligible for an award of $25,000. Existing law provides that teachers who initiate the process of attaining

national board certification when teaching at a high-priority school are eligible for an award of $2,500.

AB 908 amends the National Board for Professional Teaching Standards award eligibility beginning July 1, 2023, to also provide an award of $495 to teachers who initiate the process of Maintenance of Certification from the National Board of Professional Teaching Standards. The bill also amends the definition of "high-priority school" to mean a school with 55 percent or more of its pupils being unduplicated pupils who are classified as English learner, eligible for free or reduced-price meal, or foster youth.

(AB 908 amends Section 44395 and repeals Section 42238.053 of the Education Code.)

Senate Bill 141 – Education Omnibus Budget Trailer Bill – Amends Existing Law To Extend Reporting Deadlines Related To Various Apportionments And Apportions $10,000,000 To Establish The Diverse Education Leaders Pipeline Initiative Program And $1,500,000 To Continue Developing Curriculum For The Holocaust And Genocide Education.

Senate Bill 141 is urgency legislation that became effective following the Governor's signature. The Governor signed SB 141 on September 13, 2023. This summary includes some of the technical changes to existing Education Code Sections and the following changes:

(1) Requires the Superintendent of Instruction allocate $10 million from the apportionment made in the Budget Act of 2023 to the Commission on Teaching Credentialing to establish the Diverse Education Leaders Pipeline Initiative program. The purpose of the Diverse Education Leaders Pipeline Initiative program is to provide grants to local education agencies to train, place, and retain diverse and culturally responsive administrators for TK to 12 to improve outcomes and meet the needs of California's education workforce.

a. The bill amends the definition of "local educational agencies" to include regional occupational center or program operated by a joint powers authority or a county office of education, allows these LEAs to apply for grants.

b. The bill prohibits grant recipients from charging a sponsored candidate a fee to participate in the program.

c. Adds two additional goals of the Program as follows:

i. To build capacity and partnerships between local educational agencies, nonprofit educational service providers, and institutions of higher education to meet the needs of administrator candidates with a focus on improving outcomes for pupils and strengthening California's educator workforce.

ii. Increase quality school administrators statewide and incorporate culturally diverse practices that prove effective towards increasing local educational agency and school site leadership.

d. Amends the selection criteria to include give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the teaching workforce, have a higher percentage than other applicants of enrolled unduplicated pupils (means English learners eligible for free or reduced-price meals or foster youth) and have one or both of the following characteristics: (1) a school where 50% or more of enrolled pupils are eligible for free or reduced-price meals; (2) a school that is located in either a rural location or a densely populated region.

e. It expands the purpose for which these funds may be used for to include (1) costs, including administrative services credential clear induction program; (2) up to 5% for program administrative costs.

f. Finally, the bill adds that an administrator candidate has four years from the date they received the preliminary administrator credential to complete the two-year service requirement.

(2) Apportions for the 2023-2024 fiscal year $1.5 million from the General Fund to the Superintendent of Public Instruction for allocation to the California Teachers Collaborative for Holocaust and Genocide Education to continue its work on developing and providing curriculum resources related to genocide and Holocaust education; and providing professional development that includes educator training and Holocaust education.

(3) Until July 1, 2024, any holder of a credential or permit issued by the Commission of Teacher Credentials that authorizes the holder to substitute in a general, special, or career technical education assignment may serve in a substitute assignment within their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment.

(4) Permits the allocation of funds to the State Department of Education for the appointment of an independent panel of experts for the purpose of creating an approved list of screening instruments to

assess pupils for risk of reading difficulties.

a. The bill also extends the availability of the funds for encumbrance or expenditure through June 30, 2025.

(5) Amends existing law establishing the Literacy Coaches and Reading Specialist Grant Program (Program) to include a definition for "employ". The bill provides that "employ" means that local agency, to the extent feasible, will hire a new literacy coach, reading specialist, or both, train existing staff to become a literacy coach, or supporting existing staff in obtaining reading specialist credential or authorization. The bill also prohibits the use of the additional allocation of funds to support the salaries of existing literacy coaches and reading specialists.

(6) Provides the apportion made of $2,402,000 to support the development of an online training school site and community resources focused on strategies to support LGBTQ+ pupils is available through June 30, 2025.

(7) Exempts the Paradise Unified School District from any reduction in state support for exceeding the number of administrative employees per teacher ratio permitted under the law for the fiscal year 2021-2022 to 2023-2024.

(8) Allows the State Department of Education to use any unexpended funds it receives from the California Prekindergarten Planning and Implementation Grant Program until June 30, 2028.

(9) Allows the State Department of Education to collect from school districts, county offices of education, and charter schools principal apportionment monthly payment to recover the $1,590,595 that was reduced from the Learning Recovery Emergency Fund allocation related to the COVID-19 pandemic.

(10) Amends the existing definition of eligible local education agency that may be allocated a Local Control Funding Formula Equity Multiplier to exclude a charter school classified as a non-classroom-based charter school as of the prior fiscal year's principal apportionment certification.

(11) Exempts a local education agency (LEA) from having to operate its Expanded Learning Opportunities Program for a cumulative 9 hours (combined instructional time, recess, meals, and expanded instructional day) and for at least 30 days, to retain funding eligibility, if the LEA is temporarily prevented from operating its expanded learning program because of a school or program site closure due to emergency conditions.

(12) Reestablishes, until June 30, 2025, the requirement that an agency operating a state preschool program that 5% of funded enrollment be reserved for children with exceptional needs. The bill also provides that any agency that did not meet the requirement that 7.5% or 10% of funded enrollment be reserved for children with exceptional needs commencing July 1, 2025 to June 30, 2026, shall be eligible to be placed on a conditional contract on July 1, 2027 and July 1, 2028, respectfully.

Senate Bill 114 – Provides Certain Appropriations And Is An Education Omnibus Budget Trailer Bill.

(1) Existing law establishes a public school financing system that requires state funding for school districts, county offices of education, and charter schools to be calculated pursuant to a local control funding formula. The Superintendent of Public Instruction (Superintendent) annually calculates a county local control funding formula for each county superintendent of schools that includes, among other things, an alternative education grant and a base grant based upon average daily attendance as a component of that alternative education grant.

This bill revises the alternative education grant by, among other things, increasing the base grant component of the alternative education grant, revising the calculation of average daily attendance for purposes of the alternative education grant, and establishing a Student Support and Enrichment Block Grant, which requires the Superintendent to allocate $3,000 per unit of average daily attendance for the grant. The grant is to be used to support student enrichment purposes, including, expanding access to A-G courses, dual enrollment partnerships, elective and world language courses, vocational and career technical courses, preparation for admission into higher education institutions, mental health support services, high school completion, and access to postsecondary and career technical education for juveniles who have been detained in or committed to a juvenile hall. The bill would make these provisions applicable commencing with the 2023–24 fiscal year.

(2) Existing law, commencing with the 2018–19 fiscal year, requires the Superintendent to add specific amounts of funds to a county office of education as part of its local control funding formula. These funds are calculated based on the number and size of school districts under its jurisdiction and that are determined to be in need of differentiated assistance.

This bill increases these funds by $100,000 per school site starting in the 2023–24 fiscal year.

(3) Existing law, commencing with the 2015–16 fiscal year, requires the Superintendent to add $2,000,000 to the Los Angeles County Office of Education's local control funding formula allocation for the purpose of supporting statewide professional development and leadership training for education professionals related to anti-bias education and the creation of inclusive and equitable schools.

This bill increases the add-on by $1,000,000 to equal $3,000,000 for the 2023-2024 fiscal year.

(4) The Early Education Act requires the Superintendent to administer the California state preschool program. The act also requires the Superintendent, in consultation with the Director of Social Services and the executive director of the State Board of Education, to convene a statewide interest holder workgroup to provide recommendations on best practices for increasing access to high-quality universal preschool programs for 3- and 4-year-old children that provides equitable learning experiences across a variety of settings. The Superintendent, in consultation with the Director of Social Services, must provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than January 15, 2023.

This bill delays the reporting of those recommendations to occur no later than March 31, 2024.

(5) Existing law establishes the California Prekindergarten Planning and Implementation Grant Program as a state's early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. Existing law appropriates $300,000,000 from the General Fund to the State Department of Education (Department) in both the 2021–22 fiscal year and the 2022–23 fiscal year for allocation to local educational agencies as base grants, enrollment grants, and supplemental grants.

Instead of reverting unexpended funds, this bill would authorize the Department to allocate or prorate unexpended funds to local educational agencies for costs associated with the educational expenses of the California state preschool program, transitional kindergarten, and to increase the amount of highly qualified kindergarten professionals and provide training regarding serving inclusive classrooms and dual language learners.

(6) Existing law establishes the After School Education and Safety Program under which participating public schools receive grants to operate before and after school programs serving pupils in kindergarten or any of grades 1 to 9, inclusive. Existing law authorizes specified entities to apply for grants under the After School Education and Safety Program, including local educational agencies and cities, counties, and nonprofit organizations in partnership with, and with the approval of, a local educational agency.

This bill requires a local educational agency that contracts with a third party to operate before and after school programs to require the third party to (A) notify the local educational agency of any health- or safety-related issues, as specified, and (B) to request from parents or guardians pupil health information, as provided.

(7) Existing law, the California School Finance Authority Act, authorizes a school district, charter school, county office of education, or community college district that utilizes funding from the California School Financing Authority for a project or of working capital in connection with securing financing or refinancing of projects, or working capital (a participating party), to elect to guarantee or provide for payment of the bonds and related obligations. Existing law requires participating parties to, among other things, elect to participate by an action of its governing board and provide written notice to the Controller. Existing law authorizes school districts and county offices of education with qualified or negative financial certifications, to intercept payments only for short-term financings.

This bill authorizes participating parties to elect to participate in a local intercept by sending a request to the county treasurer or other appropriate county fiscal officer. If the county agrees to participate, the county treasurer or other county fiscal officer must make an apportionment or revenue transfer. This bill would limit the authorization of School districts and county offices of education with qualified or negative financial certifications and may only participate under this section to intercept payments for indebtedness for which the Superintendent determines repayment is probable.

(8) Existing law establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program under the administration of the State Allocation Board, to provide one-time grants to school districts to, among other things, construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms. Existing law appropriates, during specific fiscal years, specified sums of money to the board to provide the grants.

This bill appropriates an additional five hundred fifty million dollars ($550,000,000) in the 2024–25 fiscal year

from the General Fund to the State Allocation Board to provide one-time grants. The funds will be available to the State Allocation Board until June 30, 2030.

(9) Existing law creates the Learning Recovery Emergency Fund in the State Treasury in order to provide appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. Existing law appropriates $7,936,000,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. Existing law requires the Superintendent of Public Instruction to allocate these appropriated funds to school districts, county offices of education, and charter schools to be used for learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery, and staff and pupil social and emotional well-being. Existing law requires local educational agencies receiving these allocations to report interim expenditures to the Department by December 1, 2024, and December 1, 2027, and to submit a final report no later than December 1, 2029.

This bill reduces the appropriation by $1,590,595,000 to instead be $6,345,405,000. Local educational agencies receiving these allocations are required to report interim expenditures to the Department by December 15, 2024, and annually thereafter, and to submit a final report on expenditures by December 15, 2029.

(10) Existing law requires a school district to use its uniform complaint process to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Under existing law, a complaint related to teacher misassignment includes claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20% of English learner pupils in the class.

This bill establishes that a teacher misassignment claim, instead includes a claim that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learner pupils in the class. To the extent this imposes new obligations on school districts, the bill would impose a state-mandated local program.

(11) Existing law requires the Controller to create an audit guide that includes, among other things, instructions for procedures to determine if there any unspent funds associated with the completion of a Charter School Facilities Program project, a Career Technical Education Facilities Program project, or a project where the local educational agency received hardship funding.

This bill deletes the requirements that the Controller's audit guide include instructions for procedures to determine if there are any unspent funds associated with the completion of a Charter School Facilities Program project, a Career Technical Education Facilities Program project, and a project where the local educational agency received hardship funding that must either be returned to the Office of Public School Construction or expended consistent with the requirements pursuant to Section 1859.103 of Title 2 of the California Code of Regulations.

(12) Beginning in the years 1990-91, the State allocated money for the support of school districts, community college districts, and direct elementary and secondary level instructional services distributed it in accordance with certain calculations governing the proration of those moneys among each if the three segments of public education. Existing law makes that provision inapplicable from 1992–93 through the 2022–23 fiscal year.

This bill also makes that provision inapplicable from 1992–93 through the 2023–24 fiscal year.

(13) Beginning with the 2022–23 fiscal year, the Superintendent must apportion a transportation allowance equal to 60% of the home-to-school transportation expenditures to a school district or county superintendent of schools that provides transportation. The amount is based on its Function 3600 entry in the Standardized Account Code Structure report for the prior year, excluding capital outlay and non-agency expenditures, and reduced by the amount of a school district's or county superintendent of schools' transportation add-on under the local control funding formula, as adjusted. In order to receive these apportionments, local educational agency must develop a plan describing the transportation services it will offer to its pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income, among other requirements related to this plan.

Additionally, a school district may convert all of its schools to charter schools if it meets certain specified requirements and both the Superintendent and the State Board of Education approve its petition.

This bill makes the transportation funding provisions inapplicable to a school district with an approved districtwide charter petition.

(14) Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grants that are based on the percentage of unduplicated pupils, served by the county superintendent of schools, school district, or charter school. For purposes of the local control funding formula, existing law defines unduplicated pupil to mean a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth.

This bill annually appropriates $300,000,000 from the General Fund to the Superintendent of Public Instruction for allocation for the Local Control Funding Formula "Equity Multiplier" apportionment, beginning in the 2023-24 fiscal year. The Local Control Funding Formula Equity Multiplier provides additional funding to local educational agencies (LEAs) for allocation to school sites with prior year "nonstability rates" greater than 25 percent and prior year "socioeconomically disadvantaged pupil" rates greater than 70 percent. The nonstability rate is the percentage of pupils who are either enrolled for less than 245 continuous days between July 1 and June 30 of the prior school year, or exited from a school between July 1 and June 30 of the prior school year due to either truancy, expulsion, or for unknown reasons and without stable enrollment at another school. Socioeconomically disadvantaged pupil rate means the percentage of pupils that meet any of the following criteria for the prior school year:

(A) Neither of the pupil's parents has a high school diploma.

(B) The pupil is eligible for free or reduced-price meals under the federal National School Lunch Program, including by direct certification.

(C) The pupil is a migratory child for purposes of Part C (commencing with Section 6391) of Subchapter I of Chapter 70 of Title 20 of the United States Code.

(D) The pupil is a homeless child or youth.

(E) The pupil is a foster youth.

(F) The pupil is enrolled in a county juvenile court school.

These LEAs will receive allocations for evidence-based services and supports for pupils, with a demonstration of how the resulting services and supports are increased or improved in comparison to services and supports that would have been provided at the school sites if the funding were not provided. These funds must supplement, not supplant, funding provided for these school sites for purposes of the local control funding formula, the Expanded Learning Opportunities Program, the Literacy Coaches and Reading Specialists Grant Program, and the California Community Schools Partnership Act.

(15) Existing law requires a school employer, as defined, to notify an employee when a wage overpayment has been made to the employee and provide an opportunity to respond before commencing recoupment actions. Reimbursement may be made through one of methods specified in Education Code section 42024.8 mutually agreed to by the employee and the employer. Any installment amounts deducted from payment of wages may not exceed 25% of the employee's net disposable earnings. Any administrative action recovering an overpayment must be initiated within 3 years from the date of overpayment.

This bill requires the school employer to notify the school employee in writing of an overpayment and the right to require the school employer get a court order or binding arbitration award if the employee disputes the amount of the overpayment. If counsel supplied by the exclusive representative represents the employee, Government Code Section 3543.8 applies to the litigation.

This bill provides that installment payments may not be less than the amount of the pay periods in which the error occurred and thus this bill deletes the authorization for a school employer to require full repayment through payroll deductions for overpayments that have occurred for more than one year. The bill also provides that if these provisions conflict with a memorandum of understanding, and it was in effect on July 31, 2022, the memorandum of understanding controls until its expiration or renewal.

(16) Existing law requires the Commission on Teacher Credentialing (Commission), among other duties, to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the Commission to administer the State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring. Existing law requires the Commission and the State Department of Education to enter into a data sharing agreement to provide the commission with employee assignment data necessary to identify misassignments and vacant positions at local educational agencies. Existing law authorizes the Commission to promulgate regulations that define standards and sanctions for a local educational agency that consistently misassigns employees. Existing law requires the Superintendent to identify schools that the county superintendent, or a designee, must inspect annually and submit an annual report that describes the state of schools in the county, as provided. To

identify the schools, the Superintendent must identify schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential.

This bill requires the Department to provide the Commission with educator assignment data necessary to annually identify educator assignments, including assignments filled by individuals on preliminary or clear credentials, intern credentials, permits or waivers, misassignments, and vacant positions at local educational agencies. The bill would also require the Commission to ensure local educational agencies have access to the results of the accountability system's process of assignment monitoring, publish annual certificated educator assignment data that reflects the level of preparation and licensure of educators serving California pupils, and support the department in providing annual updates that provide comprehensive information on teaching assignment outcomes inclusive of all educator classifications at the schoolsite, school district, and county level. The bill would exempt alternative schools from the list of schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. To the extent that this bill would create new duties for county superintendents of schools and local educational agencies, it would constitute a state-mandated local program.

This bill requires the Commission, by September 30, 2023, to examine and determine how it can ensure that the Commission reviews all transcripts for all candidates requiring determinations of basic skills or subject matter competence in order to complete their credentialing requirements. By November 15, 2023, the Commission must provide its recommendations on ways in which it can provide efficient transcript review to the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or the director's designee, and the Director of Finance.

(17) Existing law requires all fees the Commission levies and collects be deposited in the Teacher Credentials Fund and prohibits those fees from being transferred to any other fund. Additionally, all fees the Commission collects for tests, examinations, or assessments be deposited in. Existing law also establishes the Test Development and Administration Account in the Teacher Credentials Fund. Department of Finance must recommend a reduction in credential or other fees if, at the beginning of any fiscal year, the Commission has surplus funds.

Beginning July 1, 2023, all fees the Commission collects for tests, examinations, or assessments must be deposited in the Teacher Credentials Fund instead and the Department of Finance will exempt these fees from the requirements related to fee reductions when the commission has surplus funds. These funds must be expended for the development, agency support, maintenance, or administration of tests or other assessments established, required, or administered by the commission, unless otherwise authorized by the Legislature. As part of the budget review process, the Department of Finance will annually recommend an appropriate credential fee sufficient to generate revenues necessary to support the operating budget of the commission plus a prudent reserve to the Legislature.

(18) Existing law establishes that a preliminary teaching credential shall be valid for five years, pending completion of the clear credential program. The Commission must grant or deny a completed application for a credential within seven days of the date that the commission received the application if the applicant supplies the commission with evidence that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and holds a valid teaching credential in another state, district, or territory of the United States.

This bill requires the Commission to issue a comparable preliminary credential to any United States military service member or their spouse or domestic partner, or a surviving spouse or domestic partner of a service member who died while serving as an active duty member of the Armed Forces of the United States in the previous 12 months, who, among other things, possesses and provides proof of a valid, out-of-state, unexpired, professional-level credential. The credential issued under these provisions is only valid for the duration of those military orders not for more than three years.

