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California State Senate

EDUCATION



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AGENDA

Wednesday, May 29, 2024
9 a.m. -- 1021 O Street, Room 2100

SPECIAL ORDER OF BUSINESS

1. AB 1955 Ward Support Academic Futures and Educators for Today's Youth Act.

MEASURES HEARD IN FILE ORDER

2. AB 359 Holden Pupil instruction: dual enrollment: College and Career Access Pathways partnerships.
- *3. AB 456 Maienschein Public postsecondary education: campus mental health hotlines: report.
- *4. AB 1939 Maienschein Pupil attendance: county and local school attendance review boards: pupil consultation.
- *5. AB 3262 Maienschein Automated external defibrillators.
- *6. AB 810 Friedman Postsecondary education: hiring practices: academic, athletic, and administrative appointments.
7. AB 1160 Pacheco Protecting Students from Creditor Colleges Act.
- *8. AB 1575 Irwin Public postsecondary education: students codes of conduct: advisers.
- *9. AB 1796 Alanis Pupil instruction: course offerings: parental notification.

*10.	AB 1871	Alanis	Adopted course of study for grades 7 to 12: social sciences: personal financial literacy.
*11.	AB 1805	Ta	Instructional materials: history-social science: Mendez v. Westminster School District of Orange County.
*12.	AB 1821	Ramos	Pupil instruction: course of study: social sciences: treatment of Native Americans.
13.	AB 1841	Weber	Student safety: opioid overdose reversal medication: student housing facilities.
14.	AB 1891	Weber	Community colleges: allied health programs.
*15.	AB 1930	Reyes	Teaching credentials: Child Development Associate Teacher Permit: renewal.
16.	AB 1947	Luz Rivas	California state preschool programs: contracting agencies: staff training days.
*17.	AB 2044	Chen	Public postsecondary education: community colleges: statewide baccalaureate degree program.
18.	AB 2046	Bryan	Educational programs: single gender schools and classes.
19.	AB 2053	Mathis	Pupil instruction: abusive relationships.
*20.	AB 2173	Addis	Special education: emotional disability.
*21.	AB 2179	Davies	Pupil services: local apprenticeship programs and preapprenticeship programs: notification of parents or guardians.
*22.	AB 2268	Muratsuchi	English learners: initial identification: English language proficiency assessment. (Urgency)
*23.	AB 2345	Jim Patterson	Short-term staff permits: provisional intern permits: teaching permits for statutory leave: designated subjects career technical education teaching credentials: cardiopulmonary resuscitation (CPR) certification.
*24.	AB 2630	Bonta	Pupil health: oral health assessment.

***Measures on consent.**

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1955 **Hearing Date:** May 29, 2024
Author: Ward
Version: May 22, 2024
Urgency: No **Fiscal:** Yes
Consultant: Kordell Hampton

Subject: Support Academic Futures and Educators for Today's Youth Act.

NOTE: This bill has been referred to the Committees on Education and Health. A "do pass" motion should include referral to the Committee on Health.

SUMMARY

This bill establishes the Support Academic Futures and Educators for Today's Youth (SAFETY) Act and prohibits (1) an local educational agency (LEA), county office of education (COE), charter schools, and state special school for the blind or deaf, or a member from each respective governing board, from enacting or enforcing policies or rules that require disclosure of a pupil's gender identity, sexual orientation, or gender expression without the pupil's consent; (2) an employee or contractor of an LEA, COE, charter school, and state special school for the blind or deaf, from disclosing information about a pupil's gender identity, sexual orientation, or gender expression without their consent; (3) retaliation or adverse action against employees or contractor of an LEA, COE, charter school, and state special school for the blind or deaf for performing their duties, as specified; in addition to requiring the California Department of Education (CDE) to develop supports and community resources for the support of parents, guardians, and families of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils as specified.

BACKGROUND

Existing Law:

- 1) Declares it is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, equal rights, and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor. (Education Code (EC) § 200)
- 2) Clarifies that no person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that

receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid. (EC § 220)

- 3) Declares it is the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted, without regard to the sex of the pupil enrolled in these classes and courses. (EC § 221.5 (a))
- 4) Specifies A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records. (EC § 221.5 (f))
- 5) Requires the CDE, no later than July 1, 2021, to develop resources or, as appropriate, update existing resources for in-service training on schoolsite and community resources for LGBTQ pupils and strategies to increase support for LGBTQ pupils to improve overall school climate, as specified. (EC § 218)
- 6) Requires the CDE, on or before July 1, 2025, to finalize the development of an online training delivery platform and online training curriculum to support LGBTQ cultural competency training for teachers and other certificated employees and requires LEAs to provide at least one hour of training annually to all teachers and other certificated employees serving pupils in grades 7 to 12, inclusive, commencing with the 2025–26 school year, and continuing through the 2029–30 school year, as specified. (EC § 218.3)

ANALYSIS

This bill:

Places Restrictions On Local School Policies

- 1) Prohibits an LEA, COE, charter schools, and state special school for the blind or deaf, or a member from each respective governing board, from enacting or enforcing policies or rules that require disclosure of a pupil's gender identity, sexual orientation, or gender expression without the pupil's consent, unless required by state or federal law.
- 2) Invalidates, and removes any force or effect, of any policy, regulation, guidance, directive, or other action of a LEA, COE, charter school, state special school for the blind or the deaf, or a member from each respective governing board that is inconsistent with the prohibition established in 1) above.

Provides Protections For School and Contracted Employees

- 3) Specifies an employee or contractor of an LEA, COE, charter school, and state special school for the blind or deaf cannot be required to pupil's gender identity, sexual orientation, or gender expression without the pupil's consent, unless required by state or federal law.

- 4) Specifies an employee or contractor of an LEA, COE, charter school, and state special school for the blind or deaf or a member from each respective governing board cannot, in any manner, retaliate or take adverse action against any employee, including by placing the employee on administrative leave, on the basis that the employee:
 - a) Supports a pupil in the exercise of their rights as established in education code.
 - b) Performs work activities in a manner consistent with the recommendations or employer obligations set forth in the Education Equity section established in education code; or
 - c) Provides instruction consistent with the current content standards, curriculum frameworks, and instructional materials adopted by the state board, and any other requirements of this code, including, but not limited to, the Fair, Accurate, Inclusive, and Respectful (FAIR) Act and the California Healthy Youth Act (CHYA).

Requires the CDE To Develop School-Based Supports and Community Resources

- 5) Requires the CDE to develop resources, or as appropriate, update existing resources, in collaboration with parents, guardians, and families of, including, but not limited to, LGBTQ pupils, for the school-based supports and community resources for parents, guardians, and families of LGBTQ pupils and strategies, and to periodically update those resources to reflect changes in law, to increase support for LGBTQ pupils to improve overall school and community climate. School-based supports and community resources for parents, guardians, and families of LGBTQ pupils and strategies for use in schools operated by a LEAs or COEs and charter schools serving pupils in grades 7 to 12, include, but are not limited to:
 - a) Parents, guardians, and families of LGBTQ pupils support groups or affinity clubs and organizations.
 - b) Safe spaces for parents, guardians, and families of LGBTQ pupils.
 - c) Antibullying and harassment policies and related complaint procedures for parents, guardians, and families to access.
 - d) Counseling services.
 - e) School staff who have received antibias or other training aimed at supporting LGBTQ youth and their parents, guardians, and families.
 - f) Suicide prevention policies and related procedures for parents, guardians, and families to access.

And community resources for the support of parents, guardians, and families of LGBTQ pupils include, but are not limited to, both of the following:

- a) Local community-based organizations that provide support to parents, guardians, and families of LGBTQ youth.
- b) Local physical and mental health providers with experience in treating and supporting parents, families, and guardians of LGBTQ youth.

Findings and Declarations

- 6) Makes findings and declarations related to forced outing policies of pupils without their consent and disclosure of pupil's sensitive information.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "Choosing when to come out and to whom is a deeply personal decision that every LGBTQ+ young individual has the right to make for themselves. LGBTQ+ youth and their families deserve to decide on their own terms when and how to have conversations about identity. Young people thrive when they have parental support and feel safe sharing their authentic selves at home, but it can be harmful to force young people to share their full identities before they're ready. AB 1955, the Support Academic Futures & Educators for Today's Youth Act (SAFETY Act), strengthens existing protections, ensuring all students are safe, supported, and not isolated due to any part of their identity, as well as supports families to have personal conversations and work towards family acceptance on their own terms."
- 2) ***National School Climate Survey by the Gay, Lesbian & Straight Education Network (GLSEN).*** A growing body of research has linked disparities to non-binary students' experiences of violence, harassment, and exclusion in educational settings. LGBTQ youth often navigate more hostile school climates than their peers. According to a 2021 National School Climate Survey by the GLSEN, "76.1% of LGBTQ students were verbally harassed, 31.2% were physically harassed, and 12.5% were physically assaulted due to their sexual orientation." Furthermore, 81.8% of LGBTQ students who participated in GLSEN's survey reported feeling unsafe in school because of at least one of their actual or perceived personal characteristics. The relationship between marginalization and mental health in gender minority populations is well documented. In the same survey, over half of LGBTQ students (61.6%) reported feeling unsafe in school because of their mental health or emotional disability. Non-binary students' experiences of violence, harassment, and exclusion in educational settings can lead to negative educational experiences, including:
 - a) ***Chronic Absenteeism:*** School-based victimization can impinge on a student's right to an education. Students who are regularly harassed or assaulted during the school day may attempt to avoid these hurtful experiences by not attending school and may be more likely to miss school than students who do not experience such victimization. GLSEN found that experiences of both in-person and online victimization were related to missing days of school. Higher levels of in-person victimization and higher levels of online victimization in school regarding sexual orientation, gender expression, and gender were both

associated with more than a two times greater likelihood of missing school in the past month for LGBTQ students.

- b) *Difficulty in Reaching Academic Achievement:* Among those who attended school in person, either full-time or combined with online instruction, LGBTQ students who reported higher levels of in-person victimization regarding their sexual orientation were nearly twice as likely to report that they did not plan on pursuing their education beyond high school (16.6% vs. 9.4%), and LGBTQ students reporting higher levels of victimization based on gender expression or gender were twice as likely (18.3% vs. 8.8% and 18.1% vs. 9.0%, respectively).
- c) *School Discipline:* More than a third (40.7%) of students in this survey reported having been disciplined at school, with most of these students reporting discipline that occurred in school, such as being sent to the principal's office (24.1%), being isolated alone in a classroom or hallway, and receiving detention (20.3%). A smaller portion of LGBTQ students reported experiencing disciplinary consequences that prohibited them from attending school, such as out-of-school suspension and expulsion (4.8%).

3) ***Forced Outing of Transgender and LGBTQ Students: An Alarming Trend.***

According to the Movement Advancement Project, since 2020, State legislatures across the United States have adopted laws that explicitly require school staff—and in some cases, any government or public employee—to out transgender youth or LGBTQ students to their families, without the students consent or knowledge. Additionally, some states have adopted laws that promote, rather than require the outing of transgender and LGBTQ students.



Source: Movement Advancement Project

Forced Outing Can Be Harmful Toward Students: Numerous studies shows that forced outings can be dangerous and stressful for students. In a survey of 12,000 LGBTQ youth conducted by the Human Rights Campaign and the University of Connecticut, many described being outed as "extremely stressful." In an earlier GLSEN 2019 survey of over 16,000 students found that 43% of queer youth did not

report bullying for fear of being publicly outed. In another survey conducted by the Trevor Project, 41% of LGBTQ students have considered attempting suicide in the past year.

Chino Valley Unified School District (USD): On July 15, 2023, Chino Valley USD introduced a policy that required school personnel to notify parents/guardians in writing within three days if their child seeks to change their name or pronouns or asks for access to gender-based sports, bathrooms or changing rooms that do not match their assigned gender at birth. On July 20, 2023, the measure passed with a 4-1 vote.

It is important to note that current statute permits students to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records (EC § 221.5 (f)). In 2021, Chino Valley USD attempted to pass a measure that would have restricted the use of restrooms, locker rooms, physical education classes, intramural sports and interscholastic athletic programs to students based on their biological gender. This measure failed 3-2.

In addition to Chino Valley USD, other school districts, such as Murrieta Valley USD, Temecula Valley USD, Anderson Union High, Bass Lake Joint Union Elementary, and Orange USD, have adopted similar measures that require school personnel to notify a student's parent/guardian if their student chooses to identify by pronouns that differ from their educational records. Adoption of such policies have garnered attention from state officials such as the State Attorney General Rob Bonta and State Superintendent of Public Instruction, Tony Thurmond who have both called for these school districts to work more collaboratively with LGBTQ students.

By prohibiting an LEA, COE, charter school, state special school for the blind, and deaf or a governing board member of an LEA, COE, or charter school from enacting or enforcing any policy, rule, or administrative regulation that would require an employee or contractor to disclose sensitive information about a student, this bill attempts to focus on creating safe, collaborative spaces for students. This bill also puts in place protections for school and contracted employees.

In late August of 2023, State Attorney General Rob Bonta sued Chino Valley USD, stating that it requires schools to "out" vulnerable students and violates state law. A California judge temporarily halted the policy adopted by Chino Valley USD, which required schools to notify a student's parents when the student requested to be identified and treated as a gender other than their biological sex. In October 2023, a judge ruled that a school district cannot require teachers to notify parents when a student identifies as transgender, stating that the policy discriminates against youths based on their gender identity. Since then, Chino Valley USD has revised its policy to remove any mention of gender, making it apply to the entire student body. The original lawsuit is pending a final decision from the court to prevent Chino Valley USD from enacting its revised policy.

- 4) **The Family Educational Rights and Privacy Act (FERPA).** FERPA is a federal law that grants parents/ legal guardians certain rights regarding their children's

education records. These rights are granted to both custodial and noncustodial parents, unless there is a specific court order, legally binding document, or State law. When a student reaches 18 or attends postsecondary education, they become eligible students, and all rights under FERPA transfer from the parent to the student. FERPA applies to schools that receive funding under any United States Department of Education-aligned program, but private and faith-based schools are generally not subject to it.

A school or State educational agency must provide a parent with an opportunity to inspect and review their child's education records within 45 calendar days of receiving a request. Parents have the right to seek amendment or correction of their child's education records if they believe they are inaccurate, misleading, or violate their child's privacy rights. However, schools are not required to amend an education record in accordance with a parent's request, but must consider the request, inform the parent of its decision, and advise the parent of their right to a hearing if denied.

The right to amend non-substantive factual errors in a student's education records is not unlimited, and schools are not required to allow parents to change substantive decisions made by school officials.

While parents/ legal guardians have the right to review and amend their students' educational records, courts have recognized that outing a minor to their parents or guardians can violate the minor's constitutional right to privacy, even if the minor is out at school or socially (see Cal. Const., art. I, § 1; C.N. v. Wolf (C.D. Cal. 2005) 410 F.Supp.2d 894, 903; see also Sterling v. Borough v. Minersville (3d Cir. 2000) 232 F.3d 190, 196). By prohibiting school policies that require outing a student to their parents or legal guardians, regardless of the circumstances, this bill would reduce instances where teachers and administrators violate students' right to privacy.

- 5) **CDE: Helping Schools and Parents Better Support LGBTQ Students.** The CDE offers guidance, references, and policies on its website to support LGBTQ students. This includes the FAIR Act, which mandates the inclusion of LGBTQ contributions to California and U.S. history. The website also provides training, resources for schools, and connections to community organizations by region. CDE is also mandated to oversee local schools to ensure the implementation of policies that prohibit discrimination, harassment, intimidation, and bullying based on sexual orientation, gender, gender identity, or gender expression.

This bill ensures that the CDE produces, or updates existing materials, on its website supports and community resources for the support of parents, guardians, and families of LGBTQ pupils, in collaboration with parents, guardians, and families of, including, but not limited to, LGBTQ pupils to improve school and community climate.