Existing law requires the satisfactory completion of a program of professional preparation that includes a teaching performance assessment as a minimum requirement for a preliminary multiple subject, single subject, or education specialist teaching credential.

This bill requires the commission exempt preliminary multiple subject credential candidates and preliminary single subject credential candidates who received a waiver under the Governor's emergency orders from the requirement, and any accompanying regulations, to complete a teaching performance assessment if the candidate completes a commission-approved

induction program and two years of service with satisfactory teacher evaluations on or before June 30, 2025.

(19) Existing law establishes the Teacher Residency Grant Program and appropriates funds from the General Fund to the Commission to make one-time grants of up to $25,000 per residency candidate if the candidate agrees to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate for at least four school years.

This bill requires a residency candidate to instead agree to serve in any public school in California for at least four school years. The bill would increase the amount of the grants to instead be up to $40,000 per residency candidate.

(20) Existing law establishes the Expanded Learning Opportunities Program and authorizes a local educational agency that elects to operate an expanded learning opportunity program to operate a before school component of a program, an after school component of a program, or both, and requires the local educational agency to comply with specified requirements, including the development of a program plan.

This bill, among other things, exempts school districts from licensing requirements for purposes of the program if the expanded learning opportunity program is operating a child daycare facility directly, but not if a third party is operating the facility. The Superintendent, in consultation with the State Department of Social Services, must establish a process and a timeline for local educational agencies that contract with third-party providers to operate expanded learning opportunity programs at a location other than a local educational agency's school campus and California state preschool program providers must annually submit program access information to the State Department of Education. The Superintendent, in consultation with the State Department of Social Services, must submit a report to the relevant fiscal and policy committees of the Legislature relating to these provisions.

Existing law requires the Superintendent to allocate funding for the program and authorizes a charter school or school district to expend the funds from the 2021–22 and 2022–23 fiscal years, and, for the 2022–23 fiscal year, authorizes those local educational agencies to expend the funds received from the Superintendent from the 2022–23 and 2023–24 fiscal years.

The bill authorizes charter schools and school districts, for the 2021–22 fiscal year, to instead expend or encumber the funds from the Superintendent from the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive, and, for the 2023–24 fiscal year, would authorize those local educational agencies to instead expend or encumber the funds received from the Superintendent from the 2022–23 and 2023–24 fiscal years.

(21) For purposes of state apportionments, if the average daily attendance of a school district, county office of education, or charter school materially decreases during a fiscal year because of an emergency, existing law requires the Superintendent to estimate the average daily attendance in a manner that credits to the school district, county office of education, or charter school the total average daily attendance that would have been credited had the emergency not occurred. The Superintendent must make specified calculations for purposes of state apportionments to a school district, county office of education, or charter school affected by the state of emergency declared by the Governor in November 2018. For the 2020–21 fiscal year for school districts, the Superintendent is required to calculate the difference between the school district's certified second principal apportionment local control funding formula entitlement in the 2020–21 fiscal year and the 2019–20 fiscal year and, if there is a difference, to allocate the amount of that difference to the school district, and for the 2021–22 fiscal year, the Superintendent must allocate an amount equal to 25% of the difference calculated by the Superintendent for the 2020–21 fiscal year. Existing law continuously appropriates the amounts necessary to provide those apportionments.

This bill requires the Superintendent, for the 2022–23 fiscal year for school districts, to make an appropriation equal to 12.5% of the difference calculated by the Superintendent for the 2020–21 fiscal year.

(22) Existing law provides for the funding of necessary small schools and high schools that must include various specified amounts per pupil and teacher for different tiers of numbers of pupils and teachers. If a school district had a school eligible for necessary small school funding and was destroyed as a result of a state of emergency that was declared by the Governor in August 2021, the district is authorized to continue to report the amount of attendance generated by pupils enrolled in another school of the school district that would have otherwise attended the destroyed school, and the number of full-time teachers employed by the school district that would have otherwise provided instructional services at the school, as if the school were operational in the 2021–22 and 2022–23 fiscal years. Existing law requires those schools to be considered a necessary small school for these purposes for the 2022–23 fiscal year.

This bill extends the applicability of those provisions to the 2023–24 fiscal year.

(23) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. As a condition of receipt of apportionment for pupils in a transitional kindergarten program, school districts or charter schools must, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms, contingent upon an appropriation of funds and contingent upon assigning credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have met one of designated criteria by August 1, 2023. The Superintendent is required to withhold a school district's or charter school's entitlements if a school district or charter school fails to comply with these, and other, requirements starting the 2022–23 school year.

This bill delays the start of the above requirements until the 2025–26 school year. Additionally, the appropriation of funds is not contingent upon meeting these requirements. The bill would delay until August 1, 2025, the deadline for a credentialed teacher first assigned to a transitional kindergarten classroom after July 1, 2015, to meet the criteria referenced above, and removes the requirement for the Superintendent to withhold entitlements.

Existing law authorizes a school district or charter school to, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the applicable cutoff date but during that same school year with parent permission.

Notwithstanding that provision, this bill authorizes a school district or charter school to enroll an early enrollment child in a transitional kindergarten program if specified conditions are met, including, among others, that any classroom that includes an early enrollment child maintains an adult-to-pupil ratio of at least one adult to every 10 pupils, and would penalize a school district or charter school that fails to meet at least one of certain requirements, as provided. Under the bill, a school district or charter school who admits an early enrollment pupil may not generate average daily attendance or include the pupil in the enrollment or unduplicated pupil count until the pupil has attained their fifth birthday. For the 2023–24 and 2024–25 school years, a school district or charter school that offers transitional kindergarten to early enrollment pupils is required to concurrently offer enrollment in a California state preschool program that is operated by the school district or charter school if it operates such a program and that program is not fully subscribed, and would authorize the school district or charter school to enroll an early enrollment child in the program, regardless of income, after all other eligible children have been enrolled. School districts and charter schools that serve early enrollment children in transitional kindergarten are required to report specified information to the State Department of Education for the 2023–24 and 2024–25 school years.

(24) Existing law authorizes the governing board of a school district or a County Board of Education to request the state board to waive all or part of specified education laws or regulations adopted by the state board, as provided, with exceptions. Existing law establishes provisions relating to transitional kindergarten and kindergarten admission.

This bill prohibits the State Board from waiving the transitional kindergarten classroom enrollment, class size, and student to adult ratio requirements.

(25) The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools. Existing law authorizes a charter school to appeal a school district's decision to deny a charter petition to the County Board of Education and, if the County Board of Education upholds the school district's decision, to appeal the county decision to the State Board of Education. The State Board may reverse those decisions only if it determines that the governing board of the school district or the County Board of Education abused its discretion by denying the charter petition.

This bill instead authorizes the state board to reverse those decisions only upon a determination that there was an abuse of discretion by both the school district and the County Board of Education.

Existing law authorizes a chartering authority to renew the approval of a charter school petition under specified procedures. Existing law requires all charter schools whose term expires on or between January 1, 2022, and June 30, 2025, inclusive, to have their term extended by two years.

This bill also requires all charter schools whose term expires on or between January 1, 2024, and June 30, 2027, inclusive, to have their term extended by one additional year. By imposing new duties on local educational agencies acting as chartering authorities, this bill would impose a state-mandated local program.

Existing law prohibits, from January 1, 2020, to January 1, 2025, inclusive, the approval of a petition for the establishment of a new charter school offering non-classroom-based instruction. A charter school may only receive funding for non-classroom-based

instruction if the state board makes a determination to fund the school.

This bill extends the prohibition on approving a petition for the establishment of a new charter school offering non-classroom-based instruction by one year to instead be until January 1, 2026. The bill would require the Legislative Analyst's Office and the County Office Fiscal Crisis and Management Assistance Team to report to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the State Department of Education, and the executive director of the state board on the processes used to determine funding for non-classroom-based charter schools no later than March 1, 2024.

Existing law provides that a charter school that is operating under a chartering authority other than the chartering authority that originally granted its charter petition and that meets certain requirements as a continuing charter school by the State Department of Education is not eligible for funding as a new charter school. Existing law defines an acquiring charter school as a state charter school site deemed a continuing charter school that has wholly combined with one or more other affected state charter school sites. Under existing law, on July 1, 2025, a charter school meeting the definition of an acquiring charter school is no longer regarded as a continuing charter school, as provided.

This bill extends the date at which a charter school meeting the definition of an acquiring charter school would no longer be regarded as a continuing charter school by one year to instead be July 1, 2026.

(26) Existing law requires county boards of education to provide for the administration and operation of juvenile court schools by the county superintendent of schools or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located, as provided. The administrator and operator are encouraged to enter into a memorandum of understanding or equivalent mutual agreement with the county chief probation officer to support a collaborative process for meeting the needs of wards of the court who are receiving their education in juvenile court schools. Those agreements may include, among other things, a joint process for performing an intake evaluation for each ward to determine the ward's educational needs and ability to participate in all educational settings once the ward enters the local juvenile facility and requires that process to recognize the limitations on academic evaluation and planning that can result from short-term placements.

If a memorandum of understanding or equivalent mutual agreement is agreed to as described above, the bill would require that memorandum of understanding or equivalent mutual agreement to require the joint intake to take place within 2 business days, or under extraordinary circumstances up to 5 business days, of the ward entering the local juvenile facility. Additionally, the memorandum of understanding or equivalent mutual agreement must include a transition plan for when the ward reenrolls at a local educational agency postplacement that would be required to be transferred to the postplacement local educational agency within 2 business days of the youth being enrolled in the postplacement local educational agency.

The bill also requires the Department of Education to annually report specified information relating to pupils in juvenile court schools on its internet website and to enter into a contract for an independent evaluation and provide a report regarding county juvenile court schools and county community schools, as provided on or before November 1, 2025. The bill would require the Superintendent to convene a workgroup on meeting the needs of pupils with disabilities who enroll in juvenile court schools operated by county offices of education. The bill would require the department to submit a report with the workgroup's findings and recommendations to the relevant policy and budget committees of the Legislature, the state board, and the Department of Finance on or before February 25, 2025.

Existing law requires a county probation department to ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall or a juvenile ranch, camp, or forestry camp have access to, and can choose to participate in public postsecondary academic and career technical courses and programs offered online, and for which they are eligible. Existing law encourages county probation departments to develop other educational partnerships with local public postsecondary campuses, as is feasible, to provide programs on campus and onsite at the juvenile hall or a juvenile ranch, camp, or forestry camp.

This bill requires county probation departments to collaborate with a county office of education, and in partnership with the California Community Colleges or the California State University, or in voluntary partnership with the University of California to provide access to public postsecondary academic and career technical courses and programs offered online, and for which they are eligible. The bill would also apply these provisions to juveniles who are detained in, or committed to, secure youth treatment facilities. To the extent the bill imposes additional duties on local agencies, the bill would impose a state-mandated local program.

(27) Existing law authorizes a public or private elementary or secondary school to determine whether to provide emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at the school, and to designate one or more volunteers to receive related training to address an opioid overdose, as specified.

Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, this bill would appropriate $3,500,000 from the General Fund to the State Department of Education for allocation to county offices of education for the purpose of purchasing and maintaining a sufficient stock of emergency opioid antagonists for school districts and charter schools within their jurisdiction to maintain a minimum of two units at each middle school, junior high school, high school, and adult school site. The Department is authorized to allocate up to $350,000 of those funds to county offices of education for administrative costs to coordinate, maintain stock, and distribute emergency opioid antagonists. As a condition of receipt of these funds, county offices of education must coordinate the purchase of and maintain a stock of emergency opioid antagonists.

(28) Existing law requires a school district or county superintendent of schools maintaining kindergarten or any grades 1 to 12, inclusive, to provide two school meals free of charge during each school day to each pupil who requests a meal regardless of whether the pupil is eligible for a federally funded free or reduced-price meal. Existing law requires the State Department of Education to reimburse local educational agencies that participate in the federal School Breakfast Program and National School Lunch Program for all expenses accrued in providing United States Department of Agriculture reimbursable meals to pupils that are not reimbursed.

This bill instead requires the Department of Education to provide reimbursement to school districts, county offices of education, and charter schools that participate in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils. The Department will reimburse the local educational agency per-meal and reimbursement shall not exceed the difference between the federal Department of Agriculture rates and state contribution established pursuant to Education Code Section 49559.

(29) Existing law requires a local educational agency to exempt an individual with exceptional needs from all coursework and other requirements that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3 and shall award the pupil a diploma of graduation from high school.

This bill specifies that the exemption only applies to an individual with exceptional needs who entered the ninth grade in the 2022–23 school year or later and only after meeting all of the statewide coursework requirements for high school graduation.

(30) Existing law requires the Student Aid Commission and the Department to facilitate students completing the Free Application for Federal Student Aid and the form established pursuant to Education Code section 69508.5 used for purposes of obtaining state financial aid for California Dream Act students (California Dream Act Application). Local educational agencies must confirm that pupils in grade 12 that have completed and submitted the Free Application for Federal Student Aid and the California Dream Act Application.

This bill requires the Student Aid Commission to provide the California College Guidance Initiative with the discrete data necessary to inform educator reports available through a specified internet website so that educators can ensure that each individual pupil has successfully completed and submitted their Free Application for Federal Student Aid or California Dream Act Application.

(31) Existing law requires the State Board of Education to adopt a template for a local control and accountability plan (LCAP) on or before March 31, 2014 and an annual update to the LCAP for use by school districts, county boards of education, and charter schools. The template adopted by the State Board must include certain information, including, among other things, a summary of the stakeholder engagement process.

This bill requires a summary of the stakeholder engagement process, including stakeholders at schools generating Local Control Funding Formula Equity Multiplier funding (see paragraph 15, above), and describing how stakeholder engagement influenced the development of the LCAP.

Existing law requires the state board to include instructions for school districts, county offices of education, and charter schools to complete the LCAP and annual update to the LCAP.

This bill requires these instructions to specify that, starting with the 2024-25 LCAP, school districts, county offices of education, and charter schools describe specific actions in the LCAP they will take when a school or pupil group within a local educational agency, or a pupil group within a school, received the lowest performance level on one or more

state indicators on the California School Dashboard. For local educational agencies receiving Local Control Funding Formula Equity Multiplier funding, the instructions shall specify that the local education agency must identify focused goals that address pupil groups that have the lowest performance level on one or more indicators on the California School Dashboard for each school generating that funding and any underlying issues in the credentialing, subject matter preparation, and retention of the school's educators, if applicable. By creating new requirements involving the template used by local educational agencies, the bill would impose a state-mandated local program.

(32) Existing law requires each school district, county office of education, and charter school, on or before July 1, 2019, and each year thereafter, to develop a summary document known as the local control funding formula budget overview for parents.

This bill requires for county offices of education that the local control funding formula budget overview for parents to additionally and separately address county office of education add-on funding provided for purposes of juvenile court schools, funding provided for county community schools, and for the Student Support and Enrichment Block Grant, as specified. By imposing additional duties on county office of education officials, the bill would impose a state-mandated local program.

Existing law, on or before July 1, 2015, and each year thereafter, requires the governing body of a charter school to hold a public hearing to adopt an LCAP using a template adopted by the state board. Existing law requires the governing body of a charter school to update the goals and annual actions to achieve those goals identified in the charter petition, as provided, using the template for the LCAP and annual update to the LCAP adopted by the state board, as provided.

This bill requires a charter school to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school. The report must include the outcome of the metrics data that is related to metrics identified in the current year's LCAP and the midyear expenditure and implementation data on all actions identified in the current year's LCAP.

Existing law requires the superintendent of the school district or the county superintendent of schools present the LCAP or annual update to the LCAP to the parent advisory committee for review and comment before a governing board of a school district or a County Board of Education considers the adoption of an LCAP or an annual update to the plan.

This bill additionally requires the superintendent of a school district or the county superintendent of schools to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district or the County Board of Education before a governing board of a school district or a County Board of Education considers the adoption of an LCAP or an annual update to the plan. The report must include the outcome of the metrics data that is related to metrics identified in the current year's LCAP and the midyear expenditure and implementation data on all actions identified in the current year's LCAP.

The bill requires the superintendent of the school district or the county superintendent of schools to present the LCAP or annual update to the LCAP instead to any applicable advisory committee, including the parent advisory and English learner parent advisory committee, for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the parent advisory committee.

By requiring local educational agencies and officials to present this new report on or before February 28 of each year and to any applicable advisory committee, the bill would impose a state-mandated local program.

(33) Existing law requires the single multiple measures public school accountability system authorized by the provisions requiring the state board to adopt evaluation rubrics, to measure the overall performance of numerically significant pupil subgroups in schools, including charter schools, school districts, and county offices of education, as provided. Existing law includes within these numerically significant pupil subgroups, among others, English learners.

This bill includes English learners and, separately, long-term English learners (defined as a pupil who has not attained English language proficiency within five years of initial classification) as an English learner for this purpose. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(34) Existing law requires the state board to, on or before October 1, 2016, adopt evaluation rubrics for certain purposes, including, among others, to assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

This bill requires the public reporting of performance data indicators on the California School Dashboard to be completed on or before the following dates for the prior school year:

(A) December 15, 2023.

(B) December 1, 2024.

(C) November 15, 2025.

(D) October 15, 2026, and October 15 of each year thereafter.

This bill requires the timelines associated with data collection through the California Longitudinal Pupil Achievement Data System to be adjusted to support these public reporting dates. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(35) Existing law requires the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the governing board of the school district.

This bill requires the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the county superintendent of schools. By creating new duties for superintendents of school districts, the bill would impose a state-mandated local program.

Existing law requires a county superintendent of schools to prominently post on the homepage of the County Office of Education's internet website any LCAP approved by the County Board of Education, as specified.

This bill requires a county superintendent of schools to prominently post on the homepage of the County Office of Education's internet website any LCAP approved by the Superintendent of Public Instruction. By creating new duties for county superintendents, the bill would impose a state-mandated local program.

(36) Existing law requires a county superintendent of schools to prepare a summary of how the county superintendent plans to support school districts and schools within the county in implementing LCAPs and to present the summary to the County Board of Education. Existing law requires a county superintendent of schools to submit the summary with its LCAP annually. Under existing law, the above-mentioned requirements do not apply to a county superintendent of schools with jurisdiction over a single school district.

This bill requires a county superintendent of schools with jurisdiction over a single school district to comply with those provisions. By creating new requirements for a county superintendent of schools with jurisdiction over a single school district, the bill would impose a state-mandated local program.

(37) Existing law requires a county superintendent of schools to approve an LCAP or annual update to an LCAP adopted by the governing board of a school district, and requires the Superintendent of Public Instruction to approve an LCAP or annual update to an LCAP adopted by the County Board of Education, if the plan or annual update adheres to and follows any instructions or directions for completing the template adopted by the state board.

This bill requires school districts and county offices of education needing technical assistance to include in the LCAP or annual update to an LCAP a description of the actions and services implementing the work related to technical assistance for improving outcomes of the pupil group(s) to meet specified criteria within the school district or county office of education. To the extent the bill would impose additional duties on school districts and county offices of education, the bill would impose a state-mandated local program.

(38) Existing law requires a county superintendent of schools to provide technical assistance: if the governing board of a school district requests technical assistance; if the county superintendent of schools does not approve an LCAP or annual update to the LCAP approved by a governing board of a school district; or for any school district for which one or more specified pupil subgroups meets certain performance criteria.