- 6) **Related Legislation.**

AB 1314 (Essayli, Gallagher, and Joe Patterson, 2023) would have provided that a parent or guardian has the right to be notified in writing within 3 days from the date any teacher, counselor, or employee of the school becomes aware that a pupil is

identifying at school as a gender that does not align with the child's sex on their birth certificate, other official records, or sex assigned at birth, using sex-segregated school programs and activities, including athletic teams and competitions, or using facilities that do not align with the child's sex on their birth certificate, other official records, or sex assigned at birth. *This bill was never heard in Assembly Education Committee.*

AB 5 (Zbur, Chapter 220, Statutes of 2023) requires the CDE to develop an online training curriculum and online delivery platform by July 1, 2025 to support LGBTQ cultural competency training for teachers and certificated employees. This bill also requires LEAs to provide at least one hour of training each year to all certificated staff on cultural competency in supporting LGBTQ students.

SB 857 (Laird, Chapter 228, Statutes of 2023) This bill requires the Superintendent of Public Instruction to convene a task force to identify the statewide needs of LGBTQ students and make recommendations on implementing supportive policies and initiatives to address LGBTQ student education and well-being.

AB 1078 (Jackson, Chapter 229, Statutes of 2023) makes various changes to the requirements on local school governing boards regarding the adoption of instructional materials for use in schools, including a provision that prohibits a governing board from disallowing the use of an existing textbook, other instructional material, or curriculum that contains inclusive and diverse perspectives, as specified.

SUPPORT

Attorney General Rob Bonta
AAUW California
ACLU California Action
Alice B. Toklas LGBTQ Democratic Club
American Atheists
American Federation of State, County and Municipal Employees
API Equality-LA
Apla Health
Bienestar Human Services
Blaqueer
California Federation of Teachers
California Latinas for Reproductive Justice
California League of United Latin American Citizens
California LGBTQ Health and Human Services Network
California School-Based Health Alliance
California Teachers Association
CalPRIDE
Central Coast Coalition for Inclusive Schools
Central Valley Gender Health & Wellness
CFT
City of West Hollywood
Courage California
East Area Progressive Democrats
Equal Justice Society

Equal Rights Advocates
Equality California
Feminist Majority Foundation
FLUX
Gender Justice Los Angeles
Genders & Sexualities Alliance Network
Glb Historical Society
GlendaleOUT
GLSEN
GILSEN San Diego County
Gusd Parents for Pubic Schools
Heart of La Democratic Club
Inland Empire Prism Collective
Inland Empire United
Iranian American Democrats of California
Kinder Future
League of United Latin American Citizens
LGBTQ Community Network
LGBTQ Fresno
Los Angeles County Office of Education
Los Angeles LGBTQ Center
LYRIC
Mirror Memoirs
NASW California
National Harm Reduction Coalition
National Women's Political Caucus of California
Norcal Outreach Project
Oasis Legal Services
One Institute
Our Schools Conejo Valley
Our Family Coalition
Our Schools - Los Angeles Chapter
Our Schools SLO County
Our Schools USA
Our Schools USA - Carlsbad
Our Schools USA East County San Diego
Our Schools USA Placer County
Our Schools USA Ventura County
PFLAG - Sonoma County/Santa Rosa
PFLAG Fresno
PFLAG Sacramento
PFLAG San Francisco
Planned Parenthood Affiliates of California
Plascencia Consulting
Positive Images
Positive Women's Network - USA
Public Advocates
Public School Defenders Hub
Queer Humboldt
Radiant Health Centers

Rainbow Pride Youth Alliance
Riverside LGBTQ+ Pride
Sacramento LGBT Community Center
San Diego Pride
San Joaquin Pride Center
San Mateo County Pride Center
Secure Justice
SF LGBT Center
Solano Pride Center
Somos Familia Valle
The Center for Sexuality & Gender Diversity
The Children's Partnership
The Diversity Center
The LGBTQ Center Long Beach
The LGBTQ Community Center of The Desert
The Source LGBT+ Center
The Transgender District
The Translatin@ Coalition
The Trevor Project
Tom Homann LGBTQ+ Law Association
Training in Early Abortion for Comprehensive Health Care
Transfamily Support Services
Transgender Resource, Advocacy & Network Service
Transyouth Liberation
Venice Family Clinic
Viet Rainbow of Orange County
Voices for Progress
Westchester/Playa Democratic Club
Westside Activists
Women's Foundation of California
Women's Health Specialists

OPPOSITION

California Baptist for Biblical Values
California Catholic Conference
California Family Council
California Policy Center
Californians for Good Governance
Carlsbad Education Alliance
Concerned Citizens of Savenna
Lighthouse Baptist Church
Our Duty
Real Impact
Students First California
The American Council
18 Individuals

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 359	Hearing Date:	May 29, 2024
Author:	Holden		
Version:	May 16, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Pupil instruction: dual enrollment: College and Career Access Pathways partnerships.

SUMMARY

This bill clarifies that College and Career Access Pathways (CCAP) partnerships can offer dual enrollment to all students, prioritizing those not typically college bound or underrepresented in higher education, and authorizes community college districts in CCAP partnerships to offer specific physical education courses. Additionally, the bill ensures students get credit for specified courses, changes reporting to focus on student success, removes specified consultation requirements, and requires existing CCAP agreements to be updated by 2030-31.

BACKGROUND

Existing law:

- 1) Authorizes a student to undertake courses at a California Community College (CCC) if the governing board of a school district, upon recommendation of the principal of the student's high school and with parental consent, determines a student would benefit from advanced or vocational coursework. The student may attend the CCC during any session or term as a special part-time or full-time student and take one or more courses of instruction offered at the CCC. Provides methods for parents to petition for students to attend community college courses and methods for appeals in case of a denial. Includes criteria for allocating attendance and funding for high school students who attend courses at the community college.
- 2) Stipulates that summer courses may be offered if a student has met specified conditions and if the principal has not recommended summer session attendance to more than 5 percent of the student's grade population in the previous year. All physical education courses must adhere to the 5 percent threshold, and the following courses are exempt:
 - a) Courses which are part of a CCAP and meet specified criteria;
 - b) Courses which are lower division, college-level courses that are either a college-level course that are part of the Intersegmental General Education Transfer Curriculum (IGETC) or apply towards the general education requirements of the California State University (CSU); and

- c) Courses which are a college-level occupational course, as defined. (Education Code (EC) 48800)
- 3) Authorizes the governing board of a CCC district to enter into a CCAP partnership with the governing board of a K-12 local educational agency (LEA) for the purpose of offering or expanding dual enrollment opportunities for pupils who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education (CTE) or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. (EC 76004)
 - 4) Requires that the CCAP partnership agreement be approved by the respective governing boards of the CCC district and the K-12 LEA governing body. Requires the governing boards or body to:
 - a) Consult with and consider the input of the appropriate local workforce development board in order to determine to what extent the CTE pathways are aligned with regional and statewide employment needs; and,
 - b) Present, take comments from the public on, and approve or disapprove of the CCAP partnership agreement at an open public meeting of the governing board of the district or governing body of the charter school. (EC 76004)
 - 5) Requires the California Community Colleges Chancellors Office (CCCCO) to report to the California Department of Education (CDE) and Legislature annually on the amount of full-time equivalent students (FTES) claimed by each CCC district for high school pupils enrolled in non-credit, non-degree applicable, and degree applicable courses; and provides that, for purposes of receiving state apportionments, CCC districts may only include high school students within the CCC district's report on FTES if the students are enrolled in courses that are open to the general public, as specified. Additionally, requires the governing board of a CCC district to assign a low enrollment priority to special part-time or full-time students in order to ensure that these students do not displace regularly admitted community college students. (EC 76001 and 76002)
 - 6) Requires the Chancellor, on or before May 1 of each year, to prepare a summary report that includes an evaluation of the CCAP partnerships, an assessment of the growth of special admits system wide and by campus, and recommendations for improving the CCAP partnerships, as specified. Requires the report to be transmitted to the Legislature, the CDE and the Superintendent of Public Instruction (SPI). Requires the Chancellor to annually collect specified data from the CCC and school districts participating in a CCAP partnership. Requires the data to include:

- a) The total number of high school pupils by schoolsite enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
 - b) The total number of community college courses by course category and type and by schoolsite enrolled in by CCAP partnership participants.
 - c) The total number and percentage of successful course completions, by course category and type and by schoolsite, of CCAP partnership participants.
 - d) The total number of FTES generated by CCAP partnership community college district participants.
 - e) The total number of FTES served online generated by CCAP partnership community college district participants. (EC 76004)
- 7) Establishes Middle College High Schools (MCHS). Requires each MCHS to be structured as a broad-based, comprehensive instructional program focusing on college preparatory and school-to-work curricula, career education, work experience, community service, and support and motivational activities. Authorizes the specific design of a MCHS to vary depending on the circumstances of the community college or school district. Requires the basic elements of the MCHS to include, but not be limited to, the following:
- a) A curriculum that focuses on college and career preparation;
 - b) A reduced adult-student ratio;
 - c) Flexible scheduling to allow for work internships, community service experience; and
 - d) Opportunities for experiential internships, work apprenticeships, and community service. (EC 11300)
- 8) States that Early College High Schools (ECHS) are small, autonomous schools that blend high school and college into a coherent educational program. In ECHS, pupils begin taking college courses as soon as they demonstrate readiness, and the college credit earned may be applied toward completing an associate or bachelor's degree, transferring to a four-year university, or obtaining a skills certificate. (EC 11302)
- 9) Establishes the Golden State Pathways Program, a competitive grant program to:
- a) Promote pathways in high-wage, high-skill, high-growth areas that allow students to advance seamlessly from high school to college and career and provide the workforce needed for economic growth;

- b) Encourage collaboration between LEAs, institutions of higher education, local and regional employers, and other relevant community interest holders to develop, or expand the availability of, innovative college and career pathways that simultaneously align with an LEA's local or regional labor market needs;
 - c) Enable more students to access postsecondary education opportunities and workforce training opportunities, or to obtain gainful employment in an industry that simultaneously aligns with local, regional, or state labor market needs; and
 - d) Support the continued development of a skilled and educated workforce, with an emphasis on addressing areas of acute statewide need. (EC 53020-53025)
- 10) Requires the CDE, in consultation with the office of the Chancellor, to, beginning on or before January 1, 2023, administer a competitive grant program to do all of the following:
- a) Enable more LEAs to establish either middle college or ECHS that provide pupils with access to obtain college credits while enrolled in high school;
 - b) Provide incentives for LEAs to establish dual enrollment course opportunities, as specified; and
 - c) Enable LEAs with existing MCHS, ECHS, or CCAP partnerships to couple robust pupil advising and success supports with dual enrollment opportunities and establish outreach campaigns to promote dual enrollment for new or existing middle college or ECHS or CCAP partnerships. Requires, for LEAs with CCAP partnerships, outreach to be focused toward families and pupils who may not be college bound or who are underrepresented in higher education. (EC 41585)

ANALYSIS

This bill:

- 1) Clarifies that a CCAP partnership may offer dual enrollment for all pupils, and requires that enrollment be prioritized for pupils who may not already be college bound or who are underrepresented in higher education.
- 2) Authorizes a community college district participating in a CCAP partnership to offer physical education courses if the courses are one of the following:
 - a) A lower division, college-level course for credit that is designated as part of the IGETC or applies toward the general education breadth requirements of the CSU.
 - b) A college-level, occupational course for credit assigned a priority code of "A," "B," or "C," pursuant to the Student Accountability Model, as defined

- by the chancellor and reported in the management information system, and the course is part of a sequence of vocational or CTE courses leading to a degree or certificate in the subject area covered by the sequence.
- c) An off-season intercollegiate athletics courses that assists the community college district with local athletics recruitment.
- 3) Authorizes a community college district to enter into a CCAP partnership with the governing board of a K-12 LEA within the service area of another community college district if either of the following conditions are met:
 - a) The governing board of the K-12 LEA has sent a request letter to the governing board of the community college district requesting to establish a CCAP partnership, and the request letter has been denied in writing.
 - b) The governing board of the K-12 LEA has sent a request letter to the chief executive office of the community college district requesting to establish a CCAP partnership and at least 90 days have passed since the initial request without a written response from the chief executive office of the community college district.
 - 4) Require, commencing with the 2030-31 academic year, a CCAP partnership agreement to certify that a pupil shall receive credit for any community college courses that the pupil completes if the course is part of a memorandum of understanding between the governing board of the K-12 LEA and a community college district and the course is either of the following:
 - a) A lower division, college-level course for credit that is designated as part of the IGETC or applies toward the general education breadth requirements of the CSU.
 - b) A college-level, occupational course for credit assigned a priority code of "A," "B," or "C," pursuant to the Student Accountability Model, as defined by the chancellor and reported in the management information system, and the course is part of a sequence of vocational or CTE courses leading to a degree or certificate in the subject area covered by the sequence.
 - 5) Changes the CCAP reporting requirement for an affected community college district and K-12 LEA by replacing the number of community college courses enrolled in by CCAP participants to the number of high school pupils who successfully completed 12 or more units of college coursework by graduation, completed a certificate, or completed the courses required for an associate degree or an associate degree for transfer.
 - 6) Deletes the requirement: (1) to consult with, and consider the input of, the appropriate local workforce development board for CTE pathways provided under a partnership, and (2) that a CCAP partnership agreement certifies that any pretransfer-level course taught by a community college faculty at a partnering high school campus is offered only to high school pupils who do not meet their grade level standard in mathematics, English, or both.

- 7) Requires existing CCAP partnership agreements to be amended to comply with the bill's requirements by the start of the 2030–31 academic year.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 359 streamlines College and Career Pathways, enabling easier partnerships between schools and community colleges. It simplifies student applications and prioritizes course pathways, expanding access to dual enrollment programs for all Californian students. This fosters equity by reducing barriers, offering opportunities irrespective of economic status, and easing the burden of college debt for a brighter future.”
- 2) ***Concurrent enrollment.*** Concurrent enrollment provides pupils the opportunity to enroll in college courses and earn college credit while still enrolled in high school. Generally, a pupil is allowed to concurrently enroll in a community college as a “special-admit” while still attending high school, if the pupil's school district determines that the pupil would benefit from “advanced scholastic or vocational work.” Special-admit students have typically been advanced pupils wanting to take more challenging coursework or pupils who come from high schools where Advanced Placement or honors courses are not widely available. Additionally, programs such as MCHS and ECHS use concurrent enrollment to offer instructional programs for at-risk pupils that focus on college preparatory curricula. These programs are developed through partnerships between a school district and a community college.
- 3) ***College and Career Access Pathways program.*** The CCAP program allows for partnerships between school and community college districts such that high school students dual-enroll in up to 15 community college units per term; students may enroll in no more than four courses per term. The goals of CCAP are to develop seamless pathways from high school to community college for career technical or general education transfer, improve high school graduation rates, or help high school students achieve college and career readiness. Courses must be part of an academic program defined in a CCAP agreement and meet criteria for both a high school diploma and an Associate of Arts or other credentials.

Unlike other concurrent enrollment options, CCAP offers dual enrollment as a pathway, rather than a series of disconnected individual courses, and provides greater flexibility in the delivery of courses at the high school campus.

- 4) ***Other concurrent enrollment options.*** Beyond the CCAP, community college districts have several statutorily authorized means by which apportionments can be claimed for minors enrolled by the district. These include:
 - a) ***Special part-time full-time students.*** School district governing boards can recommend students who would benefit from advanced scholastic or vocational work for attendance at a community college upon recommendation of the principal. The number of students who can be recommended for summer session enrollments is capped at five percent

of the students in each grade. CCC can claim state funding for these students only if the course is open and advertised to the general public. Under this authority, students are limited to enrolling in a maximum of 11 units per semester and must be assigned low enrollment priority by the college to avoid displacement of adults.