This bill requires the county superintendent of schools provide at least two years of technical assistance to any school district where one or more subgroup (ethnic subgroup, socioeconomically disadvantaged pupils, English learners and, separately, long-term English learners, pupils with disabilities, foster youth, and homeless youth) who meet the criteria the State Board of Education has identified as requiring technical assistance. The technical assistance shall be focused on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs, including assisting the school district to identify its strengths and weaknesses in regard to the state priorities, and to identify pupil subgroups that are low performing or experiencing significant disparities from other pupil subgroups as identified on the California School Dashboard. The county superintendent shall work collaboratively with the school district to secure assistance from an academic, programmatic, or fiscal expert or team of

experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the school district.

The bill requires the county superintendent of schools provide technical assistance for any school district that fails to submit specified data to the department, as provided. For any school district where one or more subgroup who meets the criteria the State Board of Education has identified as requiring technical assistance for three or more consecutive years, the school district's geographic lead agency (established pursuant to Education Code Section 52073), shall, in collaboration with the County Superintendent of Schools, provide technical assistance to the school district. The geographic lead agency shall evaluate whether the assistance of one or more expert lead agencies should be consulted as part of the technical assistance process.

(39) Existing law requires the Superintendent of Public Instruction, if the Superintendent does not approve an LCAP or annual update to the LCAP approved by the County Board of Education, if the County Board of Education requests technical assistance, or for any county office of education where one or more subgroup (ethnic subgroup, socioeconomically disadvantaged pupils, English learners and, separately, long-term English learners, pupils with disabilities, foster youth, and homeless youth) meets the criteria of the State Board of Education to provide technical assistance.

This bill requires the superintendent, for any county office of education for which one or more specified pupil subgroups meets the certain performance criteria, provide technical assistance for a minimum of 2 years. The bill would require the superintendent to provide technical assistance for any county office of education that fails to submit specified data to the department.

(40) Existing law establishes the California Collaborative for Educational Excellence for the purpose of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in an LCAP.

The bill requires, by March 1, 2024, the California Collaborative for Educational Excellence and the department to select, subject to approval by the executive director of the state board local educational agencies, or a consortium of local educational agencies, to serve as Equity Leads to support local education agencies in the goal of pupil performance improvement, address the achievement gaps between pupil subgroups as described in Section 52052, and improve outreach and collaboration with stakeholders. The bill prescribes the competitive process for selecting Equity Leads and for the Equity Leads to demonstrate the capacity to work collaboratively with the California Collaborative for Educational Excellence, the department, and other lead agencies in the system to advance the purpose of the statewide system of support. The Equity Leads will partner with other subject matter experts across the state to develop and disseminate resources on effective practices for analyzing programs, identify barriers and opportunities, and implement actions and services to meet the identified needs of all pupils. The focus will address racial disparities and historical racial inequalities in California currently impacting pupils, as demonstrated in past policies related to segregation, immigration, education, public safety, and incarceration, as well as to understand and utilize the local control and accountability plan for strategic planning. The Equity Leads shall be responsible for partnering with the local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding to analyze programs, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding in developing and implementing similar-based programs and supports. The bill commences with the 2023–24 fiscal year, appropriate two million dollars ($2,000,000) from the General Fund to be awarded to local educational agencies serving as Equity Leads.

(41) Existing law requires a school district, county office of education, or charter school that requests the advice and assistance of the California Collaborative for Educational Excellence to reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

This bill provides that only a school district, county office of education, or charter school that is eligible for certain technical assistance pursuant to Education Sections 52071, 52071.5, or 47607.3 to request the advice and assistance of the California Collaborative for Educational Excellence. The bill additionally authorizes the County Office Fiscal Crisis and Management Assistance Team to request the advice or assistance of the California Collaborative for Educational Excellence. The County Office Fiscal Crisis and Management Assistance Team would be required to reimburse the California Collaborative for Educational Excellence for the cost of those services.

(42) Existing law authorizes the Superintendent of Public Instruction, subject to the approval of the state board, to identify county offices of education and school districts in need of intervention if the county office of education or school district, in three out of four consecutive school years, meets specified criteria and the California Collaborative for Educational Excellence has provided advice and assistance to the county office of education or school district. Existing law authorizes the Superintendent, in those cases where a county

office of education or school district has been identified as needing intervention to, among other things, make changes to the LCAP and develop and impose a budget revision.

This bill revises and recasts those provisions by creating two separate intervention processes, as provided. The bill would first require the California Collaborative for Educational Excellence, in consultation with certain providers of technical assistance and the school district or the County Office of Education, as applicable, to determine if assistance from the California Collaborative for Educational Excellence is necessary. The bill authorizes the Superintendent, subject to the approval of the State Board, to identify county offices of education and school districts in need of intervention. The Superintendent will intervene where the California Collaborative for Educational Excellence determines that the school district has either failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or that the inadequate performance of the school district is so persistent or acute as to require intervention by the Superintendent. By creating new duties for school districts and county offices of education in relation to their collaboration with the California Collaborative for Educational Excellence, the bill would impose a state-mandated local program.

(43) Existing law establishes the Community Engagement Initiative Expansion. For the 2022–23 fiscal year to the 2026–27 fiscal year, inclusive, existing law requires a selected lead agency to convene 30 community engagement professional learning networks, and requires these teams to be willing to partner with other communities and school districts on improving community engagement.

This bill requires a partnership pursuant to those provisions to include providing fiscal support to partner organizations to support their capacity for meaningful collaboration and implementation of the Community Engagement Initiative.

(44) Existing law establishes the Bilingual Teacher Professional Development Program, administered by the department in consultation with the Commission on Teacher Credentialing, for teachers seeking to provide instruction in bilingual and multilingual settings. Existing law provides that the purpose of the grant program is to ensure that California can meet the demand for bilingual teachers necessary for the implementation of dual language and other bilingual education programs. Existing law requires the State Department of Education to issue a minimum of five grants to applicants through a competitive process and to allocate grant funding to eligible local educational agencies for purposes of providing professional development services to teachers or paraprofessionals.

This bill provides that it is also the purpose of the grant program to increase bilingual teachers in languages such as Spanish, Vietnamese, Mandarin, Cantonese, Tagalog, and Arabic classrooms and other languages. The bill, among other things, requires the Department to meet quarterly with grant recipients to share promising practices and resources, and to resolve issues of implementation. The bill would, for the 2023–24 fiscal year, appropriate $20,000,000 from the General Fund to the Superintendent for purposes of the program, to be available for grants totaling $4,000,000 each fiscal year, from the 2023–24 fiscal year to the 2027–28 fiscal year, inclusive, and would require grant recipients of those funds to provide, by July 1, 2026, a preliminary report, and, by January 1, 2029, a final report, of specified information to the department, as provided.

(45) Existing law requires the Superintendent to develop program guidelines for dyslexia screening to be used to assist regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, as provided.

This bill requires the state board to appoint an independent panel of experts on or before January 31, 2024, to create an approved list of screening instruments for assessing pupils in kindergarten and grades 1 and 2 for risk of reading difficulties. The bill would require the panel to approve the list of screening instruments on or before December 31, 2024, and would require the governing board or body of a local educational agency serving pupils in kindergarten or grades 1 or 2 to adopt one or more screening instruments from the list the panel of experts creates on or before June 30, 2025. The bill would require a local educational agency serving pupils in kindergarten or grades 1 or 2 to, commencing no later than the 2025–26 school year, and annually thereafter, assess each pupil in those grades using the adopted screening instrument. Screening results shall be used as a flag for potential risk of reading difficulties, not as a diagnosis of a disability. If the screening identifies a pupil as being at risk of having reading difficulties, the local educational agency shall provide the pupil with supports and services appropriate to the specific challenges identified by the screening instrument and other pertinent information about the pupil, which may include:

1. Evidence-based literacy instruction focused on the pupil's specific needs.

2. Progress monitoring.

3. Early intervention in the regular general education program.

4. One-on-one or small group tutoring.

5. Further evaluation or diagnostic assessment.

By imposing additional requirements on local educational agencies, this bill would create a state-mandated local program. The bill appropriates $1,000,000 to the Superintendent for the state board to appoint the panel for creating an approved list of screening instruments.

(46) Existing law requires each special education local plan area to administer local plans, as provided. Existing law prohibits the governing board of a school district, from July 1, 2020, to July 1, 2024, inclusive, from electing to submit a local plan for the education of all individuals with exceptional needs residing in the district for creating a single district special education local plan area, as provided.

This bill extends that prohibition by two years until July 1, 2026. The bill requires the Superintendent to post all local plans submitted by each special education local plan area on the department's internet website.

Existing law requires, commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent to determine the base grant funding for each special education local plan area, as provided.

This bill requires, for the 2023–24 fiscal year, each special education local plan area to allocate special education funding to all of its member local educational agencies an amount that is at least equal to the total sum of base grant funding allocated to all of its member local educational agencies in the 2022–23 fiscal year multiplied by the sum of one plus a certain inflation factor for the 2023–24 fiscal year, and then multiplied by the sum of one plus the percent change in funded average daily attendance of its member local educational agencies from the 2022–23 fiscal year to the 2023–24 fiscal year. To the extent this imposes additional duties on a special education local plan area, this bill impose a state-mandated local program.

(47) Existing law states the intent of the Legislature to provide a system of assessments of pupils that has the primary purposes of (A) assisting teachers, administrators, and pupils and their parents, (B) improving teaching and learning, and (C) promoting high-quality teaching and learning using a variety of assessment approaches. Existing law requires the State Department of Education to acquire interim assessment tools for pupils in kindergarten and any of grades 1 to 12, inclusive and provide them at no cost to local educational agencies. The interim assessments are to be designed to provide timely feedback to teachers to improve instruction, for communication with pupils' parents or guardians, and for identifying teachers' professional development goals. The results of these interim assessments may not be used for any high-stakes purpose, including school staff evaluations or pupil grade promotion or retention.

This bill applies the same purposes and the prohibition against using the results for a high-stakes purpose to any interim assessments offered by the State Department of Education to local educational agencies.

(48) Existing law establishes the California Longitudinal Pupil Achievement Data System (CalPADS), which is maintained by the department and consists of pupil data from elementary and secondary schools relating to, among other things, demographic, program participation, enrollment, and statewide assessments. Existing law requires the system to be used to accomplish specified goals and requires local educational agencies to retain individual pupil records for each test taker.

This bill requires local educational agencies to submit data according to the processes and timelines established by the State Department of Education in order to accomplish those specified goals and to comply with the requirement to retain individual pupil records for each test taker. By imposing new duties on local educational agencies, the bill imposes a state-mandated local program.

(49) Existing law authorizes the California College Guidance Initiative (CCGI) to provide its services to all California school districts and requires the State Department of Education to ensure that the notifications provided by local educational agencies, include appropriate content related to how CalPADS and CCGI data will be used in order to comply with the federal Family Educational Rights and Privacy Act of 1974.

This bill authorizes CCGI to provide its services to all local educational agencies and require the Department to instead notify local educational agencies of the additional use of CalPADS data. The Department will advise local educational agencies to include in their annual parent notifications required by the federal Family Educational Rights and Privacy Act of 1974, that CalPADs data will now be shared with the CCGI, be used to provide pupils and families with resources, and to enable a pupil to transmit information shared with CCGI to postsecondary institutions and the Student Aid Commission.

(50) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission to award one-time grant funds of up to $20,000 to students enrolled in professional preparation programs leading to a preliminary teaching credential or a pupil personnel services credential who commit to work for four years at a "priority school."

This bill expands the program to award grants to students who commit to work for four years at California preschool programs. The bill requires a grant recipient to agree to repay received grant funds if they do not complete their teacher preparation program and earn a preliminary credential within six years after the first distribution of grant funds.

Existing law requires the student to be enrolled in an approved teacher preparation program that has a main campus location or administrative entity that resides in the state, or to be enrolled in an approved teacher credential program at a California private or independent postsecondary educational institution, a nonprofit institution headquartered and operating in California, or a California public postsecondary educational institution in order to be eligible for a grant under the Golden State Teacher Grant Program.

This bill authorizes the Commission on Teacher Credentialing to determine that a private postsecondary educational institution that offers an approved professional preparation program approved by the Commission on Teacher Credentialing qualifies for the program if the institution meets certain criteria, including that the institution was originally chartered and is currently operating as a nonprofit entity that offers services exclusively online to California residents. The bill requires the Student Aid Commission to provide one-time grant funds of up to $10,000 to a student in an approved program under these provisions.

(51) Existing law appropriates $15,000,000 from the General Fund to the Superintendent for the State Department of Education and the California Collaborative for Educational Excellence, with approval from the executive director of the state board, to designate a county office of education to identify and curate a repository of high-quality open educational resources for use by local educational agencies. Existing law makes these funds available for encumbrance until June 30, 2024.

This bill extends the encumbrance period for that appropriation to June 30, 2025.

(52) Existing law, for the 2022–23 fiscal year, appropriates $1,125,000,000 from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund zero-emission school buses to replace heavy-duty internal combustion school buses, and $375,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund zero-emission school bus charging or fueling infrastructure. The State Air Resources Board must award grants totaling $225,000,000, and requires the Commission to award grants totaling $75,000,000, in each fiscal year to local educational agencies beginning in the 2023-24 fiscal year.

This bill deletes the above-described appropriations and instead appropriate, for the 2023–24 fiscal year only, $375,000,000 from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund grants to local educational agencies, for zero-emission school buses to replace heavy-duty internal combustion school buses and $125,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund grants to local educational agencies for zero-emission school bus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement those vehicle investments. The funding for these grants is available until June 30, 2029. Local educational agencies who receive a grant will have three years from the receipt of funds to expend the money otherwise it reverts to the state.

(53) Existing law appropriates $413,000,000 from the General Fund to the Superintendent for apportionment for continuing operations in the 2022–23 fiscal year in accordance with prescribed calculations by comparing funded average daily attendance in the 2021-22 fiscal year annual apportionment to the 2021-22 with the fiscal year second principal apportionment. Non-classroom-based charter schools are not eligible for the funding.

This bill reduces the appropriation for that purpose by $122,977,000 to instead be $290,023,000.

(54) Existing law, for the 2022–23 fiscal year, appropriates $1,300,000,000 from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998, as provided.

This bill appropriates $1,960,500,000 from the General Fund to the State Allocation Board for the 2023-24 fiscal year. The bill would authorize the Department of General Services to charge administrative costs, not to exceed $15,000,000, incurred to implement the appropriation against either of those appropriations. By expanding the authorized uses of the $1,300,000,000 appropriation referenced above, the bill would make an appropriation.

(55) Existing law appropriates $600,000,000 from the General Fund to the State Department of Education for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program.

Existing law appropriates $100,000,000 from the General Fund to the State Department of Education for allocation, in consultation with the Department of Food and Agriculture, to local educational agencies to expend on implementing specified school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program. Existing law requires the State Department of Education, in consultation with the Department of Food and Agriculture, to develop eligibility criteria for California-grown, whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with appropriated funds.

This bill specifies the Legislature's intent to provide pupils with fresh and nutritious meals using minimally processed, locally grown, and sustainable food, and to provide meal options for those pupils with restricted diets. This bill also revises the eligibility criteria that the State Department of Education, in consultation with the Department of Food and Agriculture, is required to develop.

The bill revises the definition of freshly prepared onsite meals to authorize the Department of Food and Agriculture to interpret this definition and provide guidance to local educational agencies to support the implementation of those programs.

(56) Existing law appropriates $3,560,885,000 from the General Fund to the State Department of Education for the 2022–23 fiscal year to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, as specified.

This bill reduces the above-described appropriation by $200,000,000 to instead be $3,360,885,000.

(57) Existing law appropriates $250,000,000 from the General Fund to the Superintendent for allocation to local educational agencies purposes of this section for the Literacy Coaches and Reading Specialists Grant Program in order to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support, as provided. A school site is eligible if it has an unduplicated pupil percentage of 95 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive. Recipient local educational agencies are to submit a report on how it used grant funds to the State Department of Education on or before June 30, 2027. Existing law also requires the Superintendent to provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature on the data submitted by local educational agencies.

This bill requires the recipient local educational agencies and the Superintendent to submit interim reports on or before June 30, 2024, and a final report on or before June 30, 2027, detailing how it used the funds. The bill also requires the Superintendent to submit the interim and final reports submitted by recipient local educational agencies to a county office of education selected through a competitive process to conduct an independent evaluation of the reports. These reports shall include a description of how funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools and to develop and implement school literacy programs, how expenditures impacted pupils' literacy achievement and how the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists past the award period.

This bill also appropriates $250,000,000 from the General Fund to the Superintendent to augment the Literacy Coaches and Reading Specialists Grant Program to allocate moneys to school sites with an unduplicated pupil percentage of 95 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive that did not receive moneys under the initial program to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support.

(58) The Budget Act of 2023 appropriates $118,810,000 to the department from the Federal Trust Fund, for purposes of the federal Stronger Connections Grant Program, in order to support local educational agencies to implement Multi-Tiered Systems of Support activities.

This bill requires the Superintendent to award grants on a competitive basis to eligible local educational agencies pursuant to the requirements of the federal Bipartisan Safer Communities Act (Public Law 117-159). The bill requires recipients to use grant funds to establish safe, healthy, and supportive learning opportunities and environments in schools. Allowable activities include implementation of high quality integrated academic, behavioral, and social emotional learning practices or services aligned to the Multi-Tiered System of Support, activities that support safe and healthy students such as school-based mental health services, drug and violence prevention activities, anti-bullying and anti-harassment programs, and suicide prevention programs, and school preparedness and school safety efforts that are part of a multifaceted,

comprehensive school climate plan designed to implement pupil safety, health, wellbeing, and academic development.

(59) This bill requires the Legislative Analyst's Office, by no later than March 15, 2024, to provide recommendations to the Department of Finance, the State Board of Education, and the relevant fiscal and policy committees of the Legislature for changes to the local control and accountability plan for county offices of education or, to the extent feasible, recommendations for alternative reporting requirements outside of the local control and accountability plan, as provided. The objectives of the recommended changes shall be to increase the transparency of county office of education operations and programs, and their goals, provide methods to shorten and simplify the local control and accountability plan, and increase transparency of county office of education responsibilities and activities.

(60) This bill requires the Superintendent of Public Instruction to allocate funding to the Commission on Teacher Credentialing to establish the Diverse Education Leaders Pipeline Initiative program for providing grants to local educational agencies to train, place, and retain diverse and culturally responsive administrators in transitional kindergarten, kindergarten, and grades 1 to 12. The goals of the program include increasing diversity among public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to promote school environments that better represent and reflect the diversity of the pupils served; cultivating culturally responsive public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, through professional development that centers diversity, equity, and inclusion; mitigating or removing administrator credentialing costs for aspiring public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, and administrator preparation programs; promoting improved academic and school climate outcomes for all pupils; and tracking and publicly reporting recruitment, retention, and demographic data for all educators in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to inform policy, legislation, and practice.

(61) This bill, on or before June 30, 2024, appropriates an amount to be determined by the Director of Finance from the General Fund to the Superintendent in augmentation of the Special Education Program for Individuals with Exceptional Needs in Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2023. The bill makes these funds available only to the extent that revenues distributed to local educational agencies for special education programs from successor agencies are less than the estimated amount determined by the Director of Finance. The bill requires, on or before June 30, 2024, the Director of Finance to determine if the revenues distributed to local educational agencies for special education programs from successor agencies exceed the estimated amount reflected in the Budget Act of 2023 and, if so, it requires the Director of Finance to reduce the specified appropriation in the Budget Act of 2023 by the amount of that excess.