- b) *Early College High Schools and Middle College High Schools.* ECHS are designed for young people who are underrepresented in postsecondary education, including students who have not had access to the academic preparation needed to meet college readiness standards, students for whom the cost of college is prohibitive, students of color, first generation college-goers, and English language learners. MCHS is a collaborative program that enables high-potential, “at-risk” students to obtain a high school education while concurrently receiving direct access to college courses and services. High school students attend classes at a CCC and earn credit toward a high school diploma while having the opportunity to concurrently take college courses and to receive more intensive counseling and administrative attention. These programs are subject to the same conditions that exist for special admit students, with the exception that MCHS students are exempt from the low enrollment priority provisions for classes necessary for completion of their programs.
- c) *College Promise Partnership Act.* SB 650 (Lowenthal, Chapter 633, Statutes of 2011) authorized a partnership between the Long Beach community college and school district to provide a seamless bridge to college for students who were not already college bound and to reduce the time needed for advanced students to complete programs. These students are exempted from the requirements applicable to special admit students that they must be recommended by the school principal. The community college is eligible to receive state funding for these students but is prohibited from receiving apportionment for instructional activity for which the school district received apportionment. Formerly set to sunset on January 1, 2018, this partnership was extended indefinitely by AB 1533 (O’Donnell, Chapter 762, Statutes of 2017).
- 5) **CCAP Legislative Report.** In 2021, the CCCCO released its legislative report on the CCAP program. Dual enrollment is growing overall and in terms of student participation; however, the number of community colleges participating in CCAP remains limited. The CCCCO estimates that 37.5 percent of students participating in dual enrollment as all special admits were in CCAP partnerships.
- 6) **Study and Evaluation of Dual Enrollment.** The Public Policy Institute of California (PPIC) released its report "Improving College Access and Success Through Dual Enrollment" in September 2023. The study examines the impact of dual enrollment programs, particularly the CCAP initiative, on high school students' educational trajectories in California. The report underscores the expansion of CCAP, which has become the fastest-growing dual enrollment option in the state. Notably, Latino students, who constitute 53 percent of the state's grade 12 population, are overrepresented in CCAP at 58 percent, indicating significant progress in reaching this demographic.

Key findings from the report reveal that CCAP students exhibit higher college enrollment rates compared to their non-dual enrollment peers. Specifically, 82 percent of CCAP participants enrolled in a two- or four-year college within a year of high school graduation, with over half attending community colleges. Despite this, there are disparities in outcomes based on race and ethnicity; for example, 29 percent of Asian students and 28 percent of white students complete a degree or certificate within three years, compared to 19 percent of Latino students and 14 percent of Black students. Overall, CCAP students are more likely to achieve these milestones than non-dual enrollees, but they still perform slightly below other dual enrollment students in terms of completion rates and grade point averages.

The report recommends several strategies to enhance the effectiveness of dual enrollment programs. These include providing comprehensive college success courses that integrate academic and personal support, ensuring that dual enrollment courses meet general education requirements across various higher education segments, and increasing intentional recruitment efforts to address the underrepresentation of Black and male students.

- 7) **Committee Amendment.** As currently drafted, this bill permits a community college district to establish a CCAP partnership with the governing board of a K-12 LEA within another community college district's service area if the K-12 LEA's CCAP request to its local community college district is either denied or not addressed within 90 days. A 90-day period encompasses nearly half of the academic year, potentially delaying essential educational collaborations and opportunities for students.

In light of the committee's recent passage of SB 1244 (Newman, 2024), which stipulates a 60-day period, **staff recommends amending this bill** by shortening the response time from 90 days to 60 days. Adopting a 60-day timeframe will ensure a more timely and efficient process and align with the committee's recent policy direction.

- 8) **Related legislation.**

SB 1244 (Newman, 2024) authorizes a CCC district to enter into a CCAP partnership with a K-12 LEA located within the service area of another CCC district under specified circumstances. The bill is currently on the Senate Floor.

SUPPORT

Association of California School Administrators
 California Catholic Conference
 California Charter Schools Association
 California EDGE Coalition
 California High School District Coalition
 Campaign for College Opportunity
 Children Now
 EdVoice

Hispanas Organized for Political Equality
Lassen Union High School District
Los Angeles County Superintendent of Schools, Dr. Debra Duardo
Los Angeles Unified School District
San Bernardino Community College District
San Jose-Evergreen Community College District
Taft Union High School District
The Education Trust - West

OPPOSITION

Californians for Equal Rights Foundation

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 456	Hearing Date:	May 29, 2024
Author:	Maienschein		
Version:	January 22, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: campus mental health hotlines: report.

SUMMARY

This bill, by January 1, 2026, requires the California Community College (CCC) Chancellor and the California State University (CSU) Chancellor to develop a plan to make a campus mental health hotline that is operated by the specified type of organization available to students on their respective campuses and submit that plan to the Legislature.

BACKGROUND

Existing law:

Federal law

- 1) Establishes the federal National Suicide Hotline Designation Act, designating the three-digit telephone number "988" as the universal number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline maintained by the Assistant Secretary of the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA) and the Veterans Crisis Line maintained by the Secretary of Veterans Affairs. (Public Law No: 116-172, 10/17/2020)

State law

- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the University of California (UC), CSU, and CCC. (Education Code (EC) § 66010, et seq.)
- 3) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (EC § 66606 and 89500, et seq.)
- 4) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts. (EC § 70900)

- 5) Authorizes each campus of the CCC, CSU, and UC to establish a campus mental health hotline for students to access mental health services remotely. (EC § 66027.8)
- 6) Requires, beginning July 1, 2019, a public or private institution of higher education that issues student identification cards to have printed on either side of the cards the telephone number for the National Suicide Prevention Lifeline and authorizes, beginning July 1, 2019, the institutions that issue student identification cards to have printed on either side of the cards: 1) the Crisis Text Line; 2) the campus police or security telephone number or, if the campus does not have a campus police or security telephone number, the local nonemergency telephone number; and, 3) a local suicide prevention hotline telephone number. Requires a school or institution of higher education that has a supply of unissued identification cards that do not comply with the requirements of this bill to issue those identification cards until that supply is depleted. Specifies that the requirements apply for an identification card issued for the first time, and to identification cards issued to replace a damaged or lost identification card. (EC § 215.5)
- 7) Establishes the Miles Hall Lifeline and Suicide Prevention Act (Act), creating various protocols for the statewide 988 Suicide Prevention System. (GOV § 53123.1, et seq.)

ANALYSIS

This bill:

- 1) This bill, by January 1, 2026, requires the CCC Chancellor and the CSU Chancellor to:
 - a) Develop a plan to make a campus mental health hotline that is operated by an organization with expertise in student mental health available to students on their respective campuses.
 - b) Submit a report to the Legislature, as specified, on the plan developed.
- 2) Sunsets the bill's provisions on January 1, 2027.

STAFF COMMENTS

- 1) **Need for the bill.** The 2018 National College Health Assessment found that in 2018, “63% of college student’s surveyed felt overwhelming anxiety, 42% felt so depressed that it was difficult to function, 62% felt very lonely, and 12% have seriously considered suicide.” According to the author, “With the academic and economic burdens of higher education, college students face an overwhelming amount of pressure and struggle with a variety of mental health issues. These mental health struggles have only been exacerbated by the COVID-19 pandemic. It is imperative that we support students not only through academic development, but offer the necessary resources needed to deal with any burdens they may face.”

- 2) **Existing mental health resources.** Each CSU campus provides students with ongoing counseling, crisis care, and referrals to local resources for more severe and ongoing mental health needs. Peer-to-peer counseling, group counseling sessions, and educational programming on topics such as stress reduction, finding community on campus, and other topics that help address anxiety. In addition to the mental health services available on each campus, the CSU contracts with a number of out-of-state companies to provide students who require mental health services with 24-hour support. According to CSU, every campus has a contract with a health hotline provider or telehealth provider that facilitates access to qualified counselors after business hours and collaborates with campus mental health staff to coordinate ongoing care. These contracts fill gaps in critical services to meet student demand and assist campuses in addressing counselor hiring challenges. CSU, for example, states that they are able to offer tele-psychiatry to their students through contracts at certain campuses where a full-time psychiatrist cannot be found, particularly in rural parts of the state. Telehealth contracted services can also connect students to local emergency services if necessary. Within the CCC system, 107 colleges have mental health services online. However, services vary and are not necessarily provided by third-party contractors. Seemingly, this bill requires CSU to develop a plan for something it is already doing. However, this measure would have the greatest impact on community colleges and their students.
- 3) **Are there duplicative efforts being made?** In 2020, the National Suicide Hotline Designation Act came into effect, establishing 988 as the new three-digit number for the National Suicide Prevention Lifeline. All telephone service providers in the United States must activate the number by July 2022, although some may do so sooner. To prepare for the change, the California Health and Human Services Agency reports that the state is increasing the capacity of its crisis lines to meet any surge in demand for crisis support. While efforts are underway to build a broader continuum of crisis response and stabilization services, the 988 lifeline is one aspect of the continuum that those in need, students and the general public alike, can utilize for mental health and substance use support. When Californians dial 988, they are directed to one of 13 Lifeline crisis call centers. The call center routes calls based on the caller's area code. Trained crisis counselors staff these call centers, listening, providing support, and sharing resources as needed. Current state law also requires campuses to print campus or local government mental health service phone numbers on student ID cards. Proponents of this measure contend that, although the 988 hotline and other local government mental health resources are publicly available, students benefit more from organizations that are knowledgeable about the mental health challenges resulting from higher education's academic and economic demands.
- 4) **Include other mental health telephone numbers in the report.** Current law already requires public higher education institutions to make telephone numbers of mental health hotlines available to students that are not necessarily operated by a student-focused organization, as described in this bill. Specifically, AB 2122 (Choi, Chapter 183, Statutes of 2022) required each CSU campus and CCC, and requested each UC campus, with a campus mental health hotline, to have printed on student identification cards the telephone number of their campus

mental health hotline or the city's or county's mental health hotline if the campus does not have a campus mental health hotline. A primary objective of AB 2122 was to ensure adequate access to mental health resources for college students. However, this bill falls short of acknowledging the current policy on access to information on mental health hotlines. Additional information is required in order to ensure that the Legislature has a complete account of the mental health hotlines provided to students by campuses, which may be used to guide future policy. As such, **staff recommends that the bill be amended** to include in the report to the Legislature a summary of the other types of mental health hotlines that campuses make available to students, including information on the mental health hotlines provided to students pursuant to 66027.8 (a-c inclusive) of the Education Code.

5) **Related and prior legislation.**

SB 11 (Menjivar, 2023) would required CSU campuses to have one full-time equivalent mental health counselor per 1,500 students. Requires the Department of Health Care Access and Information (HCAI) to administer a noncompetitive grant program to provide qualifying students with grants to incentivize them to become mental health counselors. SB 11 has been referred to the Assembly Appropriations Committee.

AB 2122 (Choi, Chapter 183, Statutes of 2022), required each CSU and CCC campus with a campus mental health hotline, and requests each UC campus with a campus mental health hotline, to have the hotline telephone number printed on campus-issued student identification cards. The law requires a campus without a campus mental health hotline to print the telephone number of its city or county mental health hotline on student identification cards.

AB 624 (Gabriel, 2019), would have required, commencing July 1, 2020, every public postsecondary educational institution and nonsectarian private postsecondary educational institution, to print on student identification cards the telephone numbers for the National Sexual Assault Hotline and a local resource that provides sexual and reproductive health care information, as specified. AB 624 was vetoed by Governor Newsom whose veto message read in part:

“I signed Senate Bill 316 (Chapter 270, Statutes of 2019), which requires schools to list the National Domestic Violence Hotline on student identification cards because I support giving teens and young adults access to resources not readily available in school.

I do not support, however, burdening schools with the job of investigating local reproductive health agencies as the bill would require. There are many agencies across this state that refuse to give women information about all of their reproductive health care options, and I am not persuaded that schools have the appropriate expertise to decide which of these organizations they should direct their students to. Furthermore, I believe the time and money that would be spent on this activity would be better used improving

teaching and learning as well as meeting the existing requirements of the California Healthy Youth Act.”

SB 316 (Rubio, Chapter 270, Statutes of 2019), required, in part, commencing on October 1, 2020, public or private institutions of higher education, that issue student identification cards, to print the telephone number for the National Domestic Violence Hotline or a local domestic violence hotline that provides confidential support services for students that have experienced domestic violence or stalking and is available by telephone 24 hours a day on back of those identification cards.

AB 2391 (Harper of 2018), would have required, commencing July 1, 2019, a campus of the CCC or the CSU that issues student ID cards, and request a campus of the UC that issues student ID cards, to include on the back of the student ID cards the telephone numbers for the National Suicide Prevention Lifeline and Crisis Text Line. AB 2391 died in this committee.

SB 972 (Portantino, Chapter 460, Statutes of 2018) required, in part, commencing on July 1, 2019, postsecondary institutions of learning, that issue student ID cards to have printed on either side of the ID card the number for a suicide hotline.

SUPPORT

Generation Up (Sponsor)
American Academy of Pediatrics, California
California Federation of Teachers
Faculty Association of California's Community Colleges

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1939 **Hearing Date:** May 29, 2024
Author: Maienschein
Version: March 11, 2024
Urgency: No **Fiscal:** No
Consultant: Kordell Hampton

Subject: Pupil attendance: county and local school attendance review boards: pupil consultation.

SUMMARY

This bill would require each county and local school attendance review board (SARB) to consult with a diverse group of students from the schools they serve at least once a year. The goal of these consultations is to gather feedback that will help the board better understand and propose interventions for any attendance or behavioral issues that students may be facing.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Defines "truant" as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on three occasions in one school year, or any combination thereof. (EC § 48260)
- 2) Defines "habitual truant" as any pupil who has been reported as a truant three or more times per school year, where an appropriate district officer or employee had made a conscientious effort to hold at least one conference with a parent and the pupil, after the filing of either a truancy report to the attendance supervisor or district superintendent. Specifies that a habitual truant may be referred to a SARB or a truancy mediation program. (EC § 48262)
- 3) Defines "chronic truant" as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date. (EC § 48263.6)

ANALYSIS

This bill would require each county and local SARB to consult with a diverse group of students from the schools they serve at least once a year. The goal of these consultations is to gather feedback that will help the boards better understand and

propose interventions for any attendance or behavioral issues that students may be facing.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 1939 would require state or local school attendance review boards to at least annually consult with students about attendance and behavior challenges students may face so that the board may have a better understanding of the student perspective. Having a student voice heard by these boards would help ensure students with serious school attendance and behavior issues get the assistance they need. By providing students with an opportunity to provide insight into these topics, we acknowledge their invaluable perspectives and experiences in addressing the issue of chronic absenteeism. By involving student's voices in this process, we can recognize that students are not just recipients of education but essential stakeholders in shaping their own learning environments. By embracing the unique insights of young people alongside adult wisdom, we can develop more effective programs and policies that empower students for lifelong success and foster a culture of inclusivity and collaboration within our educational institutions. Through this collaborative approach, we can generate innovative solutions from a student-centric viewpoint, ultimately working towards ensuring that every student has the support and resources they need to thrive academically and personally.”
- 2) ***Student Attendance Review Boards (SARB).*** In 1974, the California Legislature passed a statute to improve the enforcement of compulsory education laws and prevent students with persistent attendance or behavior problems from being sent to the juvenile justice system until all resources have been utilized. Local educational agencies (LEA) and county offices of education (COE) were authorized to establish SARBs at the local and county levels to provide a safety net for students and ensure a meaningful educational experience. SARBs consist of representatives from various youth-serving agencies and assist truant or recalcitrant students and their parents or guardians in resolving school attendance and behavior problems.

County and local SARBs are subject to the Brown Act's open meeting of law requirements, with agendas posted three days before meetings and members only addressing matters included in the agendas. Closed sessions may be held when discussing individual pupils unless a parent or guardian requests an open session in writing.