(62) This bill appropriates $1,000,000 from the General Fund to the department to create, in consultation with the executive director of the state board, a Literacy Roadmap to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity. The Literacy Roadmap shall include models of effective practice that incorporate the five themes of the English language arts and English language development framework, describe to local educators, site leaders and local educational agency administrators, and members of governing boards how they can use the English language arts and English language development framework, along with other existing resources, to offer evidence-based literacy instruction, and provide practical direction for literacy instruction and intervention across content areas in alignment with the state-adopted standards for all pupils.

The State Department of Education shall post the Literacy Roadmap on its internet website and use the statewide system of support and other initiatives to disseminate the Literacy Roadmap statewide.

(63) This bill appropriates $100,000 for the 2023–24 fiscal year to the Superintendent for allocation to the Sacramento County Office of Education to update distance learning curriculum and instructional guidance for mathematics in alignment with the state-adopted mathematics framework in consultation with the executive director of the state board and the department.

(64) Existing law requires the department, on or before June 1, 2024, to develop evidence-based best practices for restorative justice practice implementation on a school campus and to make these best practices available on the department's internet website for use by local educational agencies.

This bill appropriates $7,000,000 from the General Fund to the Superintendent to be made available to support local educational agencies electing to implement the restorative justice best practices from materials developed and posted on the State Department of

Education website. The Superintendent shall develop an application process and criteria for making awards.

(65) This bill, for the 2023–24 fiscal year, appropriates $100,000 from the General Fund to the department to contract with a specified independent evaluator to extend the evaluation of certain technical assistance, including by examining and analyzing California School Dashboard data, as provided.

(66) This bill, for the 2023–24 fiscal year, appropriates $1,000,000 from the General Fund to the Superintendent to, in consultation with the executive director of the state board, award $1,000,000 as a grant to the community-based organization Beyond Differences to support local educational agencies with the implementation of high-quality integrated academic, behavioral, and social-emotional learning practices.

(67) This bill also deletes obsolete provisions, make conforming changes, and make technical changes.

(68) This bill provides that its provisions are severable.

(69) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

(70) This bill declares that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

(SB 114 amends Education Code Sections 1240, 2574, 2575.2, 2576, 8202.6, 8281.5, 8483.4, 8901, 8902, 14002, 14041.5, 17199.4, 17199.5, 17375, 32526, 33050, 35186, 39800.1, 41024, 41203.1, 41544, 41850.1, 42238.02, 42238.025, 42238.03, 44042.5, 44235.1, 44235.2, 44258.9, 44415.5, 44415.6, 44417.5, 45500, 46120, 46392, 46393, 47605, 47606.5, 47607.4, 47612.7, 47654, 47655, 48000, 48000.1, 48310, 48646, 49421.5, 49501.5, 51225.31, 51225.7, 52052, 52062, 52064, 52064.1, 52064.5, 52065, 52066, 52068, 52070, 52070.5, 52071, 52071.5, 52073.3, 52074, 52201, 52202, 56195.1, 56836.148, 60642.7, 60900, 60900.5, and 69617. This bill adds Education Code Sections 2575.5, 42238.024, 44235.12, 44343.4, 48000.15, 48648, 48649, 48650, 49414.8, 52072.1, 52072.6, 52073.5, and 69617.5 and Chapter 15.5 (commencing with Section 53008) to Part 28 of Division 4 of Title 2. It repeals and adds Education Code Sections 52072 and 52072.5. SB 114 additionally amends Health and Safety Code Section 1596.792, Welfare and Institutions Code Sections 858 and 889.2, Section 55 of Chapter 13 of the Statutes of 2015, Section 144 of Chapter 44 of the Statutes of 2021, and to amend Sections 121, 123, 124, 129, 132, 133, 134, 136, and 137 of Chapter 52 of the Statutes of 2022.)

Senate Bill 115 – Provides Certain Appropriations For The Arts And Music In Schools—Funding Guarantee And Accountability Act.

This bill establishes the "Arts and Music in Schools—Funding Guarantee and Accountability Act," an initiative measure approved by the voters as Proposition 28 at the November 8, 2022, statewide general election, and provides a minimum source of annual funding to K–12 public schools, including public charter schools, to supplement arts education programs for pupils attending those schools, as specified. It requires the continuous appropriation for these purposes, without regard to fiscal years, from the General Fund to the State Department of Education, of an amount equal to 1% of the total state and local revenues received by local educational agencies in the preceding fiscal year that are included in the calculation of the minimum funding guarantee established by the California Constitution, as provided. Funds are allocated to local educational agencies based on the sum of an amount equal to the product of 70 percent of the funding described above times the school's enrollment in the prior fiscal year, divided by the total statewide enrollment in the prior fiscal year of local educational agencies and a calculation of 30% of the total funds appropriated for the above-described purposes multiplied by the school's enrollment of economically disadvantaged pupils in the prior fiscal year, divided by the total statewide enrollment of economically disadvantaged pupils in the prior fiscal year of local educational agencies. Under existing law, the enrollment of economically disadvantaged pupils at a school serving preschool pupils equals the preschool's enrollment times the same percentage of pupils that are economically disadvantaged at the closest elementary school site within the preschool's local educational agency, if applicable. Existing law authorizes funds allocated to school sites to be available for use for up to 3 fiscal years after which the funds revert to the department, as provided. Proposition 28 authorizes the Legislature to amend its provisions by a 2/3 vote of each house if the amendment furthers its purposes.

This bill revises the definition of a preschool pupil to a pupil enrolled in the California state preschool program or a pupil three years of age through five years of age enrolled in a preschool program for pupils with exceptional needs in a local educational agency. The bill deems the enrollment of economically disadvantaged preschool pupils to instead equal the enrollment of preschool pupils in the prior fiscal year times the same percentage of pupils that are economically disadvantaged at the elementary school site with the highest percentage of economically disadvantaged pupils in the prior year within the preschool's local educational agency. If there is no elementary school within the preschool's local

educational agency, the enrollment of economically disadvantaged preschool pupils would instead be deemed to equal the enrollment of preschool pupils in the prior fiscal year times the same percentage of pupils that are economically disadvantaged at the elementary school site with the highest percentage of economically disadvantaged pupils in the prior year within the preschool's county. The bill also requires unexpended funds to revert to the department, including in the event of a closure of a charter school, as provided. The bill would require local educational agencies to report to the department, by October 1, the amount of unexpended funds following the conclusion of the 3-year-expenditure period, and would authorize the department to withhold the release of a local educational agency's allocation if the local educational agency has not submitted the expenditure report until the report is submitted.

This bill, commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, appropriates $148,000 from the General Fund to the department for the maintenance and support of the Local Control and Accountability Plan Electronic Template System and a specified database and reporting interface.

Funds appropriated by this bill apply towards the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

This bill declares that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

(SB 115 amends Education Code Sections 8820, 8821, and 14041.)

Senate Bill 117 – Higher Education Trailer Bill.

Senate Bill 117 provides various grants for Public Colleges and Universities.

Education Student Housing Grant Program
Existing law appropriates $1,434,133,000 for the 2022–23 fiscal year from the General Fund for the Higher Education Student Housing Grant Program, which provides one-time grants for the construction of student housing or for the acquisition and renovation of commercial properties into student housing for the purpose of providing affordable, low-cost housing options for students enrolled in public postsecondary education in the state.

SB 117, commencing with the 2023–24 fiscal year, requires specified funding previously allocated, or planned to be allocated, to the University of California, the California State University, and the California Community Colleges for construction grants under the Higher Education Student Housing Grant Program to instead be funded by revenue bonds issued by the University of California and the California State University, and local revenue bonds issued by Community College Districts. SB 117 requires any General Fund support for construction grants under the Higher Education Student Housing Grant Program provided to the University of California, the California State University, and California Community Colleges to revert to the General Fund. SB 117 eliminates the 2022–23 fiscal year General Fund appropriation for the Higher Education Student Housing Grant Program.

Learning Recovery Emergency Fund

Existing law appropriates $650,000,000 from the General Fund to the office of the Chancellor of California Community Colleges for transfer to the Learning Recovery Emergency Fund. The Chancellor's office is required to allocate the funds in the Learning Recovery Emergency Fund to Community College Districts on the basis of actual reported full-time equivalent students, as provided. The Community College Districts were allowed to expend the funds for certain purposes related to the impact of the COVID-19 pandemic, including student supports, reengagement strategies, faculty grants, and professional development opportunities.

SB 117 authorizes the funds in the Learning Recovery Emergency Fund to be used for additional purposes and activities identified in the purposes and activities identified in subdivisions (b) and (c) of Section 55 of Chapter 54 of the Statutes of 2022 and subdivision (a) of Provision 2 of Item 6870-121-0001 of Section 2.00 of the Budget Act of 2022. These purposes and activities include scheduled maintenance and special repairs of facilities and efforts to increase student retention rates and enrollment by engaging former community college students who may have withdrawn due to the impacts of the COVID-19 pandemic.

University Of California Scholarships from Non-state Funds

SB 117 extends the authorization for the University of California to provide scholarships as established by the university or a campus of the university, derived from non-state funds received for that purpose, to any of its enrolled students who meet the eligibility requirements for that scholarship from June 30, 2023 to June 30, 2027.

Additional Reporting Requirements for Community College Districts related to Basic Needs of Students

Each California Community College District campus was required to establish a position of Basic Needs Coordinator to assist students with on- and off-campus housing, food, mental health, and other basic needs services and resources, among other responsibilities, and to establish a Basic Needs Center where basic needs services, resources, and staff are made available to students, as specified, by July 1, 2022. Each campus is required to report certain information to the California Community Colleges Chancellor's Office including, but not limited to, descriptions of the services and resources provided by the Basic Needs Center, the socioeconomic and demographic backgrounds of students, challenges faced and best practices for implementing the services and resources and enrollment and graduation rates of students who utilized the services and resources. The Chancellor's office is required to annually develop and submit a report to the Governor and the Legislature based on the data and information received from campuses and information on the use of funds made available to implement these provisions.

SB 117 amended Education Code Section 66023.5(c) to require each California Community College District campus to also report to the Chancellor's Office, the number of students who first started receiving CalFresh benefits in the previous year, the total number of students in the previous year who received CalFresh benefits, whether the campus has a data sharing agreement with the relevant county operating the CalFresh program for the purpose of identifying new, continuing, and returning students who are potentially eligible for CalFresh benefits, or efforts underway to enact such an agreement.

California Student Housing Revolving Loan Fund Act

The California Student Housing Revolving Loan Fund Act of 2022 provides zero-interest loans to qualifying applicants of the University of California, the California State University, and the California Community Colleges for the purpose of constructing affordable student housing and affordable faculty and staff housing. The California Student Housing Revolving Loan Fund was established as a continuously appropriated fund in the State Treasury.

SB 117 appropriates $200,000,000 from the General Fund to the California Student Housing Revolving Loan Fund for the 2023-2024 fiscal year. SB 117 requires seventy-five percent (75%) of those funds to be available for University of California and California State University applicants, and the remaining twenty-five percent (25%) of those funds to be available for California Community Colleges. SB 117 also provides that the Legislature intends to appropriate $300,000,000 to the California Student Housing Revolving Loan Fund for each fiscal year through 2028-2029. The funds intended to be appropriated during those years will be made available to the three education agencies at the same rates.

Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program

The Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program provides awards to certain California postsecondary students to help pay the costs of postsecondary education.

Existing law sets the perimeters maximum Cal Grant A and B tuition award amounts for the upcoming award years.

SB 117 amends the parameters by setting the maximum Cal Grant A and B tuition award amount for new recipients in the 2023-2024 award year at $9,358 for students attending independent institutions of higher education. Beginning with the 2024–2025 award year, SB 117 sets the maximum tuition award amount as either $9,358 or $8,056, depending upon whether the number of new unduplicated transfer students accepted by those institutions who have been given associate degrees for transfer commitments in the prior award year exceeds statutory targets.

An otherwise qualifying institution with a 3-year cohort default rate that is equal to or greater than 15.5% is ineligible for initial and renewal Cal Grant awards at the institution, as specified, with certain exceptions. The Student Aid Commission is required to certify by November 1st of each year a qualifying institution's latest 3-year cohort default rate and graduation rate as most recently reported by the United States Department of Education, except for the 2022–2023 and 2023–2024 academic years. Existing law requires the commission to use the 3-year cohort default rate certified in 2020 for an otherwise qualifying institution. SB 117 requires the Student Aid Commission to also use the 3-year cohort default rate certified in 2020 for an otherwise qualifying institution for the 2024–25 academic year.

California Kids Investment and Development Savings (KIDS)

The Legislature enacted the Kids Investment and Development Savings (KIDS) Program in the 2019-2020 State Budget to expand access to higher education through savings. The Budget Act of 2019, among other things, appropriated $25,000,000 for the KIDS Program.

The KIDS Program requires the Scholarshare Investment Board to establish one or more Scholarshare 529 accounts for each California resident child born on or after July 1, 2022 and make a seed deposit of moneys from the California Kids Investment and Development Savings Program Fund into a Scholarshare 529 account established under the KIDS Program. The Scholarshare Investment Board is required to provide awards from these KIDS Accounts, as specified, for each recipient child's qualified higher education expenses at an eligible institution of higher education.

SB 117 increases the amount of seed deposits in KIDS Accounts from $25 to at least $100, commencing with the 2023–2024 fiscal year. If a child has no account balance at the institution of higher education of attendance, SB 117 authorizes the institution to distribute funds received from the Scholarshare Investment Board for the child directly to the child for the purpose of paying the child's qualified higher education expenses. SB 117 requires the Scholarshare Investment Board to use $8,000,000 of the funds appropriated in the Budget Act of 2019 for the KIDS Program to establish a statewide integrated marketing campaign for the KIDS Program.

Middle Class Scholarship Program

The Middle Class Scholarship Program (MCSP) is established under the administration of the Student Aid Commission. An undergraduate student is eligible for a scholarship award under the MCSP if the student is enrolled at the University of California or the California State University, or enrolled in upper division coursework in a community college baccalaureate program, and meets certain eligibility requirements. Existing law sets the MCSP award at an amount that equals the difference between the student's cost of attendance and the sum of scholarships, grants, or fee waivers awarded to the student in excess of the $7,898 the student is expected to contribute from work earnings or other resources, and, for dependent students with a household income exceeding $100,000, a percentage of the parents' contribution, as specified. Existing law sets the maximum amount of a student's MCSP award based on a formula that considers the amount appropriated for the MCSP for the applicable award year.

SB 117 amends Education Code Section 70022 to also include additional forms of financial aid when calculating the student's MCSP award amount. The new formula will also take into consideration the additional forms of financial aid, such as private grants and scholarships awarded to the student, and institutionally awarded emergency housing funds and other basic needs emergency assistance awarded to the student. SB 117 reduces the amount of a student's MCSP award if the MCSP award, in combination with other grants or scholarships treated as estimated financial assistance or other financial assistance under federal regulations, exceeds the allowable gift aid under the federal regulations. SB 117 requires current and former foster youth to receive the full amount that they are eligible to receive under the MCSP, as specified.

SB 117 requires the Student Aid Commission to annually adjust the expected student contribution $7,898 based on the percentage change in the minimum wage, pursuant to paragraph (1) of subdivision (c) of Section 1182.12 of the Labor Code.

Financial Assistance for Student Members on the Board of Governors of the California Community Colleges

Existing law requires the members of the Board of Governors of the California Community Colleges, including two (2) voting student members appointed by the Governor, to receive their actual and necessary traveling expenses while on official business and $100 for each day the member attends to official business.

SB 117 requires the office of the Chancellor of California Community Colleges, from funds appropriated for this purpose in the annual Budget Act, to allocate $4,000 in financial assistance per semester, or the quarterly equivalent, to each student member of the Board of Governors of the California Community Colleges for each year of the student member's term.

Employment Opportunity Fund

In 2022, the Legislature established the Employment Opportunity Fund, administered by the Board of Governors of the California Community Colleges, to promote equal employment opportunities in hiring and promotion at California Community College Districts. Under existing law, as a condition of receiving the funds from the Employment Opportunity Fund, each participating Community College District's equal employment opportunity program was required to ensure participation in, and commitment to, the equal employment opportunity program by District's personnel. Each participating Community College District is required, in the equal employment opportunity plan, to include steps that the District will take to eliminate improper discrimination or preferences in its hiring and employment practices and how the District will make progress in achieving the ratio of full-time to part-time faculty hiring, while still ensuring equal employment opportunity.

SB 117 amends Education Code 87102 to require California Community Colleges Chancellor's Office to take certain actions to affirm each District's

compliance with the program. The Chancellor's Office has identified Multiple Methods to promote faculty diversity. On or before January 1, 2024, the Chancellor's office must create a process to verify each participating District's proper implementation of strategies from the Multiple Methods.

SB 117 also requires the Chancellor's Office, on or before April 1, 2024, to implement a policy to regularly determine the most effective and feasible best practices for participating Districts to promote faculty diversity under their equal employment opportunity plans. SB 117 also requires participating Districts to implement those strategies from the Multiple Methods as a condition for the receipt of moneys from the fund.

SB 117 also requires the Chancellor's Office, on or before October 1, 2023, to implement a policy to verify that participating Districts conduct the demographic analyses of their employment processes required by Section 53023 of Title 5 of the California Code of Regulations.

Community College District Annual Reporting on its Progress Increasing Faculty Diversity

Existing law requires the Board of Governors of the California Community Colleges to adopt regulations regarding full-time faculty.

SB 117 requires each California Community College District to annually report to the California Community Colleges Chancellor's Office on its progress in increasing the percentage of instruction by full-time faculty and in increasing faculty diversity. The report must include, in addition to the information specified in Education Code Section 87891, the number of full-time faculty positions filled and maintained with the funds allocated for that purpose in the prior fiscal year, the percentage of the funds used in the prior fiscal year, and the cumulative total of the funds used and unused. Beginning on May 30, 2024 and each year going forward, the Chancellor's Office must synthesize reported information into an annual system-wide report to be posted online.

The Chancellor's Office must establish and implement a policy to verify that the Districts are using full-time faculty funding appropriated in a specific budget item of the annual Budget Act for the designated purposes and in accordance with applicable laws and regulations. The policy, at minimum, must: require the Districts to submit evidence of fund expenditure, provide technical assistance and guidance to the Districts on best practices and compliance requirements, and report any findings of misuse, waste, fraud, or abuse of funds and take corrective actions, as necessary.

SB 117 requires the Legislature to be informed of any District that fails to comply with these provisions and each failing District would be subject to notice at a meeting of the Board of Governors of the California Community Colleges.

These reporting requirements related to increasing the percentage of instruction by full-time faculty and in increasing faculty diversity would only be applicable to Community College Districts as a condition of receiving funds for the purpose of hiring new full-time faculty appropriated in Item 6870-101-0001 of Section 2.00 of the annual Budget Act.

Strong Workforce Program

In 2016, the Legislature established the Strong Workforce Program (SWP) to enhance and expand career technical education. Sixty percent of the funds apportioned for Community Colleges under the Strong Workforce Program must be apportioned directly to the Districts in the consortia to fund regionally prioritized projects and programs that meet the needs of local and regional economies, including development of short-term workforce training programs focused on California's economic recovery from COVID-19 beginning in 2020, as identified in regional plans and the Workforce Innovation and Opportunity Act (Public Law 113-128) regional plans.

SB 117 authorizes a Community College District to also use those funds apportioned directly to the Districts for providing funds for student grants to cover fees for third-party certification and licensing; enhancing student services to support retention, work experience, and job placement and providing students with an integrated educational program that connects academic curricula to applied and experiential learning in the workplace, including, but not limited to, work-based learning programs and models.

Student Success Completion Grant Program – Increased Awards for Foster Youth Students

California Community Colleges Districts administer the Community Colleges Student Success Completion Grant program to help offset students' total cost of community college attendance. To qualify to receive a grant award, a student attending a community college must receive a Cal Grant B or C award, make satisfactory academic progress as set forth by the Code of Regulations, and be a California resident or exempt from paying nonresident tuition. Students meeting these qualifications are eligible to receive grant awards in the following amounts: $1,298 per semester; or the quarterly equivalent, for eligible students who enroll in 12, 13, or 14 units per semester, or the quarterly equivalent number of units or $4,000 per semester;

or the quarterly equivalent, for eligible students who enroll in 15 units per semester, or the quarterly equivalent number of units.

Beginning in the 2023-2024 academic year, SB 117 increases the Community Colleges Student Success Completion Grant program award for eligible students who are current or former foster youth. These students are now eligible to receive $5,250 per semester, or the quarterly equivalent, if enrolled in 12 or more units per semester, or the quarterly equivalent number of units.

Budget Act Amendments and General Fund Appropriations

The Budget Act of 2021 made appropriations for the support of the Board of Governors of the California Community Colleges for the 2021–2022 fiscal year, including $2,347,663,000 for apportionments. SB 117 amends the Budget Act of 2021 by reducing the appropriation made to the Board of Governors of the California Community Colleges for apportionments by $2,140,000.

The Budget Act of 2022 made appropriations for local assistance to the Board of Governors of the California Community Colleges for the 2022–2023 fiscal year, including $5,798,825,000 for apportionments. SB 117 amends the Budget Act of 2022 by increasing the appropriation made to the Board of Governors of the California Community Colleges for apportionments by $55,357,000. SB 117 requires, on or before June 30, 2024, Community Colleges receiving funds for this purpose to report to the office of the Chancellor of the California Community Colleges data, information, and conclusions related to increasing student retention rates and enrollment due to the impacts of the COVID-19 pandemic. SB 117 requires, on or before September 30, 2024, the California Community Colleges Chancellor's Office to report to the Legislature and the Department of Finance based on the data, information, and conclusions received from those community colleges. SB 117 authorizes those Community Colleges to use the funds received to increase student retention rates and enrollment due to the impact of the COVID-19 pandemic for additional purposes.

Existing law appropriates $840,655,000 in the 2022–2023 fiscal year from the General Fund to the Board of Governors of the California Community Colleges for allocation to Community College Districts for certain purposes, including scheduled maintenance and special repairs of facilities, at community colleges. SB 117 reduces that appropriation by $500,013,000, adds support for childcare facility repair and maintenance, purposes related to the impact of the COVID-19 pandemic, and purposes related to discharge of unpaid student fees as purposes for which that money could be allocated, and appropriates $5,732,000 in the 2023–2024 fiscal year to the Board of Governors for allocation to Community College Districts for those same purposes.

Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education. SB 117 extends the March 2, 2024 application deadlines for financial aid programs administered by the commission by one month if the federal Free Application for Federal Student Aid is not available on or before October 1, 2023 for the 2024–2025 award year only.

SB 117 appropriates $2,500,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to East Los Angeles College for the creation of a Small Business Entrepreneurship and Innovation Center.

SB 117 appropriates $500,000 from the General Fund to the Board of Governors of the California Community Colleges for the office of the Chancellor of the California Community Colleges to enter into a memorandum of understanding with a third-party research institution to conduct a systematic study of online and hybrid course offerings at the California Community Colleges.

Existing law provides a formula for the calculation of general purpose apportionments of state funds to California Community Colleges under which the California Community Colleges Chancellor's office annually calculates a base allocation, supplemental allocation, and student success allocation for each Community College District in the state, as specified. Existing law provides for an alternative calculation, based generally on the total computational revenue each Community College District received in the 2017–2018 fiscal year, cost-of-living adjustments, and changes in full-time equivalent student population, to ensure that the state allocates no less moneys to the Districts than would have been allocated under the previously generally applicable formula, as specified. SB 117 appropriates $141,040,000 from the General Fund to the Board of Governors of the California Community Colleges to support apportionments to the Community College Districts pursuant to these provisions.

SB 117 appropriates $50,000,000 from the General Fund to the Office of the Chancellor of the California Community Colleges for purposes related to increasing student retention and enrollment due to the impacts of the COVID-19 pandemic, and would authorize a community college to also use the

funds for additional purposes, including scheduled maintenance and special repairs of facilities and additional purposes related to the impacts of the COVID-19 pandemic.

SB 117 annually appropriates, for the 2024–25 fiscal year to the 2028–29 fiscal year, inclusive, $60,000,000 from the General Fund to the Board of Governors of the California Community Colleges to expand nursing programs and Bachelor of Science in nursing partnerships to grow, educate, and maintain the next generation of registered nurses through the community college system.

Certain funds appropriated by SB 117 are applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution, as specified.

SB 117 took effect immediately as a bill providing for appropriations related to the Budget Bill.

(SB 117 amends Sections 17201, 32527, 66021.9, 66023.5, 67329.3, 69432, 69996.3, 70022, 70023, 71004, 87102, 87103, 88825, and 88931 of, and adds Article 11 (commencing with Section 87890) to Chapter 3 of Part 51 of Division 7 of Title 3 of, the Education Code, amends the Budget Act of 2021 by amending Items 6440-001-0001 and 6870-101-0001 of Section 2.00 of that act, amends the Budget Act of 2022 by amending Items 6870-101-0001 and 6870-121-0001 of Section 2.00 of that act, and amends Section 55 of Chapter 54 of the Statutes of 2022.)

Senate Bill 114 – Provides Certain Appropriations And Is An Education Omnibus Budget Trailer Bill.

The following sections of SB 114 impact community college districts:

(4) The Early Education Act requires the superintendent to administer the California state preschool program. The act also requires the superintendent, in consultation with the Director of Social Services and the executive director of the State Board of Education, to convene a statewide interest holder workgroup to provide recommendations on best practices for increasing access to high-quality universal preschool programs for 3- and 4-year-old children that provides equitable learning experiences across a variety of settings. The superintendent, in consultation with the Director of Social Services, must provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than January 15, 2023.

This bill would delay the reporting of those recommendations to occur no later than March 31, 2024.

(5) Existing law establishes the California Prekindergarten Planning and Implementation Grant Program as a state early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. Existing law appropriates $300,000,000 from the General Fund to the State Department of Education (Department) in both the 2021–22 fiscal year and the 2022–23 fiscal year for allocation to local educational agencies as base grants, enrollment grants, and supplemental grants.

Instead of reverting unexpended funds, this bill would authorize the Department to allocate or prorate unexpended funds to local educational agencies for costs associated with the educational expenses of the California state preschool program, transitional kindergarten, and to increase the amount of highly qualified kindergarten professionals and provide training regarding serving inclusive classrooms and dual language learners.

(7) Existing law, the California School Finance Authority Act, authorizes a school district, charter school, county office of education, or community college district that utilizes funding from the California School Financing Authority for a project or working capital in connection with securing financing or refinancing of projects, or working capital (a participating party), to elect to guarantee or provide for payment of the bonds and related obligations. Existing law requires participating parties to, among other things, elect to participate by an action of its governing board and provide written notice to the Controller. Existing law authorizes school districts and county offices of education with qualified or negative financial certifications, to intercept payments only for short-term financings.

This bill would authorize participating parties to elect to participate in a local intercept by sending a request to the county treasurer or other appropriate county fiscal officer. If the county agrees to participate, the county treasurer or other county fiscal officer must make an apportionment or revenue transfer. This bill would limit the authorization of school districts and county offices of education with qualified or negative financial certifications and may only participate under this section to intercept payments for indebtedness for which the superintendent determines repayment is probable.

(8) Existing law establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program under the administration of the State Allocation Board, to provide one-time grants

to school districts to, among other things, construct new school facilities or retrofit existing school facilities for providing transitional kindergarten classrooms and full-day kindergarten classrooms. Existing law appropriates, during specific fiscal years, specified sums of money to the board to provide the grants.

This bill appropriates an additional five hundred fifty million dollars ($550,000,000) in the 2024–25 fiscal year from the General Fund to the State Allocation Board to provide one-time grants. The funds will be available to the State Allocation Board until June 30, 2030.

(9) Existing law creates the Learning Recovery Emergency Fund in the State Treasury in order to provide appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. Existing law appropriates $7,936,000,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. Existing law requires the superintendent of Public Instruction to allocate these appropriated funds to school districts, county offices of education, and charter schools to be used for learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery, and staff and pupil social and emotional well-being. Existing law requires local educational agencies receiving these allocations to report interim expenditures to the Department by December 1, 2024, and December 1, 2027, and to submit a final report no later than December 1, 2029.

This bill reduces the appropriation by $1,590,595,000 to instead be $6,345,405,000. Local educational agencies receiving these allocations are required to report interim expenditures to the Department by December 15, 2024, and annually thereafter, and to submit a final report on expenditures by December 15, 2029.

(12) Beginning in 1990-91, the State must allocate money for the support of school districts, community college districts, and direct elementary and secondary level instructional services and distribute it in accordance with certain calculations governing the proration of those moneys among each of the three segments of public education. Existing law makes that provision inapplicable from 1992–93 through the 2022–23 fiscal year.

This bill would also make that provision inapplicable from 1992–93 through the 2023–24 fiscal year.

(23) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. As a condition of receipt of apportionment for pupils in a transitional kindergarten program, school districts and charter schools must maintain an average of at least one adult for every ten pupils for transitional kindergarten classrooms, contingent on an appropriation of funds and that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have met one of three designated criteria establishing qualification for the position by August 1, 2023. The superintendent is required to withhold a school district's or charter school's entitlements if the school district or charter school fails to comply with these, and other, requirements starting the 2022–23 school year.

This bill would delay the start of the above requirements until the 2025–26 school year. Additionally, the appropriation of funds is not contingent upon meeting these requirements. The bill would delay until August 1, 2025, the deadline for a credentialed teacher first assigned to a transitional kindergarten classroom after July 1, 2015, to meet the criteria referenced above, and remove the requirement for the superintendent to withhold entitlements.

Existing law authorizes a school district or charter school to, at any time during a school year, admit a child to a transitional kindergarten program who will have their 5th birthday after the applicable cutoff date but during that same school year with parent permission.

Notwithstanding that provision, this bill authorizes a school district or charter school to enroll an early enrollment child in a transitional kindergarten program if specified conditions are met. These conditions include, among others, that any classroom that includes an early enrollment child maintains an adult-to-pupil ratio of at least one adult to every ten pupils. A school district or charter school would be penalized if it fails to meet certain requirements. Under the bill, a school district or charter school who admits an early enrollment pupil may not generate average daily attendance or include the pupil in the enrollment or unduplicated pupil count until the pupil has attained their fifth birthday. For the 2023–24 and 2024–25 school years, a school district or charter school that offers transitional kindergarten to early enrollment pupils is required to concurrently offer enrollment in a California state preschool program that is operated by the school district or charter school if it operates such a program and that program is not fully subscribed, and would authorize the school district or charter school to enroll an early enrollment child in the program, regardless of income, after all other eligible children have been enrolled. School districts and charter schools that serve early enrollment children in transitional kindergarten are required to report specified information to the State

Department of Education for the 2023–24 and 2024–25 school years.

(24) Existing law authorizes the governing board of a school district or a county board of education to request the state board to waive all or part of specified education laws or regulations adopted by the state board, as provided, with exceptions. Existing law establishes provisions relating to transitional kindergarten and kindergarten admission.

This bill would prohibit the State Board from waiving the Transitional Kindergarten classroom enrollment, class size, and student to adult ratio requirements.

(26) Existing law requires county boards of education to provide for the administration and operation of juvenile court schools by the county superintendent of schools or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located, as provided. The administrator and operator are encouraged to enter into a memorandum of understanding or equivalent mutual agreement with the county chief probation officer to support a collaborative process for meeting the needs of wards of the court who are receiving their education in juvenile court schools. Those agreements may include, among other things, a joint process for performing an intake evaluation for each ward to determine the ward's educational needs and ability to participate in all educational settings once the ward enters the local juvenile facility and requires that process to recognize the limitations on academic evaluation and planning that can result from short-term placements.

If a memorandum of understanding or equivalent mutual agreement is agreed to as described above, the bill would require that memorandum of understanding or equivalent mutual agreement to require the joint intake to take place within two business days, or under extraordinary circumstances up to five business days, of the ward entering the local juvenile facility. Additionally, the memorandum of understanding or equivalent mutual agreement must include a transition plan for when the ward reenrolls at a local educational agency postplacement that would be required to be transferred to the postplacement local educational agency within two business days of the youth being enrolled in the postplacement local educational agency.

The bill would also require the State Department of Education to annually report specified information relating to pupils in juvenile court schools on its internet website and to enter into a contract for an independent evaluation and provide a report regarding county juvenile court schools and county community schools, as provided on or before November 1, 2025. The bill would require the superintendent to convene a workgroup on meeting the needs of pupils with disabilities who enroll in juvenile court schools operated by county offices of education. The bill would require the department to submit a report with the workgroup's findings and recommendations to the relevant policy and budget committees of the legislature, the state board, and the Department of Finance on or before February 25, 2025.

Existing law requires a county probation department to ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall or a juvenile ranch, camp, or forestry camp have access to, and can choose to participate in public postsecondary academic and career technical courses and programs offered online for which they are eligible. Existing law encourages county probation departments to develop other educational partnerships with local public postsecondary campuses, as is feasible, to provide programs on campus and onsite at the juvenile hall or a juvenile ranch, camp, or forestry camp.

This bill requires county probation departments to collaborate with a county office of education, and in partnership with the California Community Colleges or the California State University, or in voluntary partnership the University of California to provide access to public postsecondary academic and career technical courses and programs offered online. The bill would also apply these provisions to juveniles who are detained in, or committed to, secure youth treatment facilities. To the extent the bill imposes additional duties on local agencies, the bill would impose a state-mandated local program.

(30) Existing law requires the Student Aid Commission and the department to facilitate students completing the Free Application for Federal Student Aid and the form established pursuant to Education Code section 69508.5 used for purposes of obtaining state financial aid for California Dream Act students (California Dream Act Application). Local educational agencies must confirm that pupils in grade 12 have completed and submitted the Free Application for Federal Student Aid and the California Dream Act Application.

This bill would require the Student Aid Commission to provide the California College Guidance Initiative with the discrete data necessary to inform educator reports available through a specified internet website so that educators can ensure that each individual pupil has successfully completed and submitted their Free Application for Federal Student Aid or California Dream Act Application.

(54) Existing law, for the 2022–23 fiscal year, appropriates $1,300,000,000 from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998.

This bill would appropriate $1,960,500,000 from the General Fund to the State Allocation Board for the 2023-24 fiscal year. The bill would authorize the Department of General Services to charge administrative costs, not to exceed $15,000,000, incurred to implement the appropriation. This bill would make an appropriation by expanding the authorized uses of the $1,300,000,000 referenced above.

(67) This bill also would delete obsolete provisions, make conforming changes, and make technical changes.

(68) This bill would provide that its provisions are severable.

(69) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(70) Certain funds appropriated by this bill, including Education Section 14002, would be applied toward the minimum funding requirements for community college districts imposed by Section 8 of Article XVI of the California Constitution.

(71) This bill would take effect immediately as a bill providing for appropriations related to the Budget Bill.

(SB 114 amends Education Code Sections 1240, 2574, 2575.2, 2576, 8202.6, 8281.5, 8483.4, 8901, 8902, 14002, 14041.5, 17199.4, 17199.5, 17375, 32526, 33050, 35186, 39800.1, 41024, 41203.1, 41544, 41850.1, 42238.02, 42238.025, 42238.03, 44042.5, 44235.1, 44235.2, 44258.9, 44415.5, 44415.6, 44417.5, 45500, 46120, 46392, 46393, 47605, 47606.5, 47607.4, 47612.7, 47654, 47655, 48000, 48000.1, 48310, 48646, 49421.5, 49501.5, 51225.31, 51225.7, 52052, 52062, 52064, 52064.1, 52064.5, 52065, 52066, 52068, 52070, 52070.5, 52071, 52071.5, 52073.3, 52074, 52201, 52202, 56195.1, 56836.148, 60642.7, 60900, 60900.5, and 69617. This bill adds Education Code Sections 2575.5, 42238.024, 44235.12, 44343.4, 48000.15, 48648, 48649, 48650, 49414.8, 52072.1, 52072.6, 52073.5, and 69617.5 and Chapter 15.5 (commencing with Section 53008) to Part 28 of Division 4 of Title 2. It repeals and adds Education Code Sections 52072 and 52072.5. SB 114 additionally amends Health and Safety Code section 1596.792, Welfare and Institutions Code Sections 858 and 889.2, Section 55 of Chapter 13 of the Statutes of 2015, Section 144 of Chapter 44 of the Statutes of 2021, and to amend Sections 121, 123, 124, 129, 132, 133, 134, 136, and 137 of Chapter 52 of the Statutes of 2022, relating to education finance, and make appropriations to take effect immediately.)

BUSINESS & FACILITIES

Assembly Bill 70 – Requires Emergency Response Trauma Kits In Buildings Constructed Before 2023 If Modified.

Health and Safety Code Section 19310 requires the person or entity, including local government entities, responsible for managing certain buildings constructed on or after January 1, 2023 and classified as assembly buildings, business building, educational buildings and residential buildings, as defined in the California Building Code, to comply with certain requirements related to compliant kits. These compliance requirements related to trauma kits, include acquiring and placing at least 6 trauma kits on the premises, as specified, inspecting the trauma kits, restocking the trauma kits and providing the tenants of the building or structure information for training in the use of the trauma kits.

AB 70 extends the trauma kit requirements to structures that are constructed prior to January 1, 2023, and subject to subsequent modifications, renovations, or tenant improvements. A structure is considered to be modified, renovated, or tenant improved if the structure is subject to any of the following on or after January 1, 2024: one hundred thousand dollars ($100,000) of tenant improvements in one calendar year; one hundred thousand dollars ($100,000) of building renovations in one calendar year; or any tenant improvement for places of assembly, including auditoriums and performing arts and movie theaters.

(AB 70 amends Section 19310 of the Health and Safety Code.)

Assembly Bill 278 – Establishes The Dream Resource Center Grant Program.

Existing law authorizes the governing board of a school district to provide a comprehensive educational counseling program for all pupils enrolled in the school district, including counseling in developing pupil knowledge of financial aid planning for postsecondary education, including, among others, financial aid programs and resources for foster and homeless youth.

AB 278 establishes the Dream Resource Center Grant Program, a four-year grant program for school districts, county offices of education, or charter schools (Local Agency), for the purpose of providing pupils, including undocumented pupils, in grades 9 to 12, specified support. The support includes but is not limited to financial aid support, social services support, state-funded immigration legal services, academic opportunities, and parent and family workshops.

AB 278 requires the State Department of Education, in administering the Program, to review applications and award grants based off of a tiered point system that prioritizes applications for Local Agencies that apply for funds for multiple school sites, are in underserved areas, that serve large numbers of English learners, and that serve pupils who are eligible for free or reduced-price meals.