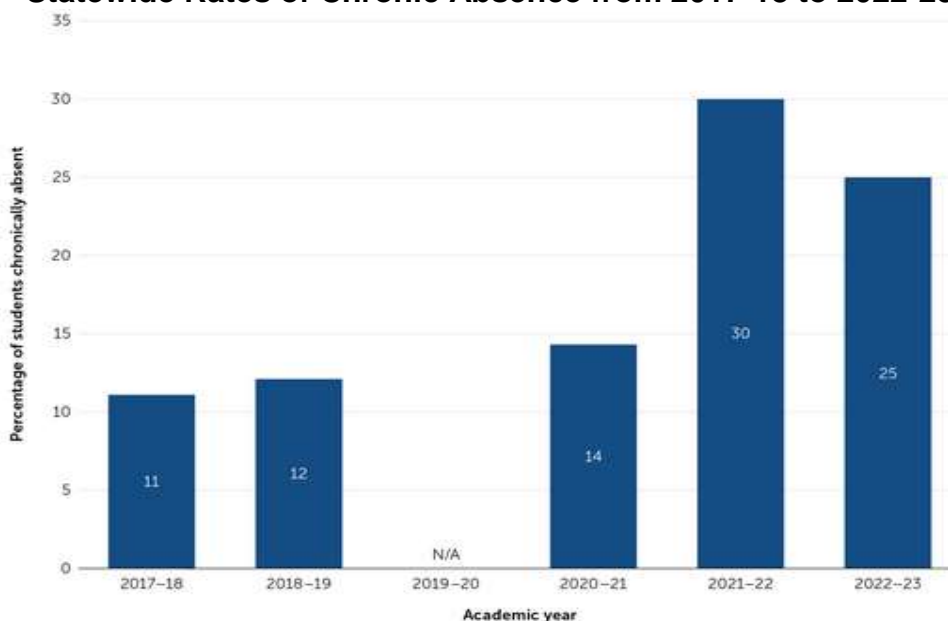
A State SARB was established for statewide policy coordination and personnel training to divert students with serious attendance and behavior problems from the juvenile justice system and reduce dropouts in the state public education system. The State Superintendent of Public Instruction (SPI) extends participation invitations to representatives of appropriate groups nationwide and makes annual recommendations regarding the needs of high-risk youth. There is no statutory requirement of the State SARB to consult directly with students.

- 3) ***Unexcused Absences Trigger Truancy Provisions.*** While excused and unexcused absences may be treated the same for funding purposes, they are not treated the same for attendance purposes. A student absent from school without a

valid excuse on any day or tardy for more than 30 minutes, or any combination thereof, for three days in a school year is considered a truant.

- 4) **Excused Absences Do Not Generate Average Daily Attendance.** In California, school funding is primarily calculated using ADA. Each time a student is absent, that absence negatively impacts the LEA's ADA, ultimately reducing their overall funding. While each absence may be insignificant relative to overall funding levels, absences affect overall funding in the aggregate. Under current law, all absences, whether excused or unexcused, reduce overall ADA.
- 5) **Chronic Absenteeism.** Chronic absenteeism is when students miss 10 percent or more of school days for any reason. If not addressed, this can lead to difficulties learning to read by grade 3, reaching grade-level standards in middle school, and graduating from high school. The COVID-19 pandemic has led to a significant increase in chronic absenteeism in California and across the country. Addressing this issue is crucial in helping students catch up academically. This analysis examines the trends in chronic absenteeism through the 2022-23 school year, using data from the California Department of Education (CDE). Although there has been a decrease in chronic absence rates, they are still alarmingly high.

Statewide Rates of Chronic Absence from 2017-18 to 2022-23

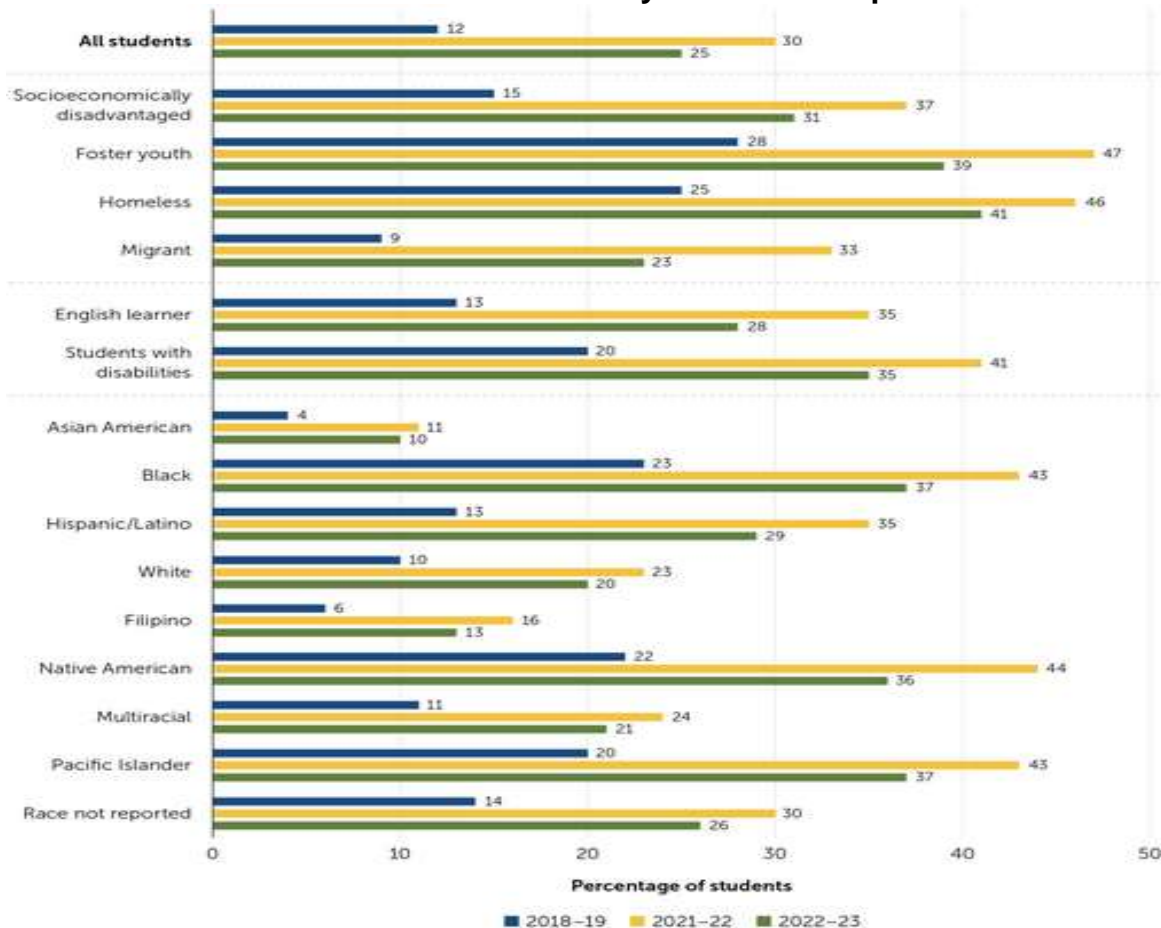


Note. The COVID-19 pandemic resulted in statewide physical school closures in February/March 2020 followed by the widespread implementation of distance learning during the 2020-21 academic year. The CDE has determined that absenteeism data are not valid and reliable for the 2019-20 academic year; therefore, the CDE has not processed these data and they are unavailable for public release.

In a report released by PACE, *Unpacking California's Chronic Absence Crisis Through 2022-23: Seven Key Facts*, chronic absence rates increased from 12 percent (702,531 students) in 2018-19 to a high of 30 percent (1,799,734) in 2021-22. In 2022-23, there was a decrease of 5 percentage points to a chronic absenteeism rate of 25 percent (1,486,302 students). Although this modest decrease is a hopeful sign, rates are still much higher than they were prior to the pandemic.

Schools that serve socioeconomically disadvantaged (SED) students tend to have higher rates of chronic absenteeism. Only 2 percent of the most affluent schools (those serving 0–24 percent SED students) experience extreme levels of chronic absence. In comparison, 60 percent of schools serving 75 percent or more SED students have extreme levels of chronic absence. Due to the challenges posed by the pandemic, SED students are significantly behind their non-SED peers in academic performance. Chronic absence is also high among particular student populations, although all have experienced modest decreases in the last year. Students who are involved in the foster care system, are experiencing homelessness, and have been identified as having a disability have extraordinarily high levels of chronic absenteeism. In addition, Native American, Black, and Pacific Islander students have exceptionally high rates of chronic absence. For these populations, chronic absenteeism both reflects and exacerbates inequities. These high rates can reflect challenges facing students and families in the community (e.g., lack of access to health care, unreliable transportation, housing, and food insecurity, etc.) and within the school (e.g., bullying, unwelcoming school climate, biased disciplinary or attendance practices, or lack of a meaningful and culturally relevant curriculum). Such difficulties can affect students’ learning ability and cause them to fall farther behind because they miss invaluable instruction.

Chronic Absenteeism Rates By Student Group and Year



The reasons behind chronic absenteeism are complex; hence addressing this issue requires a multifaceted approach. This approach should involve services that meet

their basic needs, create a safe and welcoming school environment, and provide engaging and challenging learning opportunities. Furthermore, partnerships with community organizations and public agencies are crucial to tackle the barriers and challenges to school attendance that may be beyond the capacity of educators.

6) *Related Legislation*

AB 2771 (Maienschein, 2024) requires the CDE to post information on its website about methods of reducing chronic absenteeism by the beginning of the 2026-27 school year.

AB 1884 (Ward, 2024) authorizes a student's excused absence for purposes of spending time with a member of their immediate family who is an active duty member of the military and has been called to duty for, is on leave from, or has immediately returned from deployment, without requiring that the deployment be to a combat zone or combat support position.

AB 2815 (O'Donnell, Chapter 829, Statutes of 2016) authorizes a supervisor of attendance to provide specified support services and take specified interventions.

AB 824 (Bennett, Chapter 669, Statutes of 2021) authorizes a pupil petition requesting that a COE or the governing body of a charter school appoint one or more pupil board members to be submitted to a board or body operating one or more high schools.

AB 417 (Bennett, Chapter 437, Statutes of 2023) authorizes a student who is enrolled in a high school that is under the jurisdiction of the county board of education to be selected to serve as a member of the county board of education if no petition is submitted to select a student.

AB 261 (Thurmond, Chapter 257, Statutes of 2017) provides that a pupil member of the governing board of a school district shall have preferential voting rights.

SB 468 (Leyva, Chapter 283, Statutes of 2017) modifies the existing requirement that school district governing boards provide the student board member with materials presented to the board members to specify that the student members are to receive all open meeting materials at the same time the materials are presented to the board members, and requires governing boards to invite the student member to staff briefings provided to board members or offer a separate briefing within the same timeframe as the briefing of board members.

SUPPORT

Los Angeles County Office of Education

OPPOSITION

None received

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 3262 **Hearing Date:** May 29, 2024
Author: Maienschein
Version: April 8, 2024
Urgency: No **Fiscal:** No
Consultant: Kordell Hampton

Subject: Automated external defibrillators.

SUMMARY

This bill would require that when an automated external defibrillator (AED) is placed in a public or private school serving grades 6-12, the principal notify pupils, in addition to school staff, of the location of all AED units on the campus at least annually.

BACKGROUND

Existing Law:

Health and Safety Code (HSC)

- 1) Requires the school principal, when an AED is placed in a public or private K-12 school, to ensure that the school staff and administrators receive annual information regarding sudden cardiac arrest, the school's emergency response plan, and how to properly use an AED. Additionally, instructions on how to use the AED should be posted next to every AED in no less than 14-point type. The principal must also notify school employees at least once a year about the location of all AED units available on the campus. (HSC § 1797.196(c))

Civil Code (CIV)

- 2) Any person who, in good faith and not for compensation, renders emergency care or treatment by the use of an AED at the scene of an emergency is not liable for any civil damages resulting from any acts or omissions in rendering the emergency care. (CIV § 1714.21(b))

Education Code (EC)

- 3) A public school may solicit and receive nonstate funds to acquire and maintain an AED. (EC § 49417(a))
- 4) The governing board of a school district or the governing body of a charter school is encouraged to provide to pupils general information on the use and importance of an AED. (EC § 51225.6(c))
- 5) Commencing July 1, 2019, if a school district or charter school elects to offer any interscholastic athletic program, the school district or the charter school shall acquire

at least one AED for each school that participates in the program within the jurisdiction of the school district or the charter school. (EC § 35179.6(b)(1))

ANALYSIS

This bill would require that when an AED is placed in a public or private school serving grades 6-12, the principal notify pupils, in addition to school staff, of the location of all AED units on the campus at least annually.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Emergency medical events never strike at a moment of our choosing and can be particularly unnerving. The entire campus community should be prepared and informed on how to respond amidst the turmoil. This bill aims to make the dissemination of such vital information more inclusive, allowing the student body to play a participatory role in their protection.”
- 2) ***Sudden Cardiac Arrest (SCA).*** According to the Mayo Clinic, SCA is the sudden loss of all heart activity due to an irregular heart rhythm. Breathing stops. The person becomes unconscious. Without immediate treatment, SCA can lead to death.

To understand SCA, it may help to know more about the heart's signaling system. Electric signals in the heart control the rate and rhythm of the heartbeat. Faulty or extra electrical signals can make the heart beat too fast, too slowly or in an uncoordinated way. Changes in the heartbeat are called arrhythmias. Some arrhythmias are brief and harmless. Others can lead to SCA.

The most common cause of SCA is an irregular heart rhythm called ventricular fibrillation. Rapid, erratic heart signals cause the lower heart chambers to quiver uselessly instead of pumping blood. Certain heart conditions can make you more likely to have this type of heartbeat problem. However, SCA can happen in people who have no known heart disease. Heart conditions that can cause SCA include:

- **Coronary Artery Disease:** SCA may occur if the heart arteries become clogged with cholesterol and other deposits, reducing blood flow to the heart.
- **Heart Attack:** If a heart attack occurs, often as a result of severe coronary artery disease, it can trigger ventricular fibrillation and SCA. Also, a heart attack can leave scar tissue in the heart. The scar tissue can cause changes in the heartbeat.
- **Cardiomyopathy:** This condition usually happens when the walls in the heart muscle stretch. The heart muscle gets bigger or thicker.
- **Heart Valve Disease:** Leaking or narrowing of the heart valves can lead to stretching or thickening of the heart muscle. When the chambers become enlarged or weakened because of stress caused by a tight or leaking valve, there's an increased risk of developing a heart rhythm problem.

- Congenital Heart Defect: SCA in children or adolescents is often due to a heart problem that they're born with. Adults who've had repair surgery for a congenital heart defect also have an increased risk of sudden cardiac arrest.
- Long QT Syndrome (LQTS) and other heart signaling problems: Conditions such as long QT syndrome and Brugada syndrome cause the heart to beat in an unorganized way. If the heart rhythm isn't quickly restored, sudden death can occur. Young people with LQTS are especially at risk of sudden death.

Emergency treatment for SCA includes cardiopulmonary resuscitation (CPR) and shocks to the heart with a device called an AED. Survival is possible with fast, appropriate medical care.

- 3) ***What is an Automated External Defibrillator?*** According to the American Heart Association, an AED is a lightweight, portable device. It delivers an electric shock through the chest to the heart when it detects an abnormal rhythm and changes the rhythm back to normal. AEDs help people who have a SCA, which occurs when the heart suddenly stops beating regularly. The AED uses voice prompts, lights and text to tell the rescuer the steps to take. AEDs may have two sets of pads — adult pads and child pads. AEDs are intended for use by the general public.
- 4) **School Principal – Current AED Notification Requirement.** Existing law requires the school principal, when an AED is placed in a public or private K-12 school, to ensure that the school staff and administrators receive annual information regarding SCA, the school's emergency response plan, and how to properly use an AED.

Additionally, instructions on how to use the AED should be posted next to every AED in no less than 14-point type. The principal must also notify school employees at least once a year about the location of all AED units available on the campus.

This bill extends the notification requirement to include pupils enrolled at each school campus where an AED exists.

- 5) ***Related Legislation.***

AB 1473 (Maienschein, 2023) would have required the Instructional Quality Commission (IQC) when the health and physical education framework is next revised after January 1, 2024, to consider increasing content related to instruction in performing compression-only CPR), including the use of an AED. *This bill was held in Senate Appropriations Committee.*

AB 1719 (Rodriguez, Chapter 556, Statutes of 2016) required, commencing in the 2018-19 school year, school districts and charter schools that require a health course for graduation include instruction in compression-only CPR.

AB 2217 (Melendez, Chapter 812, Statutes of 2014) authorizes schools to solicit and receive non-state funds for an AED and clarifies those schools and school employees are not civilly liable when acting in good faith.

AB 873 (Berman, Chapter 815, Statutes of 2023) requires the IQC to consider incorporating the Model Library Standards and media literacy content at each grade level when the English language arts/English language development curriculum framework is next revised and media literacy content into the mathematics, science, and history-social science frameworks when those frameworks are next revised after January 1, 2024.

AB 71 (Rodriguez, 2023) would require commencing, with the 2025–26 school year, the governing board of a school district or the governing body of a charter school that requires a course in health education for graduation from high school to include in that course instruction in bleeding control. *This bill was held in Senate Appropriations Committee.*

SUPPORT

American Red Cross California Chapter
California Federation of Teachers
California Fire Chiefs Association
Fire Districts Association of California

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 810	Hearing Date:	May 29, 2024
Author:	Friedman		
Version:	January 3, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Lynn Lorber		

Subject: Postsecondary education: hiring practices: academic, athletic, and administrative appointments.

NOTE: This bill has been referred to the Committees on Education and *Judiciary*. A "do pass" motion should include referral to the Committee on *Judiciary*.

SUMMARY

This bill (1) requests the governing board or body of an independent institution of higher education that receives state financial assistance, as part of the hiring process for specified positions, to require an applicant to disclose any final administrative decision or final judicial decision issued within the last seven years determining that the applicant committed sexual harassment; (2) requires the governing board of community college districts and the Trustees of the California State University (CSU) (and requests the Regents of the University of California (UC)), to require an applicant for an academic, athletic, or administrative position to sign a release form that authorizes the release of information by previous employers concerning any substantiated allegations of misconduct and, (3) requires the UC, CSU, California Community Colleges (CCC), independent institutions of higher education, and private postsecondary educational institutions, during the process to authorize a volunteer in an athletic department, to contact the current or former employer to determine if the applicant violated any employment policies.

BACKGROUND

Existing law:

Title IX

- 1) Provides that, in part, "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." Enforcement of compliance is initiated upon the filing of a complaint alleging a violation of Title IX. (Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act)
- 2) Requires each school district and county office of education, or a local public or private agency that receives funding from the state or federal government, to designate a person to serve as the Title IX compliance coordinator to enforce compliance at the local level, including coordinating any complaints of non-

compliance. (Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act)

- 3) Requires each educational institution in California (K-12 and postsecondary education) to have a written policy on sexual harassment, and requires schools to display the policy in a prominent location in the main administrative building or other area of the campus or schoolsite, be provided as part of any orientation program for new students, provided to each faculty member, administrative staff and support staff, and appear in any publication of the school that sets forth the rules, regulations, procedures, and standards of conduct. (Education Code (EC) § 231.5 and § 66281.5)

Appointees and employees

- 4) Requires the Trustees of the CSU to provide for, by rule, for the government of their appointees and employees, including but not limited to: appointment; classification; terms; duties; pay and overtime pay; uniform and equipment allowances; travel expenses and allowances; rates for housing and lodging; moving expenses; leave of absence; tenure; vacation; holidays; layoff; dismissal; demotion; suspension; sick leave; reinstatement; and employer's contribution to employees', annuitants', and survivors' health benefits plans. (EC § 89500)
- 5) Requires a community college district, prior to making a decision relating to the continued employment of a contract employee, to meet certain requirements, including an evaluation of the employee and the governing board's receipt of recommendations of the superintendent or president of the district or community college. (EC § 87607)

Disclosure of final administrative decision or final judicial decision

- 6) Requires the governing board of a community college district to require, as part of the hiring process for an appointment to an academic or administrative position with that district, that the applicant disclose any final administrative decision or final judicial decision issued within the last seven years from the date of submission of the application determining that the applicant committed sexual harassment. (EC § 87604.5)
- 7) Requires the Trustees of the CSU to require, as part of the hiring process for an appointment to an academic or administrative position with the CSU, that the applicant disclose any final administrative decision or final judicial decision issued within the last seven years from the date of submission of the application determining that the applicant committed sexual harassment. (EC § 89521)
- 8) Requests the Regents of the UC to require, as part of the hiring process for an appointment to an academic or administrative position with UC, that the applicant disclose any final administrative decision or final judicial decision issued within the last seven years from the date of submission of the application determining that the applicant committed sexual harassment. (EC § 92612.1)

Definitions

- 9) Defines “postsecondary educational institution” as any campus of the UC, CSU, CCC, an independent institution of higher education, or a private postsecondary educational institution. (EC § 67456)
- 10) Defines “independent institution of higher education” as nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are formed as nonprofit corporations in this state and are accredited by an agency recognized by the United States Department of Education. (EC § 66010)
- 11) Defines “final administrative decision” as the written determination of whether or not sexual harassment occurred as determined by the decisionmaker following the final investigative report and the subsequent hearing. (EC § 87604.5, § 89521, and § 92612.1)
- 12) Defines “final judicial decision” as a final determination of a matter submitted to a court that is recorded in a judgment or order of that court. (EC § 87604.5, § 89521, and § 92612.1)

ANALYSIS

This bill:

Independent institutions of higher education - disclosure of final administrative decision or final judicial decision, and release of information

- 1) Requests the governing board or body of an independent institution of higher education that receives state financial assistance, as part of the hiring process for an appointment to an academic, athletic, or administrative position with that independent institution of higher education, to do all of the following:
 - a) Require an applicant to disclose any final administrative decision or final judicial decision issued within the last seven years from the date of submission of the application determining that the applicant committed sexual harassment. This bill also requires applicants to be allowed to disclose if they have filed an appeal with the previous employer or, if applicable, with the United States Department of Education.
 - b) Require an applicant to sign a release form that authorizes, in the event the applicant reaches the final stages of the application process, the release of information by the applicant’s previous employers to the independent institution of higher education concerning any substantiated allegations of misconduct in order to permit the institution to evaluate the released information with respect to the teaching, research, or service criteria for a potential job placement.
 - c) Require the independent institution of higher education to use the signed release form to obtain information from previous employers concerning any

substantiated allegations of misconduct, if an applicant reaches the final stages of the application process for the intended academic, athletic, or administrative position.

- 2) Requests independent institutions of higher education that receive state financial assistance to not ask an applicant to disclose, orally or in writing, information concerning any final administrative decision or final judicial decision, including any inquiry about an applicable decision on any employment application, until the institution has determined that the applicant meets the minimum employment qualifications stated in the notice issued for the position.

Public institutions - release of information

- 3) Requires the governing board of a community college district and the Trustees of the CSU, and requests the Regents of the UC, as part of the hiring process for an appointment to an academic, athletic, or administrative position with that district, to:
 - a) Require an applicant to sign a release form that authorizes, in the event the applicant reaches the final stages of the application process, the release of information by the applicant's previous employers concerning any substantiated allegations of misconduct in order to permit the community college district or campuses of the CSU or UC, to evaluate the released information with respect to the teaching, research, or service criteria for a potential job placement; and,
 - b) If an applicant reaches the final stages of the application process for the intended academic, athletic, or administrative position, require the community college district or campuses of the CSU or UC, to use the signed release form to obtain information from previous employers concerning any substantiated allegations of misconduct.

Public, independent, and private institutions - contacting the current or former employer

- 4) Requires postsecondary educational institutions, during the process to authorize a volunteer in an athletic department of a postsecondary educational institution, to contact the current or former employer of the individual applying for volunteer authorization to determine if the applicant violated any employment policies.

General provisions

- 5) Defines the following terms:
 - a) "Misconduct" means any violation of the policies governing employee conduct at the applicant's previous place of employment, including, but not limited to, violations of policies prohibiting sexual harassment, sexual assault, or other forms of harassment or discrimination, as defined by the employer.

- b) “Substantiated allegation” means an allegation that has been sustained based upon a burden of proof of at least, a preponderance of the evidence.
- 6) States legislative intent that postsecondary educational institutions:
- a) Move past legal compliance with federal Title IX and state laws that prohibit discrimination by providing a clear message to applicants regarding the expectations around behavior that contribute to an equitable and inclusive campus culture; and,
 - b) Conduct background checks to be completed by the Department of Justice and the Federal Bureau of Investigation during the final stages of the application process for any employee or volunteer within the athletic department.
- 7) States further legislative intent to enact policies that will prevent a common issue across institutions of higher education known as “passing the harasser.”

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 810 is a measure that will add an extra guardrail in the employment processes for academic, athletic, and administrative positions at postsecondary education institutions in California. AB 810 builds upon the work of SB 791 (McGuire) by expanding the disclosure requirements to athletic positions and provides an additional reference check requirement of postsecondary education institutions to ensure applicants do not have a history of disciplinary violations at their previous places of employment. This bill intends to give higher education institutions another tool to keep college campuses equally accessible and safe for all. This measure seeks to add a layer of transparency to ensure that high education institutions are conducting due diligence when it comes to hiring potential employees or agreeing to volunteer.”
- 2) ***Recent report on how postsecondary education institutions address sexual discrimination.*** Throughout 2023, staff from the Assembly Higher Education Committee and this committee hosted fact-finding briefings with representatives from the CCC, CSU, UC, and various California Independent Colleges and Universities to understand how higher education institutions are preventing and addressing sexual discrimination on campuses. The Assembly Higher Education Committee released a report that provides a synopsis of the information gleaned from the briefings and a compilation of legislative proposals for how the State can partner with higher education institutions to prevent and address discrimination in all its forms on college and university campuses throughout California.
https://ahed.assembly.ca.gov/system/files/2024-02/a-call-to-action-report-2024_0.pdf

As mentioned in this report, the National Academies of Science, Engineering, and Mathematics, established an action collaborative on preventing sexual harassment in higher education. A working group from within the collaborative explored how to resolve the concept of “passing the harasser” that occurs in

higher education when a harasser quietly resigns from one institution only to be hired by another. A paper published under the auspices of the National Academies found that there is no universal system where institutions of higher education share information on faculty members who are found under investigation or are found responsible for sex discrimination (Serio et al., 2023). The paper explored how two entities, UC Davis and the State of Washington have implemented policies to help prevent the “passing of harassers” from one institution to another. AB 1844 (Medina, 2022) would have codified the State of Washington’s policies; however, the bill was held in the Assembly Appropriations Committee. *This bill (AB 810, Friedman, 2024) codifies and expands upon the UC Davis model for the hiring of tenured faculty.*

Investigations conducted by *EdSource* found that multiple faculty at various CSU campuses were able to retain employment despite having violated the CSU’s nondiscrimination policies at other CSU campuses. After the faculty resigned from “Campus A” they were able to be employed by “Campus B” (Peele et al., 2022). The Los Angeles Times reported that a former CSU professor, who was found to have violated CSU’s nondiscrimination policy and settled with the campus, was working at a community college near the CSU campus where the incident occurred (Timmko, A., 2022). SB 791 (McGuire, Chapter 415, Statutes of 2023) requires all campuses of the CCC and the CSU, and requests campuses of the UC, to ask whether the applicant for an academic or administrative position has committed sexual harassment at their previous place of employment within the last seven years. The hesitancy to share information between higher education institutions may reside in the fear that the sharing of information could lead to employee lawsuits or litigation should the disclosure request process fail to catch repeat harassers.

This bill addresses two of the recommendations in this report, specifically, to shield the institution from liability, institutions should consider a two-part response: (1) require that the applicants in the final stages of the hiring process sign releases allowing prior employers to respond to disclosure requests; and, (2) require that if a history of misconduct is discovered during employment, the campus will have grounds for dismissal.

- 3) ***Builds upon SB 791*** (McGuire, Chapter 415, Statutes of 2023). As noted above, current law requires the governing board of a community college district and the Trustees of the CSU, and requests the Regents of the UC, to require an application for appointment to an academic or administrative position to disclose any final administrative or judicial decision issued within the last seven years determining that the applicant committed sexual harassment. This bill extends (as a request) the disclosures of final administrative decision or final judicial decision to also apply to independent institutions of higher education. This bill also requires/requests colleges to require applicants to sign a release for that information, and requires institutions to contact the current or former employer of an individual applying for volunteer authorization in an athletic department.
- 4) ***UC Davis model.*** UC Davis initiated a pilot program for the 2018-19 and 2019-20 academic years to conduct reference checks on first choice candidates for academic appointments with tenure or security of employment, which became

permanent in the 2020-2021 academic year. The current faculty hiring process solicits information regarding candidates' qualifications through outside letters and enables UC Davis to obtain and review information about candidates' conduct in their previous appointments that may be important to the hiring decision. The reference checks do not involve any process for criminal background checks, which are covered by other University policies. In the 2020-21 academic year, a one-year pilot phase of this program was initiated to expand reference checks to all Academic Senate faculty who will be hired at the Assistant Professor or Lecturer with Potential for Security of Employment, Steps 4, 5, or 6, or Acting Professor of Law. This became permanent in the 2022-23 academic year.

All applicants for these faculty positions are required to adhere to the following instructions. The campus shall include the following statement in the posting of these faculty positions providing notice to applicants that UC Davis will conduct reference checks on first-choice candidates prior to hiring:

The University of California is committed to creating and maintaining a community dedicated to the advancement, application, and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in University programs and activities can work and learn together in a safe and secure environment, free of violence, harassment, discrimination, exploitation, or intimidation. With this commitment, UC Davis conducts a reference check on all first-choice candidates for Academic Senate Assistant Professor, Steps 4, 5, or 6 through Professor, Lecturer with Potential for Security of Employment, Steps 4, 5, or 6 through Senior Lecturer with Security of Employment, and Acting Professor of Law through Professor of Law positions. The reference check involves contacting the administration of the applicant's previous institution(s) to ask whether there have been substantiated findings of misconduct that would violate the University's Faculty Code of Conduct. To implement this process, UC Davis requires all applicants for any open search for these faculty positions to complete, sign, and upload the form entitled "Authorization to Release Information" into RECRUIT as part of their application. If an applicant does not include the signed authorization with the application materials, the application will be considered incomplete, and as with any incomplete application, will not receive further consideration. Although all applicants for faculty recruitments must complete the entire application, only finalists considered for these faculty positions will be subject to reference checks.

All applicants for these searches will be asked to sign and upload an ["Authorization to Release Information"](#) form into UC RECRUIT. If the candidate does not include the signed authorization with the application materials in UC RECRUIT, the application will be incomplete and, as with any incomplete application, will not receive further consideration.

When the selection of the first choice candidate has been made, the Dean and/or Department Chair should contact Academic Affairs to initiate the reference check process through email with the attached completed/signed release from the candidate and current curriculum vitae (CV). Note, for appointment at the Assistant Professor or Lecturer with Potential Security of Employment level, the

proposed step (4, 5, or 6) needs to be included. Academic Affairs shall contact the academic personnel office (or equivalent) at one or more of the previous institutions where the candidate has been employed. This may occur concurrently with the negotiation of the terms in the Tentative Offer Letter (TOL); however, the reference check must be cleared before finalizing and having the candidate sign the TOL.

The TOL must also include the following statement where the first choice candidate signs:

By signing this letter, the undersigned represents that they are not currently the subject of any disciplinary proceeding (investigation, hearing, etc.) at any and all academic institutions, places of employment, academic/professional societies, and/or professional licensing or certification bodies, nor have they in the past 10 (ten) years been formally disciplined at any of the following: any and all academic institutions, places of employment, academic/professional societies, and/or professional licensing or certification bodies. If there are questions about this attestation, please contact Sandi Glithero (sjglithero@ucdavis.edu).