AB 278 authorizes a Local Agency, including those that have already established a Dream Resource Center at one or more school sites, to apply for the grant. Local Agencies that receive a Dream Resource Center Grant must use it create a Dream Resource Center or for supplementing, but not supplanting, the funding for an existing Dream Resource Center that provides counseling in developing pupil knowledge of financial aid planning for postsecondary education, including, among others, financial aid programs and resources for foster and homeless youth.

AB 278 requires the State Department of Education, on or before June 1, 2026, to submit a report to the appropriate policy committees of the Legislature detailing the successes, best practices, barriers or constraints, and outcomes of Dream Resource Centers funded with Dream Resource Center Grant.

This bill is conditioned on an appropriation by the Legislature for these purposes in the annual Budget Act or other statute.

(AB 278 adds Article 4 (commencing with Section 54680) to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, relating to pupil services.)

Assembly Bill 334 – Independent Contractors Excluded From Definition Of Public Officer When Determining Whether A Conflict Of Interest Exists.

Existing law prohibits members of the Legislature and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. The Fair Political Practices Commission is authorized to commence an administrative or civil action against persons who violate this prohibition and includes provisions for the collection of penalties after the time for judicial review of a commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted. Existing law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. Any officer or person who willfully violates these provisions is punishable by a fine or imprisonment in the state prison, and is forever disqualified from holding any office in this state.

AB 334 establishes that an independent contractor engaged by the public entity to perform one phase of a project is not an officer that is prohibited from being financially interested in any contract if certain criteria are met. The public agency may enter into a subsequent contract with that independent contractor for a later phase of the same project if the independent contractor's duties and services related to the initial contract did not include engaging in or advising on public contracting, as defined in the code, on behalf of the public entity.

AB 334 authorizes a public agency to enter into a contract with an independent contractor who is an officer for a later phase of the same project if the independent contractor did not engage in or advise on the making of the subsequent contract. Engaging in or advising on the subsequent contract does not include participating in the planning, discussions, or drawing of plans or specifications during an initial stage of a project if that participation is limited to conceptual, preliminary, or initial plans or specifications and all bidders or proposers for the subsequent contract have access to the same information, including all conceptual, preliminary, or initial plans or specifications.

Under AB 334, a person who acts in good faith reliance on these provisions is not in violation of the above-described conflict-of-interest prohibitions and prohibits those that act in good faith from being subject to criminal, civil, or administrative enforcement under those prohibitions if the initial contract with the independent contractor includes the language specified in the statute and the independent contractor is not in breach of those terms.

Under AB 334, if a person acts in good faith reliance on these provisions but fails to include the required language in the contract, it is a complete defense in any criminal, civil, or administrative proceeding if the person is not an officer as defined in the code or is an officer, but the independent contractor did not engage in or advise on the making of the subsequent contract.

(AB 334 adds Section 1097.6 to the Government Code.)

Assembly Bill 338 – Fuel Reduction Work Under Contract And Paid For Using Public Funds Is Subject To Prevailing Wage.

The Department of Forestry and Fire Protection in the Natural Resources Agency is required to administer fire prevention programs and activities and the State Board of Forestry and Fire Protection is required to adopt regulations implementing minimum fire safety standards. Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified.

Beginning July 1, 2026, AB 338 requires fuel reduction work, including, but not limited to, residential chipping, rural road fuel breaks, and firebreaks, done under contract and paid for in whole or in part out of public funds, as specified, to meet several standards. These standards include requirements that all workers performing work within an apprenticeable occupation in the building and construction trades be paid at least the general prevailing rate of per diem wages. All contractors and subcontractors are required to maintain payroll records pursuant to Labor Code Section 1776 of the Labor Code and contractors must be registered pursuant to Labor Code Section 1725.6 to bid on, be awarded contracts for, or engage in performance of, any fuel reduction work.

AB 338 authorizes the Labor Commissioner to enforce the requirement to pay prevailing wages. AB 338 specifies the type of work and contracts that are exempt from the prevailing wage requirements and standards.

(AB 338 adds Division 47 (commencing with Section 80200) to the Public Resources Code.)

Assembly Bill 358 – Exempts Community College Districts Student Housing From California Department Of General Services Construction Supervision.

The Field Act requires the California Department of General Services to supervise the design and construction or any school district and community college "school building" and the reconstruction or alteration of, or addition to a school district and community college "school building," if the estimated costs exceed a certain amount. The California Department of General Services is responsible for ensuring that the plans and specifications comply with the rules and regulations and with relevant building standards, and that the construction work has been performed in accordance with the approved plans and specifications. Existing law excludes any building that serves or is intended to serve as residential housing for school district and community college district teachers, employees, and their families from the definition of "school building."

AB 358 amends Education Code Section 81050.5 and Government Code Section 4454.5 to exclude any building used as a residence for students attending a campus of a community college district from the definition of "school building." Thus, any buildings used as resident housing for community college district students will be exempt from California Department of General Services' supervision under the Field Act.

(AB 358 amends Section 81050.5 of the Education Code, and amends Section 4454.5 of the Government Code.)

Assembly Bill 439 – Task Order Procurement Contracting For Los Angeles Unified School District's School Facilities.

The governing board of the Los Angeles Unified School District (LAUSD) is authorized to award multiple annual task order procurement contracts for the repair and renovation of school buildings and grounds, each not exceeding three million dollars ($3,000,000) through a single request for bid. The task order procurement contracts may include services, repairs, and construction funded by LAUSD's general fund. The Public Contract Code requires that LAUSD, by January 15, 2023, submit to committees of the Legislature a specified report prepared by an independent third party on the use of the task order procurement method, and to pay for the report. These task order procurement contracting provisions were set to repeal as of January 1, 2024.

AB 439 extends repeal date to January 1, 2034. AB 439 expands the scope of the task order procurement contracts to include services, repairs, and construction that are also funded by local school construction bonds or federal or state funds. AB 439 excludes specified services and limits the scope of a contract awarded under this article to the purposes authorized by its funding source. AB 439 requires LAUSD to submit the required report on or before January 15, 2029, and again, on or before January 15, 2033. AB 439 requires those reports to assess performance on a per project basis and authorizes the report to include an assessment of performance on a per contractor basis.

AB 439 makes the legislative findings and declarations as to the necessity of a special statute for the Los Angeles Unified School District.

(AB 439 amends Sections 20118.6, 20118.7, and 20118.9 of the Public Contract Code.)

Assembly Bill 461 – Requires Fentanyl Test Strips On College Campuses.

In 2022, the Legislature enacted SB 367, which required all Community College District governing boards and the Trustees of the California State University to inform students about opioids and require the campus health centers to take action to distribute opioid overdose reversal medications. SB 367 required all Community College District governing boards and Trustees of the California State University to provide their students with educational and preventive information provided by the State Department of Public Health about opioid overdose and the use and location of opioid overdose reversal medication. This information must be provided as part of established campus orientations. The Community College District governing boards and the Trustees of the California State University must require their campus health centers to apply to use the statewide standing order issued by the State Public Health Officer to distribute dosages of a federally approved opioid overdose reversal medication, and to participate in the Naloxone Distribution Project administered by the State Department of Health Care Services. Upon approval, the campus health centers must distribute federally approved opioid overdose reversal medications obtained through the Naloxone Distribution Project. The University of California is requested to do the same and meet the same requirements if it participates.

AB 461 requires all Community College District governing boards and the Trustees of the California State University to provide their students with information about the use and location of fentanyl test strips as part of established campus orientations and to notify students of the presence and location of fentanyl test strips though another method such as email. Community College District governing boards and the Trustees of the California State University must require their campus health centers to stock and distribute fentanyl test strips along with written instructions on how to properly use the fentanyl test strips. University of California is requested to do the same and meet the same requirements if it participates.

(AB 461 amends Section 67384 of the Education Code.)

Assembly Bill 480 And Senate Bill 747 – Changes Requirements For The Disposal Of Surplus Land By A Local Agency.

The Surplus Land Act requires all local agencies, including a city, whether organized under general law or by charter, county, city and county, district, including school, sewer, water, utility, and local and regional park districts of any kind or class, joint powers authority, successor agency to a former redevelopment agency, housing authority, or other political subdivision of this state and any instrumentality thereof that is empowered to acquire and hold real property (Local Agencies), to follow certain protocols, as described in the Act, when disposing of land. The Local Agency must either declare the property Surplus Land or Exempt Surplus Land. Surplus land is land owned in fee simple by a Local Agency for which its governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use (Surplus Land). The protocols for disposing of the land depends on whether the Local Agency declares the land Surplus Land or it falls within the definition of Exempt Surplus Land.

AB 480 and SB 747 modify the definitions of "dispose" and "Exempt Surplus Land." SB 747 defines "dispose" to mean the sale of the surplus land or a lease of any surplus land for a term longer than 15 years, including renewal options, entered into on or after January 1, 2024. SB 747 specifies that "dispose" does not include entering into a lease for Surplus Land on which no development or demolition will occur, regardless of the term. "Dispose" also does not include entering into a lease for Surplus Land, which is for a term of 15 years or less, including renewal options included in the terms of the initial lease.

SB 747 modifies certain the existing categories of Exempt Surplus Property, and creates new categories of Exempt Surplus Land, including land owned by public-use airports, certain lands owned by agencies whose primary mission relates to public transportation, and certain lands transferred to community land trusts. SB 747 authorizes a Local Agency to dispose of specified types of Exempt Surplus Land without making a declaration at a public meeting, if the Local Agency identifies the land in a notice that is published and available for public comment and provides that notice to the appropriate entities at least 30 days before the exemption takes effect. These specified types of Exempt Surplus Land include, but are not limited to, land used to provide housing affordable to persons and families of low or moderate income, certain land used for open-space or low- and moderate-income housing purposes, certain school district and community college district facilities or land owned by public-use airports.

Exempt Surplus Land will now also include land totaling 10 or more acres, consisting of a single parcel, or two or more adjacent or nonadjacent parcels combined for disposition to one or more buyers pursuant to a plan or ordinance adopted by the legislative body of the Local Agency, or a state statute, as specified. SB 747 requires this type of Exempt Surplus Land be subject to an open, competitive bid process, as specified, and that the development satisfy certain requirements. The restrictions on the land must be contained in a covenant or restriction recorded against the surplus land at the time of sale. If a Local Agency fails to follow this process it may be subject to penalties of thirty to fifty percent of the disposition value, as defined. The Local Agency must dispose of this type of Exempt Surplus Land pursuant to a Disposition and Development Agreement that contains an indemnification clause that provides that if an action occurs after disposition of the land that violates the restrictions, the person or entity that acquired the property shall be liable for the penalties.

Local Agencies should meticulously review the amendments to the Surplus Land Act when evaluating the disposal of Surplus Land or Excess Surplus Land to ensure they are proceeding with the appropriate process.

(AB 480 and SB 747 amend Sections 54222, 54222.5, 54223, 54224, 54225, 54226, 54227, 54230, 54230.5, and 54234 of, and amends and repeals Section 54221 of, the Government Code.)

Assembly Bill 569 – Requires The Cybersecurity Regional Alliances And Multistakeholder Partnerships Pilot Program To Submit A Report With Recommendations.

The Legislature established the Cybersecurity Regional Alliances and Multistakeholder Partnerships Pilot Program in 2022 to address the cybersecurity workforce gap. The office of the Chancellor of the California State University is required to select any number of California State University campuses to participate in the pilot program through an application and selection process. The Chancellor's Office is required to give preference to California State University campuses that have or are developing regional pipeline programs in cybersecurity with the California Community Colleges. Each selected campus is required to create a pilot program with goals and metrics, measure the impact and results of its pilot program, and annually share the impact and results with the Chancellor's Office. The Chancellor's Office is required to annually report the impact and results from pilot program on each campus to the Legislature.

AB 569 requires the office of the Chancellor of the California State University, on or before July 1, 2028, to submit a report to the Legislature on the pilot program. The report must outline recommendations on how to improve the program, how to recruit more veterans to participate, data on enrollment, how many different groups have been served by the program, and the number of veterans that have participated in the program.

(AB 569 amends Section 89270 of the Education Code.)

AB 579 And SB 775 – New Requirements For Local Educational Agencies Related Zero-Emission School Bus Purchases And Service Contracts.

Upon appropriation by the Legislature, state funds are to be distributed to the Superintendent of Public Instruction for distribution to school districts, county offices of education, or charter schools (LEA) to purchase low- or zero-emission school buses to replace, or increase the number of, school buses in the existing school bus fleet, or for retrofitting existing school buses to achieve reductions in emissions.

Assembly Bill 579 requires, commencing January 1, 2035, that all school buses purchased or contracted by a LEA be zero-emission vehicles, where feasible.

AB 579 authorizes the State Air Resources Board, in consultation with the Department of Education, and the State Energy Resources Conservation and Development Commission, to grant a one-time extension for a term not to exceed five years if a LEA determines that purchasing or contracting zero-emission school bus is not feasible due to both terrain and route constraints, and can reasonably demonstrate that a daily planned bus route for transporting pupil to and from school cannot be serviced through available zero-emission technology in 2035.

From January 1, 2040 through January 1, 2045, AB 579 authorizes LEA that meet certain criteria to apply for additional annual extensions. The annual extensions are only available if the LEA has a total number of pupils in average daily attendance at all of the schools served by the LEA less than 600 pupils or each county in which a school operated by the LEA has a total population density fewer than 10 persons per square mile. Similarly, the State Air Resources Board, in consultation with the Department of Education, and the State Energy Resources Conservation and Development Commission, can grant the annual extensions if the LEA determines that purchasing or contracting zero-emission school buses is not feasible due to both terrain and route constraints and can reasonably demonstrate that a daily planned bus route for transporting pupils to and from school cannot be serviced through available zero-emission technology for each year that the extension is sought.

The Education Code currently limits a continuing contract for pupil transportation services or school bus lease or rental to a 5-year term, or 10-year term

if the school bus lease or rental contract provides the school district with the option to cancel or purchase school buses at the end of each annual period. AB 579 extends these term limits to 15 years and 20 years, respectively, for contracts utilizing school buses that are zero-emission vehicles. AB 579 extends these contracting provisions from only school districts to county offices of education and charter schools.

SB 775 authorizes a LEA using a zero-emission school bus to transport pupils at or below the 12th-grade level to place signage on the rear of the zero-emission school bus that identifies the school bus as a clean air zero-emission bus pursuant to guidelines governing the size and placement of that signage set forth by the Department of the California Highway Patrol.

(AB 579 adds Sections 17927 and 39803.5 to the Education Code; SB 775 adds Section 27906.7 to the Vehicle Code.)

Assembly Bill 587 – Establishes New Requirements For Payroll Records Provided For Public Works Contracts To A Multiemployer Taft-Hartley Trust Fund Or Joint Labor-Management Committee.

The Labor Code requires each contractor and subcontractor on a public works project to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. Upon request of the public agency, the contractors and subcontractors must make these payroll records available as copies or for inspection. The contractors and subcontractors must redact the records accordingly. Records made available to a Taft-Hartley trust fund for the purposes of allocating contributions to participants must only redact to prevent disclosure of an individual's full social security number. Disclosures to public agencies for other purposes require redaction to prevent disclosure of an individual's name, address, and social security number. Any contractor, subcontractor, agent, or representative who fails to comply is guilty of a misdemeanor.

SB 587 amends the requirement for providing payroll records to a multiemployer Taft-Hartley trust fund or joint labor-management committee. Going forward, the Division of Labor Standards Enforcement will provide a form to provide the payroll records. When the contractors provide any copy of payroll records requested by, and made available for inspection by or furnish the payroll records to, a Taft-Hartley trust fund or joint labor-management committee, the payroll records must be on the Division of Labor Standards Enforcement form or in a format containing the same information as the form provided by the Division of Labor Standards Enforcement.

SB 587 specifies that copies of electronic certified payroll records do not satisfy payroll records requests made by Taft-Hartley trust funds and joint labor-management committees.

(AB 587 amends Section 1776 of the Labor Code.)

AB 700 – California Firefighter Cancer Prevention And Research Program.

The California Constitution provides that the University of California constitutes a public trust administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes. The Regents of the University of California may adopt rules and regulations as may be necessary to operate any project. Existing law establishes and funds various research centers and programs in conjunction with the University of California.

AB 700 establishes the California Firefighter Cancer Prevention and Research Program. Through AB 700, the Legislature requests the University of California to develop and administer a competitive grant program to award grants to eligible educational institutions to conduct research on the California fire service using a community-based participatory research model in collaboration with California firefighters. The research will include, but not be limited to, understanding the biomarkers associated with exposure to cancer-causing agents and studying the risks associated with exposure to carcinogens.

AB 700 requires the University of California, in consultation with the FIRESCOPE Program, to develop the strategic guidelines and priorities of the program and receive and evaluate the applications of the eligible educational institutions. AB 700 provides the FIRESCOPE Program with authority to make final recommendations to the University of California on which grants should be funded based on the research priorities established for the program and the technical merits of the proposals as determined by peer review panels modeled upon the National Institutes of Health peer review process.

AB 700 requires the University of California, in consultation with the FIRESCOPE Program, to prepare two reports to the Legislature, on or before January 1, 2025 and January 1, 2030, specifying the number and dollar amounts of the grants that have been awarded,

the grant recipients, the participating fire departments, and a summary of the research.

(AB 700 adds Article 4 (commencing with section 104210) to Chapter 2 of Part 1 of Division 103 of the Health and Safety Code.)

Assembly Bill 789 – Revises The Satisfactory Academic Progress Definition As It Relates To Cal Grants.

The Cal Grant Program establishes various awards, such as the Cal Grant A and B Entitlement Awards, the California Community College Expanded Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission. The eligibility requirements for awards under these programs for participating students attending qualifying institutions are outlined in the Education Code. To qualify for a Cal Grant award, the student, among other things, must make "satisfactory academic progress" at a qualifying institution. The Student Aid Commission is authorized to adopt regulations defining "satisfactory academic progress" in a manner consistent with the federal standards.

AB 789 eliminates the Student Aid Commission's authority to adopt regulations defining "satisfactory academic progress." Instead, AB 789, requires that an institution, as part of the criteria to be a qualifying institution under the Cal Grant Program, implement policies defining "satisfactory academic progress" in a manner that is consistent with the federal standards published in Title 34 of the Code of Federal Regulations and comply with various requirements by the start of the 2024–2025 academic year. Such requirements include, but are not limited to, setting the standards for grade point average and pace of completion, and providing specified notices to students regarding the institution's "satisfactory academic progress" standards and the student's progress.

(AB 789 amends Section 69432.7 of the Education Code.)

Assembly Bill 840 – Permits Alcohol Advertising On Certain Cal State Campuses.

The Department of Alcoholic Beverage Control administers the Alcoholic Beverage Control Act, by regulating the application, issuance, and suspension of alcoholic beverage licenses. The Alcoholic Beverage Control Act specifically prohibits licensees from paying a retailer for advertising, unless an exemption is specified within the Act. In the situations when the advertising is allowed, there must be a written contract, as specified in the Act.

AB 840 expands the exceptions to the prohibition of a retailer for advertising. AB 840 will allow advertising at various facilities meeting certain capacity specifications on the following California State University campuses: California Polytechnic State University, San Luis Obispo, California State University, Fresno, California State University, Sacramento, California State University, Monterey Bay, California State University, Fullerton, San Jose State University, California State University, Northridge; and facilities located on St. Mary's College of California campus located in the Town of Moraga.