Academic Affairs will provide the signed release to the previous institution(s) and ask for information about misconduct related to teaching, research, service, and (if applicable) clinical care. Academic Affairs will not contact the candidate's department or search chair, unless there is no other office of record for faculty misconduct at the institution.

Academic Affairs will limit its inquiry to substantiated findings of misconduct and associated discipline related to teaching, research, service and (if applicable) clinical care. In accordance with the signed authorization, the campus is entitled to this information, even if confidential, including any materials that have been sealed or agreed to be withheld pursuant to a prior agreement or court proceeding.

The dean and department chair, in consultation with Academic Affairs, will conduct an individualized assessment of any information received, including the nature of the conduct, the length of time passed, any corrective action taken, and any explanation offered by the candidate. After reviewing the information and in consultation with Academic Affairs, the dean and department chair will determine whether the candidate should still be eligible to be considered for the position. If it is determined that the candidate is not eligible, the candidate shall be notified and a second-choice candidate may be considered, subject to the reference check process. <https://academicaffairs.ucdavis.edu/reference-check-information>

- 5) **Fiscal impact.** According to the Assembly Appropriations Committee analysis, this bill would impose the following costs:
 - a) Ongoing Proposition 98 General Fund costs, likely in the hundreds of thousands of dollars to low millions of dollars annually, for CCC campuses to update their policies, train staff in the extra steps of the hiring process as required by this bill, and for staff to implement the extra steps. According to

the CCC Chancellor's Office, costs to update policies would average about \$2,000 per campus; costs to provide one day of training to staff would average about \$15,000 per campus; and costs to implement the extra steps would average about \$5,000 per campus. Costs would be lower after policies are adopted and staff are initially trained in the first year of this bill's implementation. The CCC has 115 campuses.

- b) Ongoing General Fund costs, likely in the low- to mid-hundreds of thousands of dollars annually, for CSU campuses to update their policies, train staff in the extra steps of the hiring process as required by this bill, and for staff to implement the extra steps. CSU has 23 campuses and typically hires approximately 16,000 employees across the system each year.
- c) Ongoing General Fund costs, likely in the tens of thousands of dollars to low-hundreds of thousands of dollars annually, for UC campuses to update their policies, train staff in the extra steps of the hiring process as required by this bill, and for staff to implement the extra steps. UC has nine campuses. (This estimate is extrapolated from other estimates as UC did not respond with information regarding its anticipated fiscal impact of this bill.)

6) ***Related legislation.***

SB 1166 (Dodd, 2024) (1) expands the scope of a currently-required CSU report containing a summation of the activities undertaken by each campus and by the systemwide Title IX office to also include outcomes of appeals, a list of personnel who are exempt from being a "responsible employee," and a yet-to-be-developed annual report that compiles campus-based evaluations of how sex discrimination is addressed on campuses; and, (2) requests the UC and requires each community college district to also submit this report. SB 1166 is pending referral in the Assembly.

SB 1491 (Eggman, 2024) (1) requires the CSU Trustees and the governing board of each community college district to designate an employee at each of their respective campuses as a point of contact for the needs of lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex and two-spirit faculty, staff, and students at the respective campus; (2) requires the point of contact to be a confidential employee, as specified; (3) requires the CSU Trustees and the governing board of each community college district to adopt and publish policies on harassment, intimidation, and bullying and include these policies within the rules and regulations governing student behavior; (4) requires California Student Aid Commission (CSAC), beginning with the 2026-27 school year, to provide written notice to students who receive state financial aid whether their college or university has a religious school exemption from Title IX; and, (5) requires the Legislative Analyst's Office (LAO) to conduct an assessment of the CCCs, CSU, and UC systems with respect to the quality of life at those campuses for lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex, and two-spirit faculty, staff, and students at the campuses of each of those institutions. SB 1491 is pending referral in the Assembly.

AB 2492 (Irwin, 2024) requires each public postsecondary education institution to establish specified positions and designate at least one person to fulfill each position, including a confidential student advocate, a confidential staff and faculty advocate, and a confidential respondent services coordinator. AB 2492 is pending referral in the Senate.

AB 1575 (Irwin, 2024) authorizes students who receive a disciplinary notification the right to have an adviser of their choosing and requires postsecondary education institutions to provide trainings for the aforementioned adviser. AB 1575 is scheduled to be heard in the Senate Education Committee on May 29, 2024.

AB 2608 (Gabriel, 2024) expands currently required training for students on sexual violence and sexual harassment to include information regarding drug- and alcohol-facilitated sexual assault and information related to confidential support and care resources. AB 2608 is pending referral in the Senate.

AB 2326 (Alvarez, 2024) establishes which entities who are responsible for ensuring campus programs are free from discrimination and who has the authority to oversee and monitor compliance with state and federal laws; requires the Chancellor of the CCC, the President of UC, and the Chancellor of CSU to present to the legislature annually on the state of the system in preventing discrimination on campus; and, requires the systemwide governing boards to review the system's nondiscrimination policies and to update them if necessary. AB 2326 is pending referral in the Senate.

AB 1790 (Connelly, 2024) requires the CSU to take specified actions to implement the recommendations provided by the State Auditor's report from 2022 titled "California State University: It Did Not Adequately or Consistently Address Some Allegations of Sexual Harassment." AB 1790 is pending referral in the Senate.

AB 2407 (Hart, 2024) requires the State Auditor to conduct an audit every three years of the CCC, CSU, and UC regarding their respective handling and investigation of sexual harassment complaints. AB 2407 is pending referral in the Senate.

AB 1905 (Addis, 2024) prohibits an employee of a public postsecondary educational institution from being eligible for retreat rights and from receiving a letter of recommendation if the employee is the respondent in a sexual harassment complaint where a final determination has been made, the employee resigned, or the employee enters into a settlement with the institution. AB 1905 is pending referral in the Senate.

AB 2047 (Mike Fong, 2024) requires the CCC, CSU, and UC to establish a systemwide Office of Civil Rights and establish the position of systemwide Title IX coordinator. AB 2047 is pending referral in the Senate.

AB 2048 (Mike Fong, 2024) requires each campus of the CSU and UC, and each community college district, to establish, on or before July 1, 2026, a Title IX office

in a private space for students and employees to disclose reports and formal complaints of sex discrimination, including, but not limited to, sexual harassment; and, provides that the Title IX office is to be under the administration of a Title IX coordinator who is to be responsible for coordinating the campus' implementation and compliance with the systemwide nondiscrimination policies. AB 2048 is pending referral in the Senate.

AB 2987 (Ortega, 2024) requires each campus of the CSU and CCCs, and requests each campus of the UC, to provide (upon request of the complainant or respondent) status updates on complaints of sex discrimination to complainants and respondents, to the extent permissible under state and federal law; and, requires/requests that notice of a disciplinary action to the respondent and complainant be provided to the respondent within three schooldays of a decision. AB 2987 is pending referral in the Senate.

SUPPORT

Generation Up (sponsor)
California Federation of Teachers
California State University Employees Union
Faculty Association of California Community Colleges

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1160	Hearing Date:	May 29, 2024
Author:	Pacheco		
Version:	May 20, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Protecting Students from Creditor Colleges Act.

NOTE: This bill has been referred to the Committees on Education and *Judiciary*. A "do pass" motion should include referral to the Committee on *Judiciary*.

SUMMARY

This bill prohibits institutions of higher education (IHE) from taking certain actions against a student on the grounds that the student owes an institutional debt including withholding their diploma and the ways in which a student can be prevented from enrolling or registering for courses. It further requires various consumer protections related to the collection of institutional debt and requires IHE to collect and report certain data pertaining to institutional debt. Lastly, the bill eliminates the ability for IHE to recoup institutional debt by garnishing the tax refunds by debtors.

BACKGROUND

Existing law:

- 1) Establishes the University of California (UC) as a public trust to be administered by the Regents of the UC; and, grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Article IX, Section (9)(a) of the California Constitution)
- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the UC, California State University (CSU), and California Community Colleges (CCC). (Education Code (EC) § 66010, et seq.)
- 3) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (EC § 66606 and 89500, et seq.)
- 4) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts. (EC § 70900)

- 5) Requires the governing board of every community college district, the Trustees of the CSU, and, if appropriate resolutions are adopted, the Regents of UC and the Board of Directors of the College of the Law, San Francisco to adopt regulations providing for the withholding of institutional services from students or former students who have been notified in writing, as specified, that they are in default on a loan or loans under the Federal Family Education Loan Program (FFEL), and requires the Student Aid Commission (Commission) to give notice of the default to all institutions through which the individual acquired the loan or loans. (EC § 66022)
- 6) Regulates the practice of debt collection and the conduct of debt collectors under the Rosenthal Fair Debt Collection Practices Act by prohibiting deceptive, dishonest, unfair, and unreasonable practices. (Civil Code § 1788, et al.)
- 7) Prohibits a school, as defined, from refusing to provide a transcript for a current or former student on the grounds that the student owes a debt, conditioning the provision of a transcript on the payment of a debt, charging a higher fee for obtaining a transcript or providing less favorable treatment of a transcript request because a student owes a debt, or using a transcript issuance as a tool for debt collection, as specified. (Civil Code § 1788.90 et al.)
- 8) Authorizes the Controller, in their discretion, to offset any amount due to a state agency from a person or entity, against any amount owing to that person or entity, including any tax refund, by any state agency, except as specified. (Government Code § 12419.5)

ANALYSIS

This bill:

Student debt and issuance of diplomas

- 1) Prohibits, in addition to transcripts as provided in current law, a public or private postsecondary school from refusing to provide a *diploma as defined*, for a student on the grounds that the student owes a debt, conditioning the provision of a *diploma* on the payment of a debt, charging a higher fee for obtaining a *diploma*, providing less favorable treatment of a *diploma* request because a student owes a debt, or using a diploma issue as a tool for debt collection.

Student loan default and withholding of diploma

- 2) Modifies provisions that authorize the withholding of certain services from a student that have defaulted on a loan under the FFEL program through regulations adopted by each public IHE's governing body by removing their authority to withhold a degree, diploma or registration privileges except as specified, on a student that has satisfied all academic requirements, or the issuance of documentation of a degree or certificate. (The FFEL program was replaced by the Federal Direct Student Loan Program in 2010)

Student's state tax refund and redirection of funds prohibition

- 3) Prohibits the Controller, beginning January 1, 2025, from deducting funds from a student's state tax refund and redirecting the funds to a postsecondary institution as defined to which the student owes institutional debt.

Institutional debt, registration, and enrollment hold

- 4) Establishes the Protecting Students from Creditor Colleges Act (Act). Specifically, under the act, it:
 - a) Prohibits an IHE from charging a higher tuition or fee, failing to confer a degree on a student that has satisfied all academic requirements for their course of study, or otherwise preventing a student from reenrolling, registering, or graduating at the IHE on the grounds that the student owes an institutional debt.
 - b) Allows an IHE to prevent a student who owes an institutional debt from enrolling or registering for courses on the basis that the student owes an institutional debt *if* the IHE complies with all of the following conditions:
 - i) The IHE grants a one-time exemption from an enrollment or registration hold on a student on the grounds that they owe a past-due institutional debt. The bill stipulates that the one-time exemption only applies in the first instance a student seeks to enroll or register for an academic term following nonpayment of their institutional debt that would otherwise trigger an enrollment or registration hold, and that an exempted student cannot be prevented from enrolling and registering as specified.
 - ii) The IHE notifies any student who accrues past-due institutional debt in writing of the on-time exemption and notifies them that an enrollment or registration hold may occur for the accumulation of additional debt or failure to pay or enter into written agreement with the IHE regarding institutional debt by the end of the academic term for which the exemption applies.
 - iii) The IHE does not place an enrollment or registration hold on the basis that a student owes an institutional debt on any student that has entered into, and is in good standing on, a payment plan for any institutional debt.

Drop for nonpayment authorization

- c) States that nothing in the Act prohibits an IHE from doing any of the following:
 - i) Withholding a degree, placing an enrollment or registration hold, or otherwise preventing a student from taking classes for violating any academic code of conduct or school honor code, failing to maintain

satisfactory academic progress, or on other similar and permissible bases.

- ii) Administering a “drop for nonpayment” policy, which disenrolls a student from an academic term because of their failure to pay that term’s tuition or fees, room and board, or other nontuition costs associated with the cost of attendance, provided that an institutional debt that accrues because of the nonpayment cannot be used as a reason for any future adverse action against the student as stated in the Act.
- d) Requires that IHE implement any “drop for nonpayment” disenrollments before disbursing financial aid refunds or electronic transfers and provides that a student cannot otherwise incur any institutional debt for tuition or fees associated with the term when dropped for nonpayment.

Collection for institutional debt, policy, and notification

- e) Requires an IHE to establish a written policy defining the standards and procedures for collecting institutional debt from students, ensure that the policy is consistent with consumer protections established in current law, make it publicly accessible on its website and provide it to students that owe an institutional debt.
- f) Prohibits an IHE from doing any of the following when collecting on an institutional debt:
 - i) Engage a third-party debt collector that is not licensed.
 - ii) Engage a third-party debt collector before 180 days have passed from the first communication from the IHE requesting payment, and the IHE has made all reasonable efforts to communicate with a student, in accordance with the prescribed written policy established for collecting institutional debt.
 - iii) Engage a third-party debt collector to collect on an institutional debt without a written agreement with the debt collector that requires the debt collector to comply with the prescribed written policy established for collecting institutional debt.
- g) Requires that an IHE make all reasonable efforts to contact a student to notify them of an institutional debt in accordance with the prescribed written policy established for collecting institutional debt.
- h) Requires, before assigning an institutional debt to a third-party debt collector, an IHE notify a student that includes information on, among other things, the amount of debt assigned to collections, the name of the third-party debt collector, the consequences of a defaulted institution debt, and how to submit a complaint with the Department of Financial Protection and Innovation.

- i) Prohibits an IHE or third-party debt collector from reporting adverse information to a consumer credit reporting agency or commencing civil action against a student for nonpayment of an institutional debt before 180 days after the first communication from the institution to student requesting payment.

Reporting requirements

- j) Requires that the CCC Board of Governors, and the CSU Trustees, and requests that the UC's President, require, beginning July 1, 2025, each public institution to biennially report as prescribed on information related to institutional debt, including, among other things, the amount of institutional debt at each campus, the source of institutional debts, and student demographic information.
- k) Requires, in coordination with the Commissioner of Financial Protection and Innovation, the CCC Board of Governors, and the CSU Trustees, and requests UC's office of the President to, by July 1, 2025, to develop a uniform format for data collection and ensure data reporting is done in a timely manner.
- l) Requires that the CCC Board of Governors and the CSU Trustees, and requests that the UC's office of the President, report in a publicly accessible manner on their websites the data compiled in the biennial report across each campus on an annual basis.

Miscellaneous

- 5) Defines all of the following terms for purposes of the Protecting Students from Creditor Colleges Act:
 - a) "Degree" to mean a credential conferred by an institution on a student in recognition of the student's satisfaction of all academic requirements associated with a course of study. "Degree" shall include certificates, associate degrees, baccalaureate degrees, and graduate degrees.
 - b) "Institution of higher education" or "institution" to mean any public or, private postsecondary educational institution operating in the state, including its branch campuses and satellite locations or distance education, and each institution of "public higher education" as defined in subdivision (a) of Section 66010, any "independent institutions of higher education" as defined in subdivision (b) of Section 66010, and any private postsecondary educational institutions as defined in Section 94858.
 - c) "Institutional debt" to mean any money, obligation, claim, or sum, due or owing, or alleged to be due or owing, whether or not reduced to court judgment, from a student, and that was incurred in their capacity as a student, to an institution of higher education. "Institutional debt" does not include tuition, fees, room and board, or other costs of attendance for an

academic term in which the student is actively enrolled or for an academic term in which the student seeks to enroll.

- 6) Provides that the provisions of the bill are severable.
- 7) States various findings and declarations regarding student loan debt and federal financial aid return policies.
- 8) Makes technical and conforming changes.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “The new research finds that this little-known type of student debt, called “institutional debt,” has exploded in California since the onset of COVID-19, as students withdrew from California public colleges for economic, family, or health reasons. AB 1160 will protect students from the most harmful impacts of this debt and provide much-needed transparency on the growth and impact of this debt across our state. With the current enrollment crisis, it is important that we help students with removing barriers in attaining their higher education goals and understand what else we must do to address the student debt crisis—including institutional debt—across California.”
- 2) **Related report on the impact of institutional debt to students.** The Student Borrower Protection Center released a report in 2023 on canceling debts that surged during COVID-19 for low-income students. The report indicates that an estimated 750,000 students in the 2020-2021 and 2021-2022 academic years from across all three California public IHE accrued a total of \$390 million in institutional debt. This estimate is based on data from four UC campuses, three community college districts, and a financial services benchmarking survey. According to the report, when students who receive federal financial aid (including Pell Grant recipients) withdraw before the end of an academic term, federal aid rules require colleges to return a portion of their federal aid disbursement to the U.S. Department of Education. Consequently, schools absorb the financial loss or treat a portion of a withdrawn student’s Pell disbursement as a debt for collection. The report states that students face a number of consequences as schools attempt to recoup those debts, including barring students from re-enrolling in their program, placing their debt with a private debt collector, allowing repayment to increase as fees accrue, reporting the debt as delinquent to a credit reporting bureau, or seizing the student’s state tax return to offset these debts. The report contends that institutional student debts have reached an alarming scale, particularly for low-income students. This bill seeks to address the penalties imposed on students who have institutional debt.
- 3) **Prohibits schools from withholding diplomas.** Current law grants public IHE the authority to establish regulations regarding the withholding of institutional services from students who have received notification of default on a federal loan. This bill would prohibit those rules from including the withholding of transcripts, conferring a degree or diploma on a student that has satisfied all academic requirements, or the issuance of documentation of a degree or

certificate. The bill also prohibits IHE from withholding a diploma due to owing debt.

- 4) **Enrollment and registration privileges may be withheld under certain conditions.** A way for IHE to recover debt owed by students includes barring them from enrolling and registering for courses. The bill's opponents argue that institutions resort to this strategy after communication attempts have failed, and it provides a means for connecting with the student. This bill does not prohibit but imposes conditions on institutions for the ways in which they can withhold enrollment or registration privileges, including granting students a one-time exemption from having those privileges withheld due to their institutional debt.
- 5) **Ends Chancellor's Office Tax Offset Program.** According to the Assembly appropriations analysis, "Current law allows the Controller to essentially garnish tax refunds of current or former students who owe institutional debt and return those funds to the owed IHE. To identify these individuals, IHE report current or former students owing debt to the Controller and those individuals have their tax refund, if they are entitled to one, reduced by the amount they owe. (This occurs at the federal level with federally-issued student debt, as well.) It is up to an IHE's discretion whether they will report a student to the Controller and IHE indicate they typically do not report individuals with small debts. IHE indicate this method of collection is more effective and less costly than assigning debt collection to a third-party debt collector.

"In addition, the CCC Chancellor's Office uses a portion of recouped debt to fund some of its state-level operations. The CCC Chancellor's Office indicates that in the 2022 fiscal year, a total of \$4.5 million was recouped using this method from current or former students owing institutional debt, with about \$1.1 million going to the Chancellor's Office. In the 2023 fiscal year, a total of \$2 million was recouped using this method, with about \$500,000 going to the Chancellor's Office. Amounts recouped in the 2023 fiscal year likely fell because many CCCs used COVID-19 aid to help students pay off institutional debt. In addition, current law prohibits the Controller, for taxable years beginning on or after January 1, 2024, from garnishing the tax refunds of an individual who receives the California Earned Income Tax Credit or the Young Child Tax Credit in that taxable year. This bill eliminates the ability for IHE to recoup institutional debt using this provision of current law. However, the ability to recoup debt using this method likely already will be more constrained than in prior years due to the provision in current law that prohibits the garnishment of certain tax credits beginning January 1, 2024."

- 6) **What drives student debt balances, and how do colleges recover debts owed?** As noted, students carry institutional debt in part due to having to return federal aid disbursements to the U.S. Department of Education when withdrawing from courses mid-term. However, other fees can accrue, such as from tuition, housing, parking, or meal fees. The measures used to collect that debt vary from college to college. According to data from independent colleges and universities, debt recovery ranges from forgiving smaller amounts of debt, placing students on payment plans, holding transcripts or diplomas, and sending students to collections after a period of time has passed. The CCC Chancellors Office, CSU,

or UC do not uniformly track institutional debt information systemwide. However, CSU reports that all campuses offer in-house payment plans, prior to sending a debt to collections each campus is required at a minimum to reach out to students three times, and threshold amounts for sending a debt to collections vary by campus. This bill requires public and private higher education institutions to establish a policy defining standards and practices for the collection of institutional debt.

- 7) **Arguments in support.** According to the letter of support submitted to the committee from Nextgen California, co-sponsors of the bill "... Institutional debts are debts owed by current or former students directly to a higher education institution. The majority of this debt is incurred when a student unexpectedly withdraws from a course before the end of the term and their school is then required to repay federal student aid—such as a Pell Grant. Given that Pell Grants are awarded based on financial need, any such debts associated with this program almost exclusively affects low income students. During the pandemic, economic and public health issues forced a record number of students to withdraw from their higher education coursework and institutional debt ballooned. As a result, more than 750,000 low-income students owe more than \$390 million in debt to California public colleges and universities..."

The letter further states, "late last year, a group of leading student loan experts and academic researchers released a policy brief analyzing the impact of AB1160 and found that if passed, the legislation would provide much-needed protections for students and families, help California increase student re-enrollment and achieve higher education completion goals, and help increase much-needed tuition and fee revenue for colleges and universities across the state. Researchers note that by allowing students with institutional debt to re-enroll in their coursework, institutions could receive \$214 million in tuition and fees in one year alone (based on a modest 33% re-enrollment rate). AB 1160 will provide much-needed reforms that will help students get back on track with their education goals while helping schools to protect their bottom line..."

- 8) **Arguments in opposition.** The University of California argue, in part, in their opposition letter, "...UC relies upon student tuition and fees to operate effectively. Unpaid student debt, nearly \$90 million per year, can significantly impact UC's financial stability and ultimately impact the quality of education provided to UC students. Given the current budgetary challenges facing the University of California, with a looming \$125 million budget cut, losing the ability to utilize accepted debt collection tools will further strain UC's financial resources.

AB 1160 would prevent the University from contracting with a collection agency until 180 days, or six months, have passed. Research shows that after such a significant window of time has passed, it makes it less likely for the debt to be collected. Additionally, the bill puts no limits on how much debt a person could accumulate and still receive a one-time exemption from a registration hold. While the author's office has explained that their intent would not be to capture any current or recently-accumulated debt and instead only apply to "past-due institutional debt," AB 1160 does not contain language that would ensure our

campuses would be able to implement the bill in a manner that is clear to both our staff and the students who could benefit from this measure...”

SUPPORT

NextGen California (Sponsor)
American Federation of State, County and Municipal Employees
California Competes: Higher Education for a Strong Economy
California Federation of Teachers
California Low-Income Consumer Coalition
California State Student Association
Coalition for Humane Immigrant Rights
Faculty Association of California's Community Colleges
Generation Up
Northern California College Promise Coalition
Southern California College Attainment Network
Student Debt Crisis Center
uAspire
University of California Student Association

OPPOSITION

Association of Independent California Colleges & Universities
California State University, Office of the Chancellor
Chief Executive Officers of the California Community Colleges Board
Coalition of Higher Education Assistance Organizations
Pacific Union College
PacWest
University of California
University of Phoenix

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1575 **Hearing Date:** May 29, 2024
Author: Irwin
Version: May 21, 2024
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: Public postsecondary education: students codes of conduct: advisers.

NOTE: This bill has been referred to the Committees on Education and *Judiciary*. A "do pass" motion should include referral to the Committee on *Judiciary*.

SUMMARY

This bill authorizes students who receive a disciplinary notification the right to have an adviser of their choosing and requires postsecondary education institutions to provide training for the aforementioned adviser.

BACKGROUND

Existing *federal* law:

- 1) Establishes Title IX, providing that, in part, "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." Enforcement of compliance is initiated upon the filing of a complaint alleging a violation of Title IX. (Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act)
- 2) Provides for various exemptions from these provisions, including for fraternities and sororities, military institutions, traditional male or female institutions, and institutions controlled by religious organizations. (Title 20 of the United States Code, § 1681)

Existing *state* law:

- 3) Establishes the Equity in Higher Education Act (Act) to prohibit a person from being subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the statutory definition of hate crimes, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid. (Education Code (EC) § 66270)
- 4) Requires the governing board of a community college district, the Trustees of the California State University (CSU), the Board of Directors of San Francisco Law School, and the Regents of the University of California (UC) to adopt and

implement a written procedure or protocols related to sexual assault or domestic violence, as provided. The protocol shall be reviewed and updated annually in collaboration with sexual assault and domestic violence counselors, students, faculty, and staff representatives. Authorizes that sexual assault and domestic violence counselors at public colleges and universities be independent from the Title IX office and prohibits sexual assault and domestic violence counselors from releasing the identity of the victim without first obtaining specific permission. (EC § 67385)

Campus point of contact

- 5) Requests the CSU Trustees, the UC Regents, and the governing board of each community college district to designate an employee at each of their respective campuses as a point of contact for the needs of lesbian, gay, bisexual, and transgender faculty, staff, and students at the respective campus. Existing law requires, at a minimum, the name and contact information of that designated employee to be published on the website for the respective campus and be included in any printed and Internet-based campus directories. (EC § 66271.2)

Title IX Coordinator (not confidential employees)

- 6) Requires UC, CSU, California Community Colleges (CCCs), private postsecondary educational institutions, and independent institutions of higher education that receive state financial assistance, in order to receive state financial assistance, to implement, and at all times comply with, specified requirements at each campus of the institution, including but not limited to:
 - a) Designate at least one employee of the institution to coordinate its efforts to comply with and carry out its responsibilities under California's Equity in Higher Education Act. Existing law requires the employee to have adequate training on what constitutes sexual harassment and on trauma-informed investigatory and hearing practices, and shall understand how the institution's grievance procedures operate.
 - b) Requires the institution, if a complainant requests confidentiality which could preclude a meaningful investigation or potential discipline, to take the request seriously while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the complainant. Existing law requires the institution to generally grant the request.
 - c) Requires the institution, if it determines that it can honor the student's request for confidentiality, to still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant.
 - d) Requires the institution, if it determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, to inform the complainant prior to making this disclosure or initiating the investigation.

Existing law requires the institution, in the event the complainant requests that the institution inform the respondent that the student asked the institution not to investigate or seek discipline, to honor this request. (EC § 66281.8)

ANALYSIS

This bill authorizes students who receive a disciplinary notification the right to have an adviser of their choosing and requires postsecondary education institutions to provide trainings for the aforementioned adviser. Specifically, this bill:

- 1) Requires, as a condition of receiving state funds for student financial assistance, the governing board of each community college district, the Trustees of the CSU, the Board of Directors of the College of the Law, San Francisco, and the Regents of the UC, to adopt a policy permitting a student to be assisted by an adviser if the student receives a notification of an alleged violation of the public postsecondary educational institution's student code of conduct.
- 2) Requires the policy to include all of the following:
 - a) The initial allegation letter that is received by the student shall include a clause informing the student of their right to select an adviser of their choice or to request the public postsecondary educational institution to provide an adviser to the student.
 - b) The authority for an institution to use any of the following to fulfill its obligation to provide an adviser to the student:
 - i) A confidential respondent services coordinator.
 - ii) An agreement with a student-based peer support program.
 - iii) An agreement with an alumni-based support program.
 - c) The adviser selected by the student or provided by the public postsecondary educational institution shall be provided training by the institution on the institution's adjudication procedures for the alleged violation. The training may be provided in an online format, and is not required to, but may, have an in-person or interactive element. To the extent practical, institutions within each segment are encouraged to collaborate to develop a training that can be used by more than one institution in that segment.
 - d) An adviser, with written permission from the student, shall receive updates along with the student during the adjudication process of the alleged violation of the student code of conduct and shall participate in the process as an advocate for the student or in the role of adviser as authorized by existing law (Title IX and corresponding state law).
- 3) Deems the provisions of this bill as "Katie Meyer's Law."

- 4) Defines the following terms:
- a) “Adjudication procedures” means a public postsecondary educational institution’s established process to determine if a student has violated the student code of conduct and the established process to respond when violations are sustained.
 - b) “Public postsecondary educational institution” means a CCC, a campus of the CSU, a campus of the UC, or the College of the Law, San Francisco.
 - c) “Segment of public postsecondary education” means the CCCs, CSU, or UC.
 - d) “Student code of conduct” means any rules or policies adopted by a public postsecondary educational institution on the expectations or standards of student behavior on campus, including but not limited to, standards related to academics, athletics, and sex discrimination.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “California’s colleges and universities are filled with extremely bright and dedicated students who come from around the world to study, participate in athletics, conduct research, and better their lives. At times, their higher education experience presents them with challenges related to violations of academic codes, student codes of conduct, or even with harassment and discrimination. These challenges threaten lasting real-world consequences that many students are not prepared to handle on their own. Our colleges and universities must provide their students facing these institutional proceedings with support and resources, including access to advisors, through a holistic approach that prioritizes their well-being.”
- 2) ***Katie’s Save.*** Katie Meyer was a goalie for Stanford University’s soccer team. In 2022, Ms. Meyer committed suicide after receiving notice from Stanford University of pending disciplinary action against her. According to news reports and a court filing, Stanford sent Ms. Meyer a letter stating that her degree was going to be placed on hold (within four months of graduation) and that the charge against her could result in removal from Stanford University. A court document explained that computer forensics showed that Ms. Meyer “frantically toggled” between the letter from Stanford and searching for information about how to defend herself against a disciplinary complaint. Ms. Meyer’s parents believe that Stanford’s handling of the disciplinary process led to Ms. Meyer’s suicide.

This bill codifies the “university policy” portion of the Katie’s Save initiative, which calls for university-level policies to offer students an option to have a designated advocate when the student is involved in disciplinary proceedings.

<https://www.katiessave.org/>

- 3) ***Recent report on how postsecondary education institutions address sexual discrimination.*** Throughout 2023, staff from the Assembly Higher Education Committee and this committee hosted fact-finding briefings with representatives from the CCC, CSU, UC, and various California Independent Colleges and

Universities to understand how higher education institutions are preventing and addressing sexual discrimination on campuses. The Assembly Higher Education Committee released a report that provides a synopsis of the information gleaned from the briefings and a compilation of legislative proposals for how the State can partner with higher education institutions to prevent and address discrimination in all its forms on college and university campuses throughout California.

https://ahed.assembly.ca.gov/system/files/2024-02/a-call-to-action-report-2024_0.pdf

As mentioned in this report, existing law at both the state and federal level acknowledges advocates should be made available to students regardless of whether they are the complainant (victim) or respondent (accused) of a federal Title IX complaint or a complaint of sex discrimination, and state law acknowledges the existence of sexual assault and domestic violence counselors by requiring them to be separate from the Title IX office.

However, advocates related to Title IX or sex discrimination complaints are only made available after a complaint is filed and are not available to advise students, faculty, and staff of the various reporting options (legal, institutional, or criminal) nor can the advisor assist in connecting the student, faculty, and staff with on- and off-campus resources. Sexual assault and domestic violence counselors are authorized to provide services to alleged victims of assault regardless of whether they elect to report the incident to the campus or not. However, not every campus has sexual assault and domestic violence counselors, nor is it clear whether their services can be provided to students, faculty, and staff who face disciplinary sanctions.