(AB 840 amends Section 25503.6 of the Business and Professions Code.)

Assembly Bill 1121 – Creates The Electronic Ineligibility List For Public Works.

To be qualified to bid on, be listed in a bid proposal, or engage in the performance of any public works contract, a contractor or subcontractor must be registered with the Department of Industrial Relations (DIR). The DIR is required to maintain a list of contractors that are currently registered to perform public works on its internet website.

AB 1121 requires authorities awarding bids on public works to annually submit to the DIR's electronic project registration database, a list of contractors that are ineligible to bid on or be awarded a public works contract, or to perform work as a subcontractor on a public works project pursuant to local debarment or suspension processes. AB 1121 requires the DIR to make the list available to the public through the electronic database.

(AB 1121 amends Section 1771.1 of the Labor Code.)

Assembly Bill 1151 – Authorizes The Governing Board Of A Community College To Use Facilities By The Community And Other Organizations Based On Certain Terms.

Existing law provides that there is a civic center at each and every Community College within the state and that such civic centers may be used by the citizens, Camp Fire Girls, Boy Scout troops, farmers' organizations, school-community advisory councils, senior citizens' organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts to engage in supervised recreational activities, to meet and discuss any subjects and questions that in their judgment pertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside. Existing law authorizes the governing

boards of the community college districts to authorize the use, by citizens and organizations, of any other properties under their control, for supervised recreational activities.

AB 1511 amends Section 82537 of the Education Code to allow the governing board of a Community College District to authorize the community and organizations to use any civic center or other properties under the control of the governing board of the community college district, as provided.

Existing law requires the governing board of a Community College District to grant without charge, except as otherwise provided, the use of any college facilities or grounds under its control, when an alternative location is not available, to certain organizations. The existing law specified the following organizations: nonprofit organizations and clubs and associations organized for general character building or welfare purposes, as specified.

AB 1511 amends Section 82542 of the Education Code to provide the governing board of a community college district the discretion to grant without charge, except as otherwise provided, the use of those facilities, when an alternative location is not available, to certain organizations. The law is amended to include the following organizations: nonprofit organizations and clubs and associations organized for athletic activities for youth, charitable purposes, educational purposes, or the civic well-being of the community.

Existing law also authorizes the governing board of a Community College District to permit the use, without charge, by organizations, clubs, or associations organized for senior citizens and for cultural activities and general character building or welfare purposes, when membership dues or contributions solely for the support of the organization, club, or association, or the advancement of its cultural, character building, or welfare work, are accepted.

AB 1511 amends Section 82542(j) of the Education Code by expanding the types of organizations that the governing board of a Community College District permits use, without charge, to also include organizations, clubs, or associations organized for youth, in addition to senior citizens and for cultural activities. AB1511 eliminated the requirement that these organizations must have membership dues to be eligible to use the facilities without charge.

AB 1511 adds Section 82543 to the Education Code, which, notwithstanding any other law, requires the Community College District to give priority access to the use of those facilities or grounds to organizations, clubs, and associations, including athletic associations for youth, that serve people from socioeconomically disadvantaged communities if it authorizes the use of its facilities or grounds pursuant to the above-described provisions.

Existing law permitted the governing board of a Community College district to require the user of a community college district facility or property to obtain a certificate of insurance from a liability insurance carrier and to submit that certificate to the Community College District for approval when the purpose of the use was athletic activities and only required a minimum coverage of $300,000 for liability for injury or damage to property which may arise out of that use. Existing law also authorizes the governing board to require more than that minimum coverage, as specified.

AB 1511 amends Section 82548 of the Education Code to authorize the governing board of a Community College District to require a certificate of insurance for the grant of use for any purpose, and raises the minimum coverage amount to $1,000,000.

(AB 1151 amends Sections 82537, 82542, and 82548 of, and adds Section 82543 to, the Education Code.)

Assembly Bill 1307 – California Environmental Quality Act And Higher Educational Institutions.

The California Environmental Quality Act (CEQA) is applicable to projects undertaken by a public agency, funded by a public agency or projects that require an issuance of a permit by a public agency (CEQA Projects). CEQA requires public agencies with the principal responsibility for carrying out or approving CEQA Projects (Lead Agencies) to prepare, or cause to be prepared, and certify the completion of an environmental impact reports (EIR) on CEQA Projects that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires Lead Agencies to prepare a mitigated negative declaration for CEQA Projects that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

AB 1307 specifies that for purposes of CEQA, the effects of noise generated by project occupants and their guests on human beings is not a significant effect on the environment for residential projects.

AB 1307 specifies that California Community Colleges, the California State University and University of California are not required, in an environmental impact report prepared for a residential or mixed-use housing

project, to consider alternatives to the location of the residential or mixed-use housing project if: (1) the residential or mixed-use housing project is located on a site that is no more than five acres and is substantially surrounded by qualified urban uses, defined as residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses; and (2) the residential or mixed-use housing project has already been evaluated in the environmental impact report for the most recent long-range development plan for the applicable campus.

(AB 1307 adds Sections 21085 and 21085.2 to the Public Resources Code.)

Assembly Bill 1433 – Establishes Additional Bidding Requirements For Public Contracts For School Facility Projects.

The Public Contract Code places certain requirements on public projects involving construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, painting or repainting of publicly owned, leased, or operated facility, for which the governing board of the school district uses funds received pursuant to the Leroy F. Greene School Facilities Act or any funds received, including funds reimbursed, from any future state school bond for a public project that involves a projected expenditure of one million dollars ($1,000,000) or more (School Facility Projects). Under these requirements a prospective bidder for a construction contract for School Facility Projects must submit a prequalification questionnaire and financial statement, under oath, as part of the bidding process, and submit a bid by completing and executing a standardized proposal form.

AB 1433 extends these bidding requirements to also include contracts funded by state general funds within School Facility Projects.

(AB 1433 amends Section 20111.6 of the Public Contract Code.)

Assembly Bill 1467 – Nevaeh Youth Sports Safety Act.

The Health and Safety Code defines a youth sports organization as an organization, business, nonprofit entity, or a local governmental agency that sponsors or conducts amateur sports competitions, training, camps, or clubs in which persons 17 years of age or younger participate. Existing law requires youth sports organizations to comply with specified concussion and sudden cardiac arrest prevention protocols. These protocols include, but are not limited to, offering annual education or related materials to each youth sports organization coach, administrator, and referee, umpire, or other game official. These materials must include information relating to the use of an automated external defibrillator (AED), if it is available, in the event of a cardiac emergency.

The California Youth Football Act currently requires youth sports organizations that conduct tackle football programs to comply with certain protocols. These protocols include requiring coaches to annually receive first aid, cardiopulmonary resuscitation, and AED certification, and requiring at least one independent non-rostered individual to be present at all practice locations that has current and active certifications in first aid, cardiopulmonary resuscitation, AED, and concussion protocols.

AB 1467 enacts the Nevaeh Youth Sports Safety Act. Beginning on January 1, 2027, each youth sports organization that offers an athletic program will be required to make an AED available to the athletes during any official practice or match. An official practice is defined as any sport session in which live action or one or more drills are conducted and a match is defined as a match as scheduled by the youth sports organization, the coach, or other designee of the organization. AB 1467 requires that if an AED is administered during an applicable medical circumstance, it must be administered by a medical professional, coach, or other person designated by the youth sports organization, who holds AED certification and who complies with any other qualifications required pursuant to federal and state law applicable to the use of an AED.

While not stated explicitly, the Nevaeh Youth Sports Safety Act essentially requires youth sports organizations to have an individual present at all practices and matches that has a current and active AED certification and any other qualifications required by federal and state law to administer an AED in the event it is required.

(AB 1467 adds Article 2.6 (commencing with Section 124238) to Chapter 4 of Part 2 of Division 106 of the Health and Safety Code.)

Assembly Bill 1637 – Requires All Local Governments To Use .Gov Or .Ca.Gov Internet Websites And Email Addresses.

AB 1637 requires all local agencies, defined as city, county, or city and county that maintain an internet website for use by the public or maintains public email addresses for its employees to utilize a ".gov" top-level domain or a ".ca.gov" second-level domain for local agency's website and email addresses by January 1, 2029. If the local agency uses a public website that is noncompliant by January 1, 2029, the local agency

must redirect website to a domain name that utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain.

(AB 1637 adds Section 50034 to the Government Code.)

Assembly Bill 1697 – Authorizes The Electronic Execution Of Authorizations Of Release Of Medical Information.

The Uniform Electronic Transactions Act provides that a record or signature may not be denied legal effect or enforceability solely because it is in electronic form. However, the Uniform Electronic Transactions Act is not applicable to an authorization for the release of medical information by a provider of health care, health care service plan, pharmaceutical company, or contractor or an authorization for the release of genetic test results by a health care service plan under the Confidentiality of Medical Information Act (CMIA).

AB 1697 amends the Uniform Electronic Transactions Act to make it applicable to authorizations for the release of medical information by a provider of health care, health care service plan, pharmaceutical company, or contractor and to authorizations for the release of genetic test results by a health care service plan under CMIA.

CMIA requires that the authorization for release of medical information by providers and employers to meet certain requirements, including a specific end date, to be valid. AB 1697 amends CMIA so that in lieu of a specific end date, the authorization can state an expiration date or event limiting the duration of the authorization to one year or less. In certain instances, as specified, the authorization may extend beyond a year.

AB 1697 requires providers and employers to provide the individual with a copy of the signed authorization, and instructions on how to access additional copies or a digital version of the signed authorization for that authorization to be valid.

AB 1697 also incorporates the changes made by Assembly Bill 254, which expands the definition of "medical information" to include information about a consumer's reproductive health, menstrual cycle, fertility, pregnancy, pregnancy outcome, plans to conceive, or type of sexual activity collected by a reproductive or sexual health digital service, including a mobile-based application or internet website.

(AB 1697 amends Sections 56.05, 56.11, 56.17, 56.21, and 1633.3 of the Civil Code.)

AB 1759 – Establishes Requirements Under The State Records Management Act.

Existing law requires the Secretary of State to establish and administer a records management program under the State Records Management Act. Existing law requires the head of a state agency to notify the secretary when records are digitized by a third-party vendor and appoint a representative from the state agency to serve as the Records Management Coordinator who is charged with specified duties, including, among other things, coordinating the state agency's records management program.

AB 1759 will require the head of a state agency to notify the Secretary of State when records are digitized, regardless of whether this task is completed by a third-party vendor. AB 1759 requires the Records Management Coordinator of a state agency to notify the Secretary of State when a record is lost or destroyed.

(AB 1759 amends Sections 12220, 12222, 12227, 12230, 12274, and 12274.5 of the Government Code.)

Senate Bill 4 – Affordable Housing On Faith And Higher Education Lands Act Of 2023.

Senate Bill 4 allows applications for certain housing development projects that meet certain criteria to be streamlined for approval and not subject to a conditional use permit. The applications must meet certain criteria including specified applicants, location of the land, and type of project. The application for the housing development projects must be submitted by a qualified developer, which is defined as local public entities, as defined in Health and Safety Code Section 50079 or certain nonprofit corporations, limited partnerships, limited liability companies, religious institutions or independent institution of education, as defined in Education Code Section 66010, that meet certain criteria.

SB 4 outlines fifteen separate criteria that the housing development project must meet. The housing development project must be located on any land owned by an independent institution of higher education or religious institution on or before January 1, 2024. The housing development project cannot be adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use. One hundred percent of the units, exclusive of manager units, in an eligible housing development project must be affordable to lower income households, except that 20% of the units may be for moderate-income households, and 5% of the units may be for staff of the independent institution of higher education or the religious institution that owns the land. The units

affordable to lower income households must be offered at affordable rent, as set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee, or affordable housing cost, as defined the Health and Safety Code.

If all criteria are met, the housing development project will be eligible for a use by right, meaning it will not require a conditional use permit, planned unit development permit, or other discretionary local government review, and will not be a "project" that is subject to California Environmental Quality Act (CEQA) (Use by Right).

SB 4 authorizes housing development projects to utilize the ground floor for certain ancillary uses including, but not limited to, childcare centers and facilities operated by community-based organizations.

SB 4 specifies that a housing development project that is eligible for approval as a Use by Right under the bill is also eligible for a density bonus, incentives, or concessions, or waivers or reductions of development and parking standards, except as specified.

SB 4 requires a housing development project to provide off-street parking of up to one space per unit, unless a state law or local ordinance provides for a lower standard of parking, in which case the law or ordinance applies. Local government are prohibited from imposing any parking requirement on a housing development project if the development is located within one-half mile walking distance of public transit, either a high-quality transit corridor or a major transit stop or within one block of a car share vehicle.

SB 4 requires a local government that determines a proposed housing development project is in conflict with any objective planning standards, as specified, to provide the qualified developer with written documentation explaining those conflicts within 60 days for a proposed housing development project containing 150 or fewer housing units or 90 days for a proposed housing development project containing more than 150 housing units. If the local government fails to provide the requisite documentation explaining any conflicts, the proposed housing development project shall be deemed to satisfy the required objective planning standards.

SB 4 authorizes local governments to conduct a design review; however, the design review must focus on compliance with the requisite criteria of a streamlined, ministerial review process. The design review process shall not inhibit, chill, or preclude a streamlined, ministerial approval. SB 4 requires local governments to issue a subsequent permit for housing development projects approved under the provisions of this act.

SB 4 will be repealed as of January 1, 2036.

SB 4 includes findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities. CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA does not apply to the ministerial approval of projects. SB 4, by requiring approval of certain development projects as a Use By Right, would expand the exemption for ministerial approval of projects under CEQA.

(SB 4 adds and repeals Section 65913.16 of the Government Code.)

Senate Bill 27 – New Requirements For University Of California Vendors.

Existing provisions of the California Constitution provide that the University of California constitutes a public trust and require the University of California to be administered by the Regents of the University of California (Regents), a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes, including any competitive bidding procedures as may be applicable to the University of California by statute for specified purposes, including the purchasing of materials, goods, and services. Existing law requires the Regents, except as provided, to let all contracts involving an expenditure of $100,000 or more annually for goods and materials or services, excepting personal or professional services, to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing policy of the Regents establishes a general prohibition on contracting out for services and functions that can be performed by University of California staff, with certain exceptions, establishes employment standards for contract employees, and provides for the conversion of contract employees to University of California employment under prescribed circumstances.

SB 27 provides new requirements for any contractor, person, employer, supplier of labor, staffing agency, temporary services employer, labor broker, management services provider, or other entity that contracts with the University of California to provide services or to supply the University of California with its own employees or those of a subcontractor to perform services (Vendor). SB 27 also provides

the Vendor's employees with remedies in the event the Vendor fails to meet these requirements.

SB 27 makes it unlawful for a Vendor to accept payment from the University of California for a contract if the Vendor's employees are paid less than the higher of the total compensation rate specified in the Vendor's contract with the University of California or as required by the University of California policy. SB 27 broadly defines employee to include any contract worker, or individual employed by the Vendor, or otherwise supplied to the University of California by the Vendor, to perform services for the University of California and any individual treated by either the Vendor, a subcontractor, or the University of California as an independent contractor (Vendor Employees). SB 27 does exclude specified individuals who are related to the Vendor and any individual with an ownership interest of 5 percent or more in the Vendor.

SB 27 requires Vendors to provide Vendor Employees with written notice relating to compensation. The compensation notice must include: (1) the total compensation rate specified in the Vendor's contract with the University of California or required by University of California policy, whichever is higher; and (2) the employee's hourly rate of pay and hourly value of employer-provided benefits. The compensation notices must be provided at three specified times: (1) the time each employee is assigned to perform services for the University of California; (2) each January; and (3) within seven days of a change to the employee's hourly rate.

In January and July of each year, Vendors must provide basic payroll information to the University of California and members of any joint labor-management committee or similar meeting body or committee established jointly by the University of California and the exclusive representative of University of California employees who perform the same or similar services as the employees performing services for the University of California. The Vendor must also provide Vendor Employees with a written notices regarding the release of the basic payroll information to the University of California. The exact language required for the notice is outlined code.

SB 27 also requires Vendors to furnish the basic payroll information or make it available for inspection by the Vendor Employees or an authorized representative, upon request.

Any audit analyzing whether a Vendor has compensatedemployees at the appropriate rate pursuant to the Vendor's contract or University of California policy must be provided to the University of California and members of any joint labor-management committee.

SB 27 authorizes an aggrieved employee to bring a civil action against a Vendor. An aggrieved employee includes a Vendor Employee against whom one or more alleged violations was committed or a University of California employee coworker of a Vendor Employee against whom one or more alleged violations was committed who performs services for the University of California at or for the same University of California location or department as the Vendor Employee.

Prior to filing the civil action, the aggrieved employee must provide the Vendor with written notice of an alleged violation and provide the Vendor the opportunity to correct and cure the violation. Upon receipt of the notice, the Vendor has 60 days to provide documentation that each employee identified in the notice has been made whole, has been provided with the required notices, and is receiving the appropriate compensation rate. If the Vendor does not provide the requisite documentation, the aggrieved employee may file civil action.

SB 27 requires a Vendor who receives written notice of alleged violations to provide a copy of that notice to the president of the University of California within five business days.

SB 27 establishes mandatory remedies for prevailing claimants, including penalties for initial and secondary violations for each employee per pay period and attorney fees. The remedies are in addition to any other remedies provided by law, except that an employee shall not also receive penalties provided for failure of an employer to permit an employee to inspect records (Labor Code Section 226(f)) or failure to pay minimum wage (Labor Code Section 1197.1).

The Vendor will also be required to return to the University of California the difference between the amount paid by the University of California for the Vendor's services and the amount the Vendor actually paid the aggrieved employee for any payroll periods after January 1, 2024.

SB 27 requires the Vendor to notify the president of the University of California if it is defeated in court.

If any provision of SB 27 or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(SB 27 adds Section 10527 to, and to add Article 2.7 (commencing with Section 10510.50) to Chapter 2.1 of Part 2 of Division 2 of, the Public Contract Code.)

Senate Bill 88 – Additional Requirements For Drivers Providing School Related Pupil Transportation.

Existing law requires the driver of a school pupil activity bus, as defined, to be subject to the regulations adopted by the Department of the California Highway Patrol governing school bus drivers, except as specified. Beginning July 1, 2025, SB 88 imposes additional requirements upon drivers who provide school-related pupil transportation for compensation to a local educational agency. Local education agency is defined as any school district, county office of education, charter school, entity providing services under a school transportation joint powers agreement, or regional occupational center or program (LEA). SB 88 is applicable to all drivers employed by, contracted by, or contracted by any entity with funding from a LEA. School-related pupil transportation includes: home-to-school transportation, field trips, after school program-related transportation, preschool and childcare-related transportation, athletic program-related transportation, extracurricular school activity-related transportation, or any transportation of pupils to or from a school campus. SB 88 provides for certain exclusions.

SB 88 places various requirements upon these school bus drivers including, but not limited to, pass a criminal background check, have a satisfactory driving record, submit and clear tuberculosis risk assessments, not have demonstrated irrational behavior, pass a medical examination, and have certain training, as specified by the code.

SB 88 requires that all vehicles be inspected every 12 months, or every 50,000 miles, whichever comes first, at a facility licensed by the Bureau of Automotive Repair to ensure that the vehicle passes a 19-point vehicle inspection and to be equipped with a first aid kit and a fire extinguisher.

SB 88 requires a private entity providing transportation services to provide a written attestation that it does not have any applicable law violations at the time of applying for the contract, it will maintain compliance with applicable laws for the duration of the contract, its drivers meet the qualifications, and it has all the necessary reports and documents to prove the same. Third parties are authorized to report to a LEA that the private entity has failed to provide a truthful attestation or has failed to maintain compliance with the applicable laws during the term of the contract.

In the event the LEA enters into a contract before January 1, 2024 and the terms conflict with SB 88, SB 88 would not be applicable until the expiration or renewal of that contract.

Existing law provides the governing board or county superintendent of schools authority to determine, at their discretion, whether a private contracted driver who transports pupils infrequently without prolonged contact with the pupils requires a tuberculosis risk assessment as a condition of the contract. SB 88 amends the law to only provide that discretion up until July 1, 2025; thereafter, these private contracted driver will also require a tuberculosis risk assessment.

(SB 88 amends Section 49406 and adds Article 5 (commencing with Section 39875) to Chapter 1 of Part 23.5 of Division 3 of Title 2 of, the Education Code.)

Senate Bill 321 – Local Public Library Partnership Program Provides Public School Students Access To Local Public Libraries.

AB 321 establishes the Local Public Library Partnership Program, under the administration of the State Librarian, to ensure that all pupils enrolled at a school site in a school district, county office of education, or charter school (LEA) have access to a local public library by 3rd grade.

AB 321 requires the State Librarian to offer resources to assist each local public library, as defined, to find student success card dispensing strategies that work best for their communities, coordinate with each local public library to determine the most effective means to ensure each pupil is issued a student success card by third grade, and, ensure, on or before January 1, 2026, that partnerships between local public libraries and LEA have been established to enable each pupil to be issued a student success card by third grade. A Student Success Card shall provide the pupil access to collections that support school curriculum, pupil leisure reading, online research, and learning resources maintained by local public libraries and the California State Library, online tutoring and digital content from the California State Library's K–12 Online Resources Project.

On or before January 1, 2029, and each year thereafter, AB 321 requires the State Librarian to report to the Legislature on the Local Public Library Partnership Program the number of third grade pupils who have been issued a Student Success Card, the number of 3rd grade pupils who received local public library access as a result of the Local Public Library Partnership Program, the number of new summer readers each local public library received during the summer months each year, and any measurable increases to the use of other library resources as a result of the partnerships developed pursuant to this article.

(SB 321 adds Article 5 (commencing with Section 19340) to Chapter 7 of Part 11 of Division 1 of Title 1 of the Education Code.)

Senate Bill 416 - LEED Certification Required For Building And Renovation Projects Undertaken By State Agencies.

The State Contract Act governs the bidding and award of public works contracts by specific state departments and requires an awarding department, before entering into any contract for a project, to prepare full, complete, and accurate plans and specifications and estimates of cost. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases and requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions.

SB 416 requires all new buildings and major renovation projects larger than 10,000 gross square feet undertaken by California state agencies, and for which the project schematic design documents are initiated by the California state agency on or after January 1, 2024, to obtain the Leadership in Energy and Environmental Design or "LEED" Gold or higher certification. If the California state agency makes a finding that achieving LEED Gold conflicts with critical operational or security requirements, is demonstrably cost ineffective, or conflicts with California Building Code requirements, the California state agency is required to obtain LEED Silver certification.

SB 416 authorizes the State Agency to obtain a certification to an alternative equivalent or higher rating system or standard, if any, only when approved by the Director of General Services.

(SB 416 adds Section 8316 to the Government Code.)

Senate Bill 515 – Limits The Cost Of Open-Sided Shade Structures On School And Community College Campuses.

The California Building Standards Code requires that specified buildings, structures, and facilities be accessible to, and useable by, persons with disabilities, including when alterations or additions are made to existing buildings or facilities, or an accessible path of travel to the specific area of alteration or addition is provided.

SB 515 limits the cost of complying with the requirement to provide an accessible path of travel to a free-standing, open-sided shade structure project that meets specified requirements and that is on a school district, county office of education, charter school, or community college campus to 20% of the adjusted construction cost, as defined in Section 202 of Chapter 2 of Part 2 of Title 24 of the California Code of Regulations, of the shade structure project.

(SB 515 adds Chapter 9 (commencing with Section 17670) to Part 10.5 of Division 1 of Title 1 of the Education Code.)

Senate Bill 760 – Amends The Circumstances Authorizing The Closure Of School Restrooms.

All public and private schools offering any combination of classes for kindergarteners through 12 graders are required to maintain restrooms that are maintained and cleaned regularly, fully operational, and stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. The schools must keep the restrooms open during school hours when pupils are not in classes and keep a sufficient number of restrooms open during school hours when pupils are in classes. Existing law allows the temporarily closure of restrooms as necessary for pupil safety or as necessary to repair the facility.

SB 760 amends the circumstances under which a school is authorized to temporarily close a restroom. A school may now temporarily close a restroom: (1) for a documented pupil safety concern; (2) for an immediate threat to pupil safety; or (3) to repair the facility.

SB 760 also sets forth new requirements relating to all gender restrooms for school districts, county offices of education, and charter schools, including charter schools operating in a school district facility, maintaining any combination of classes from grades 1 to 12 (LEA).

On or before July 1, 2026, each LEA must provide and maintain at least one all-gender restroom for voluntary pupil use at each of its school sites that have more than one female restroom and more than one male restroom designated exclusively for pupil use, excluding restrooms designated for pupils in transitional kindergarten or kindergarten. If the school site does not meet these requirements, SB 760 does not preclude the LEA from identifying and making easily accessible, a restroom for pupil use that satisfies the requirements outlined herein.

The all-gender restroom must have signage identifying the bathroom facility as being open to all genders; conform with Title 24 of the California Code of Regulations (California Building Standards Code); available for pupil use; maintained and cleaned regularly, fully operational, and stocked at all times with toilet paper, soap, and paper towels or functional

hand dryers; as unlocked, unobstructed, easily accessible by any pupil, and consistent with existing pupil access to sex-segregated restrooms; be stocked at all times with an adequate supply of menstrual products, available and accessible, free of cost if the school maintains any combination of classes from grades 6 to 12; and must be available during school hours and school functions when pupils are present.

SB 760 requires the LEA to designate a staff member to serve as a point of contact for implementation of the all-gender restrooms. The LEA must post a notice regarding these requirements for the all-gender restrooms in a prominent and conspicuous location outside at least one all-gender restroom, including the contact information for the designated staff member. The LEA may use an existing restroom to satisfy these requirements if it ensures that all pupils have restrooms that are in easily accessible locations and the existing restroom otherwise complies with the requirements as specified.

SB 760 also requires that all applications, submitted for approval on or after July 1, 2026, for state funding for a school modernization projects, as part of the modernization project, include an all-gender restroom designed exclusively for pupil use if the school site has not already established an all-gender restroom.

The LEA cannot require a pupil to use an all-gender restrooms. Use of an all-gender restroom by a pupil shall be voluntary.

These requirements are subject to review by the Superintendent of Public Instruction for compliance with sex discrimination laws and regulations.

(SB 760 amends Section 35292.5 of the Education Code and adds Section 17585 to the Education Code.)

Senate Bill 790 – Contracts For Goods And Services Are Now Subject To The Public Records Act.

The California Public Records Act requires public records to be open to inspection at all times during the office hours of the state or local agency that retains those records, and provides that every person has a right to inspect any public record, except as provided. The Act requires state and local agencies to make public records available upon receipt of a request for a copy that reasonably describes an identifiable record not otherwise exempt from disclosure, and upon payment of fees to cover costs.

SB 790 adds Section 7928.801 to the Government Code, which provides that any executed contract for the purchase of goods or services by a state or local agency, including the price and terms of payment, is a public record subject to disclosure under the California Public Records Act. Any provision that purports to exclude a contract from disclosure by agreeing to consider it a confidential or proprietary record of the vendor is void and unenforceable as a matter of law.

(SB 790 adds Section 7928.801 to the Government Code.)

DISCRIMINATION, RETALIATION, PROTECTED CONDUCT

Senate Bill 497 – Establishes A Protected Conduct Presumption Of 90 Day.

This bill establishes a rebuttable presumption in favor of an employee's claim of Labor Code section 1102.5 and 96(k) retaliation if an employer engages in an adverse action against the employee within 90 days of the employee's participation in a protected activity. The bill also expands the maximum civil penalty, from $10,000 per violation, to $10,000 per employee for each violation, for any employer, not just a corporation or limited liability company, found to have retaliated against a whistleblower. SB 497 goes into effect January 1, 2024.

The presumption of retaliation makes it easier for an employee to establish a prima facie case of retaliation.

(SB 497 amends sections 98.6, 1102.5, and 1197.5 of the Labor Code.)

Senate Bill 700 – Prohibits Employment Discrimination For Prior Use Of Cannabis.

Effective January 1, 2024, current law makes it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person because of the person's use of cannabis off the job and away from the workplace, or an employer-required drug screening test that has found the person to have non-psychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids.

Existing law does not, however, permit an employee to possess, to be impaired by, or to use, cannabis on the job, nor does existing law affect the rights or obligations of an employer to maintain a drug- and alcohol-free workplace, as required by law. Existing law also does not prohibit an employer from discriminating in hiring, or any term or condition of employment, or otherwise penalize a person based on scientifically valid pre-employment drug screening

conducted through methods that do not screen for non-psychoactive cannabis metabolites.

Finally, existing law does not preempt state or federal laws requiring applicants or employees to be tested for controlled substances, including laws and regulations requiring applicants or employees to be tested, or the manner in which they are tested, as a condition of employment.

SB 700 makes it unlawful for an employer to request information from an applicant for employment relating to the applicant's prior use of cannabis. However, this prohibition does not preempt state or federal laws requiring an applicant to be tested for controlled substances, nor is an employer prohibited from asking about an applicant's criminal history if its otherwise permitted by law.

(SB 700 amends Section 12954 of the Government Code.)

PUBLIC MEETINGS

Assembly Bill 557 – Teleconference Under The Brown Act When There Is Imminent Risk To Health Or Safety.

This bill revises the authority of a legislative body to hold a teleconference meeting under existing abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill extends indefinitely that authority in the circumstances under which the legislative body either:

1. Meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or

2. Has previously made that determination.

The bill also extends the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.

(SB 557 amends and repeal Section 54953 of the Government Code.)

PUBLIC SAFETY

Senate Bill 449 – Provides Clean Up Provisions To Senate Bill 2 Related To Peace Officers.

Senate Bill 449 makes the following revisions to Senate Bill 2 (from the 2021-2022 Legislative Session):

- Clarifies that an agency may provisionally employ a person for up to 24 months, pending certification by Commission on Peace Officer Standards and Training (POST), provided that person has received a proof of eligibility and has not been previously certified or denied certification or had their certification revoked.

- Redefines "certification" to mean any and all valid and unexpired certificates issued pursuant to existing law, including basic, intermediate, advanced, supervisory, management and executive certificates or any proof of eligibility issued by POST.

- Clarifies POST is not prohibited from considering a peace officer's prior conduct and service record in determining whether suspension is appropriate for serious misconduct.

- Authorizes the Peace Officer Standards Accountability Division (POSAD) to redact any records introduced during the hearings of the Peace Officer Standards Accountability Advisory Board (Board) and the review by the POST.

- Authorizes POST to cancel the certificate or proof of eligibility of a peace officer if it determines that there was fraud or misrepresentation made by an applicant at any time during the application process.

- Provides that neither the Board nor POST are precluded from reviewing the un-redacted versions of these records in closed session and using them as the basis for any action taken.

- Provides that if POST determines that disclosure of information may jeopardize an ongoing investigation, put a victim or witness at risk of any form of harm or injury, or may otherwise create a risk of any form of harm or injury that outweighs the interest in disclosure, POST may withhold that information from the peace officer that is the subject of the investigation until the risk of harm is ended or mitigated so that the interest in disclosure is no longer outweighed by the interest in nondisclosure.

- Requires information that POST releases to a law enforcement agency that has been withheld from the subject peace officer to be kept confidential by the receiving agency.

- States that the Legislature finds and declares that the limitation on the right of access to the meetings of public bodies or the writings of public officials and agencies imposed, as specified, furthers the need to protect sensitive, private, and confidential information, an ongoing investigation, and individuals from harm.

(SB 449 amends Sections 13510.1, 13510.8, 13510.85, and 13510.9 of the Penal Code.)

Assembly Bill 443 – Requires The Peace Officer Standards And Training Commission Define "Biased Conduct" By 2026.

AB 443 requires the Commission on Peace Officer Standards and Training (POST) establish a definition of biased conduct and develop guidance for law enforcement agencies when screening applicant social media accounts for bias.

The bill requires that the definition of bias include:

1. Bias against a person's actual or perceived class or characteristic protected under the Unruh Civil Rights Act; and

2. Conduct is biased if a reasonable person with the same training and experience would look at the facts and conclude that the conduct resulted from bias due to membership in a specified class.

(AB 443 amends Section 13510.6 to the Penal Code.)

Assembly Bill 449 – Requires The Development Of Hate Crime Policy By July 1, 2024.

This bill requires any state or local law enforcement agency to adopt a hate crime policy by July 1, 2024, and to report that policy to the Department of Justice for review.

(AB 449 amend Sections 422.87, 13023, and 13519.6 of the Penal Code.)

Assembly Bill 994 – Requires The Removal Of Booking Photos From Social Media Within 14 Days Unless Certain Criteria Applies.

Requires a police department or sheriff's office to remove a booking photo shared on the law enforcement agency's social media page within 14 days unless the subject of the image is a fugitive or an imminent threat to public safety, or continuing to share the image is otherwise justified by a legitimate law enforcement interest. However, this bill allows a police department or sheriff's office to use a person's other legal names or known aliases on social media when sharing a booking photo if an exigent circumstance exists that necessitates their use due to an urgent and legitimate law enforcement interest.

(AB 994 amends section 13665 of the Penal Code.)

Senate Bill 623 – Repeals The Coverage Of PTSD As An Injury For Public Safety Employees Under The Workers Compensation On January 1, 2029.

The workers' compensation system compensates an employee for injuries sustained in the course of employment. Existing law provides, until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit and creates a disputable presumption that the injury arises out of and comes in the course of employment. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits.

This bill instead repeals that provision on January 1, 2029, and would require the Commission on Health and Safety and Workers' Compensation to submit reports to the Legislature analyzing the effectiveness of the presumption and a review of claims filed by specified types of employees, not included in the presumption, such as public safety dispatchers, as defined.

(SB 623 amends Section 3212.15 of the Labor Code.)

VARIOUS OTHER UPDATES

Assembly Bill 1076 – Non-Compete Clauses.

AB 1076 codifies existing case law (*Edwards v. Arthur Andersen LLP* (2008) 44 Cal.4th 937), that non-compete clauses are void in an employment context unless an exception applies. This law clarifies that California's invalidation of non-compete agreements is not limited to contracts where the person being restrained from engaging in a lawful profession, trade, or business is a party to the contract.

Further, the bill creates a notice requirement for employers to notify current and former employees whose contracts included an unlawful non-compete that they are void. The notice needs to be contained in a written individualized communication to the employee or former employee, and delivered to their last known address and email address. Failure to send these notices is a violation of California Unfair Competition Law, which can carry civil penalties.

(AB 1076 amends Section 16600 of, and to add Section 16600.1 to, the Business and Professions Code.)

Assembly Bill 933 – Amends The Classification Of Privileged Communications For Purposes Of Libel And Slander Claims To Include Communications Related To Incidents Of Sexual Assault, Harassment, Or Discrimination.

Existing law provides that libel is a false and unprivileged written publication that injures the reputation and that slander is a false and unprivileged publication, orally uttered, that injures the reputation, as specified. Existing law makes certain publications and communications privileged and therefore protected from civil action, including complaints of sexual harassment by an employee, without malice, to an employer based on credible evidence and communications between the employer and interested persons regarding a complaint of sexual harassment.

This bill includes among those privileged communications a communication made by an individual, without malice, regarding an incident of sexual assault, harassment, or discrimination, as defined, and would specify the attorney's fees and damages available to a prevailing defendant in any defamation action brought against that defendant for making that communication.

(AB 933 adds Section 47.1 to the Civil Code.)

Senate Bill 553 – Amends Existing Law To Permit A Collective Bargaining Representative To Seek A Workplace Restraining Order On Behalf Of The Employee(s).

Effective January 1, 2025, SB 553 allows a collective bargaining representative of an employee, to seek a temporary restraining order and an order after hearing on behalf of the employee and other employees at the workplace. The bill requires an employer or collective bargaining representative of an employee, before filing such a petition, to provide the employee who has suffered unlawful violence or a credible threat of violence from any individual an opportunity to decline to be named in the temporary restraining order. Under the bill, an employee's request to not be named in the temporary restraining order would not prohibit an employer or collective bargaining representative from seeking a temporary restraining order on behalf of other employees at the workplace, and, if appropriate, other employees at other workplaces of the employer.

(SB 553 amends, repeals, and adds Section 527.8 of the Code of Civil Procedure, and amends Section 6401.7 of, and adds Section 6401.9 to, the Labor Code.)

Assembly Bill 1020 – Presumption Of Work Related Injury / 1937 Act – Extended 60 Months Following Termination.

Existing law, the County Employees Retirement Law of 1937, prescribes the rights, benefits, and duties of members of the retirement systems established pursuant to its provisions. This bill would require the presumption that the member's heart trouble arose out of and in the course of employment to be extended following termination of service for a prescribed length of time not to exceed 60 months. This bill contains other related provisions and other existing laws.

(AB 1020 amends Section 31720.5 of, adds sections 31720.92, 31720.93, 31720.94, 31720.95, 31720.96, and 31720.97 to, and adds and repeals section 31720.91 of, the Government Code.)

Assembly Bill 1355 – Electronic Notice Of Income Tax Credit By Employers.

The Earned Income Tax Credit Information Act requires an employer to notify all employees that they may be eligible for specified income tax filing assistance programs and state and federal antipoverty tax credits, by handing specified documents directly to the employee or mailing the specified documents to the employee's last known address twice annually, as provided.

This bill authorized the employer to provide notification via email to an employee's email account instead of directly handing or mailing the document to the employee if the employee affirmatively, and in writing or by electronic acknowledgment, opts into receipt of electronic statements or materials. The bill prohibits the employer from discharging or taking other adverse action against an employee who does not opt into receipt of electronic statements or materials. This bill contains other related provisions and other existing laws.

(AB 1355 amends, repeals, and adds Section 19853 of the Revenue and Taxation Code, and to amend, repeal, and add

Section 1089 of the Unemployment Insurance Code.)

Assembly Bill 1753 – Local Government Reorganization.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. The act requires a petitioner or legislative body desiring to initiate proceedings for a change of organization or reorganization to submit an application to the executive officer of the principal county. The act specifies when an application is complete and acceptable for filing, and requires the executive officer to immediately issue a certificate of filing when an application is accepted for filing, as specified.

This bill prohibits the executive officer from accepting the filing of an application for change or organization or reorganization and issuing a certificate of filing pursuant to the provisions described above, and would provide that an application is not deemed accepted for filing pursuant to the provisions described above, if an agreement for the exchange of property tax revenues has not been adopted pursuant to the provisions described above.

(AB 1753 amends Sections 56658 and 56882 of the Government Code.)