This bill requires public postsecondary educational institutions to allow students to be assisted by an adviser if the student receives a notification of an alleged violation of the public postsecondary educational institution's student code of conduct. This bill allows but does not require the adviser to be a confidential employee (see below).

- 4) **Confidential employee.** Existing law defines “responsible employee” as an employee who has the authority to take action to redress sexual harassment or provide supportive measures to students, or who has the duty to report sexual harassment to an appropriate school official who has that authority. Responsible employees are expected to report complaints of sexual harassment – information provided to a responsible employee is not confidential. Responsible employees specifically include Title IX coordinators, residential advisors, athletic directors, faculty, and other specified staff. Some staff are specifically excluded from being a responsible employee, such as a therapist including a UC Center for Advocacy, Resources, and Education (CARE) employee or CSU victim advocate.

Existing law requires UC, CSU, CCCs, private postsecondary educational institutions, and independent institutions of higher education that receive state financial assistance to designate at least one employee of the institution to coordinate its efforts to comply with and carry out its responsibilities under California's Sex Equity in Education Act; that employee is designated as a responsible employee and is therefore not a confidential employee.

California does not have a requirement for campuses to employ confidential employees and therefore, each public higher education system is endowed with the authority to employ a confidential advocate as part of the institution's response to discriminatory events.

This bill requires public postsecondary educational institutions to allow students to be assisted by an adviser if the student receives a notification of an alleged violation of the public postsecondary educational institution's student code of conduct. This bill allows but does not require the adviser to be a confidential employee.

- 5) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill would impose the following costs:
- a) One-time Proposition 98 General Fund or General Fund costs to CCC, CSU, and UC campuses, likely between \$10,000 and \$15,000 per campus, to develop an online training for student advisors to complete on campus disciplinary actions and to require notice of advisor option to students who receive certain disciplinary notifications.
 - b) Ongoing Proposition 98 General Fund or General Fund costs, of an unknown amount, to CCC, CSU, and UC campuses to provide an advisor, if a student requests one.
- 6) **Related legislation.**

AB 2492 (Irwin, 2024) requires each public postsecondary education institution to establish specified positions and designate at least one person to fulfill each position, including a confidential student advocate, a confidential staff and faculty advocate, and a confidential respondent services coordinator. AB 2492 is pending referral in the Senate.

SB 1166 (Dodd, 2024) (1) expands the scope of a currently-required CSU report containing a summation of the activities undertaken by each campus and by the systemwide Title IX office to also include outcomes of appeals, a list of personnel who are exempt from being a "responsible employee," and a yet-to-be-developed annual report that compiles campus-based evaluations of how sex discrimination is addressed on campuses; and, (2) requests the UC and requires each community college district to also submit this report. SB 1166 is pending referral in the Assembly.

SB 1491 (Eggman, 2024) (1) requires the CSU Trustees and the governing board of each community college district to designate an employee at each of their respective campuses as a point of contact for the needs of lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex and two-spirit faculty, staff, and students at the respective campus; (2) requires the point of contact to be a confidential employee, as specified; (3) requires the CSU Trustees and the governing board of each community college district to adopt and publish policies on harassment, intimidation, and bullying and include these

policies within the rules and regulations governing student behavior; (4) requires California Student Aid Commission (CSAC), beginning with the 2026-27 school year, to provide written notice to students who receive state financial aid whether their college or university has a religious school exemption from Title IX; and, (5) requires the Legislative Analyst's Office (LAO) to conduct an assessment of the CCCs, CSU, and UC systems with respect to the quality of life at those campuses for lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex, and two-spirit faculty, staff, and students at the campuses of each of those institutions. SB 1491 is pending referral in the Assembly.

AB 810 (Friedman, 2024) (1) requests the governing board or body of an independent institution of higher education that receives state financial assistance, as part of the hiring process for specified positions, to require an applicant to disclose any final administrative decision or final judicial decision issued within the last seven years determining that the applicant committed sexual harassment; (2) requires the governing board of community college districts and the Trustees of the CSU (and requests the Regents of the UC), to require an applicant for an academic, athletic, or administrative position to sign a release form that authorizes the release of information by previous employers concerning any substantiated allegations of misconduct and, (3) requires the UC, CSU, CCC, independent institutions of higher education, and private postsecondary educational institutions, during the process to authorize a volunteer in an athletic department, to contact the current or former employer to determine if the applicant violated any employment policies. AB 810 is scheduled to be heard in the Senate Education Committee on May 29, 2024.

AB 2608 (Gabriel, 2024) expands currently required training for students on sexual violence and sexual harassment to include information regarding drug- and alcohol-facilitated sexual assault and information related to confidential support and care resources. AB 2608 is pending referral in the Senate.

AB 2326 (Alvarez, 2024) establishes which entities who are responsible for ensuring campus programs are free from discrimination and who has the authority to oversee and monitor compliance with state and federal laws; requires the Chancellor of the CCC, the President of UC, and the Chancellor of CSU to present to the Legislature annually on the state of the system in preventing discrimination on campus; and, requires the systemwide governing boards to review the system's nondiscrimination policies and to update them if necessary. AB 2326 is pending referral in the Senate.

AB 1790 (Connelly, 2024) requires the CSU to take specified actions to implement the recommendations provided by the State Auditor's report from 2022 titled "California State University: It Did Not Adequately or Consistently Address Some Allegations of Sexual Harassment." AB 1790 is pending referral in the Senate.

AB 2407 (Hart, 2024) requires the State Auditor to report the results of an audit every three years of the CCC, CSU, and UC on their ability to address and prevent sexual harassment on campus. AB 2407 is pending referral in the

Senate.

AB 1905 (Addis, 2024) prohibits an employee of a public postsecondary educational institution from being eligible for retreat rights and from receiving a letter of recommendation if the employee is the respondent in a sexual harassment complaint where a final determination has been made, the employee resigned, or the employee enters into a settlement with the institution. AB 1905 is pending referral in the Senate.

AB 2047 (Mike Fong, 2024) requires each campus of the CSU and UC to establish, by July 1, 2026, a Title IX office in a private space, and be under the administration of a Title IX coordinator, and specifies the duties of the coordinator. AB 2047 is pending referral in the Senate.

AB 2048 (Mike Fong, 2024) requires the Chancellor of the CCCs to convene a community college sexual harassment and Title IX working group to review policies and procedures, determine if existing district policies and procedures are adequate, determine to what extent a systemwide model of compliance would best assist community colleges, and review and determine if the CCC Chancellor's Office is effective in its duty to monitor community colleges for their compliance with state and federal laws pertaining to sexual harassment. AB 2048 is pending referral in the Senate.

AB 2987 (Ortega, 2024) requires each campus of the CSU and CCCs, and requests each campus of the UC, to provide (upon request of the complainant or respondent) status updates on complaints of sex discrimination to complainants and respondents, to the extent permissible under state and federal law; and, requires/requests that notice of a disciplinary action to the respondent and complainant be provided to the respondent within three schooldays of a decision. AB 2987 is pending referral in the Senate.

SUPPORT

Jordyn Clark Foundation

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1796 **Hearing Date:** May 29, 2024
Author: Alanis
Version: May 15, 2024
Urgency: No **Fiscal:** Yes
Consultant: Kordell Hampton

Subject: Pupil instruction: course offerings: parental notification.

SUMMARY

This bill would require a local educational agency (LEA), county office of education (COE), or charter school, at the beginning of the first semester or quarter of the regular school term, to annually notify the parents or guardians of pupils admitted to, or advancing to, grades 7 to 12, inclusive, of any dual enrollment or International Baccalaureate (IB) opportunities.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires, if a school district elects to allow a career technical education (CTE) course to satisfy the requirements related to the visual and performing arts high school graduation requirement, that information about the high school graduation requirements of the school district and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University (CSU) and the University of California (UC) and complete list of CTE courses offered by the school district that satisfy the subject matter requirements for admission to the CSU and the UC, and which of the specific college admission requirements these courses satisfy. (EC § 48980(l))
- 2) Requires a school district offering any of grades 9 to 12 to provide the parent or guardian, in the annual notification, information that includes all of the following:
 - a) A brief description of what CTE is, as defined by the California Department of Education (CDE);
 - b) The CDE webpage where students can learn more about CTE; and
 - c) Information about how students may meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in CTE courses, or both. (EC § 51229)
- 3) Establishes the school accountability report card (SARC) to provide data by which a parent can make meaningful comparisons between public schools that will enable

them to make informed decisions on the school in which to enroll their children. (EC § 33126)

- 4) Requires the governing board of each LEA to issue a SARC for each school in the school district, publicize those reports, and to make this information available on the internet. (EC § 35258)

ANALYSIS

This bill would require a LEA, COE, or charter school, at the beginning of the first semester or quarter of the regular school term, to annually notify the parents or guardians of pupils admitted to, or advancing to, grades 7 to 12, inclusive, of any dual enrollment or IB.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “In recent years, California has made strides in increasing access to both college and alternative pathways for those graduating with a GED. However, there are still gaps in some of our vital industries across the state, and students are still struggling to afford college tuition as the cost of living increases. International Baccalaureate (IB) and dual enrollment courses are great options for students to earn college credit and learn at a more advanced pace.”
- 2) **Existing Law Provides Information On CTE and Advanced Placement (AP) Courses.** The current law requires parents to be informed, either in the annual notification or through the SARC, a report card meant to provide parents and the community with important information about each school is produced by February 1 of each year and can be found on the California CDE website, about the following:
 - a) What CTE is, with links for more information;
 - b) A list of CTE programs offered by the school district in which pupils at the school may participate;
 - c) Information about how students may meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in CTE courses, or both;
 - d) A complete list of CTE courses offered by the school district that satisfy the subject matter requirements for admission to the CSU and the UC, and which of the specific college admission requirements these courses satisfy; and
 - e) The number of AP courses offered, by subject, and the availability of state funds to pay for AP examination fees.

What About Information On Dual Enrollment or IB?

While dual enrollment, which provides opportunities for high school students to take college courses and earn college credit, and IB, which helps students develop strong academic, social and emotional characteristics to perform well academically, programs take place at LEA, COE, and charter schools, information is not disseminated to parents in the same manner as dual enrollment and AP courses.

This bill requires a LEA, COE, or charter school, at the beginning of the first semester or quarter of the regular school term, to annually notify the parents or guardians of pupils admitted to, or advancing to, grades 7 to 12, inclusive, of any dual enrollment or IB they may offer.

- 3) **Increased Pupil Participation and Interest In Dual Enrolment and IB Courses In Recent Years.** Dual enrollment has been steadily increasing in California. According to the Public Policy Institute of California, “All community colleges offer some form of dual enrollment, and more than 112,000 high school students in the 2019–20 graduating class participated—an increase of 56 percent from 2015–16.” Further, the article, *Dual Enrollment in California*, College and Career Access Pathways (CCAP) participants are especially likely to enroll in two-year colleges after high school—in line with the program’s goal of aligning K–12 and community college pathways. Other dual enrollment students are more likely to go to four-year colleges.

Conversely, the IB program allows LEAs, COEs, and charter schools to provide an alternative learning forum that challenges students. The courses are classified as Higher Level (HL) or Standard Level (SL). Higher Level courses require two years of study in advanced courses, and Standard Level courses require one or two years of study in advanced courses. At least three and not more than four of the six subjects are taken at the HL, and the course balance is taken at the SL. This allows students to explore some subjects in depth and some more broadly. Students earning the IB Diploma receive advanced college credit at prestigious universities worldwide. Many highly competitive colleges and universities recognize the IB Diploma for admissions and advanced standing. The UC schools award a full year’s college credit to a diploma student who scores 30 out of 45 on the IB assessments. Several schools have already implemented such programs for their students.

- 4) **Related Legislation.**

SB 1171 (Newman, 2024) would require the Superintendent of Public Instruction (SPI) to annually update information on the Cambridge Assessment International Education program available on the CDE’s website to include current information on the various programs available to school districts to offer or access Cambridge Assessment International Education Advanced Subsidiary (AS) and Advanced (A) level courses, including online courses. Requires and authorizes the use of the Cambridge Assessment International Education program throughout the Education Code where AP and IB are currently specified.

SB 532 (Hernández, Chapter 238, Statutes of 2011) requires the SPI to annually update the information on AP available on the CDE website to include current information on the various means available to school districts to offer or access AP courses, including online courses, and to annually communicate with high schools that offer AP courses in fewer than 5 subjects and inform them of the various options for making AP courses and other rigorous courses available to pupils who may benefit from them. Requires the SPI to annually update information on the IB and AP available on the CDE’s website and to provide support to high schools that offer IB courses. Encouraged the Academic Senate for the California Community Colleges, the Academic Senate of the CSU, and the Academic Senate of the UC to

continue their efforts to adopt consistent systemwide guidelines for the acceptance and granting of credit for IB DP courses taken by students while they are in high school.

SB 553 (Hart, Chapter 83, Statutes of 1992) authorized school districts receiving economic impact aid funds to expend those funds to pay for all or part of the costs of AP examinations that are charged to economically disadvantaged pupils. Required the SPI, no later than June 30, 1995, to submit a report to the Legislature describing the effectiveness of that funding in increasing the number of economically disadvantaged pupils enrolled in AP courses who take and pass AP examinations.

SUPPORT

California Federation of Teachers
California State PTA
Generation Up
Los Angeles County Office of Education
San Bernardino Community College District

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1871	Hearing Date:	May 29, 2024
Author:	Alanis		
Version:	April 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Adopted course of study for grades 7 to 12: social sciences: personal financial literacy.

SUMMARY

This bill includes personal finance within the history-social sciences (H-SS) area of study within the adopted course of study for grades 7 to 12.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires that, when the H-SS Framework is revised after January 1, 2017, the Instructional Quality Commission (IQC) consider including content on financial literacy at least twice in three grade spans (Kindergarten through grade 5, grades 6-8, and grades 9-12), instruction on the following:
 - a) Fundamentals of banking for personal use, including, but not limited to, savings and checking.
 - b) Principles of budgeting and personal finance.
 - c) Employment and understanding factors that affect net income.
 - d) Uses and costs of credit, including the relation of debt and interest to credit.
 - e) Uses and costs of loans, including student loans.
 - f) Types and costs of insurance.
 - g) Forms of governmental taxation.
 - h) Principles of investing and building wealth.
 - i) Identity theft and security.
 - j) Planning and paying for postsecondary education.

- k) Charitable giving. (EC § 51284.5)
- 2) Requires the IQC, during but not before the next revision of textbooks or curriculum frameworks in the social sciences, health, and mathematics curricula, the State Board of Education (SBE) to ensure that these academic areas integrate components of human growth, human development, and human contribution to society, across the life course, and also financial literacy, including, but not limited to, budgeting and managing credit, student loans, consumer debt, and identity theft security. (EC § 51284)
- 3) Requires that, as a condition of graduating from high school, of the three courses in social studies, two must be year-long courses in United States History and Geography, and in World History, culture, and geography, and that the remaining two are a one-semester courses in American government and civics, and a one-semester course in economics. (EC § 51225.3)
- 4) Requires the Superintendent of Public Instruction (SPI), with the approval of the SBE, to plan and develop a one-semester course entitled Consumer Economics, which includes instruction on the uses and costs of credit, for use in schools maintaining any grades seventh to twelfth grades. (EC § 51833)

ANALYSIS

This bill includes personal finance within the social sciences area of study within the adopted course of study for grades 7 to 12.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 1871 aims to strengthen our future generations by creating opportunities for students to learn about personal finance as it relates to the American economic system before they become financially independent young adults. Adding a financial literacy component to social science-based curriculum will help teach minors about saving, budgeting, investing, debt, retirement planning, and more before they become financially independent adults. With AB 1871, students will have additional pathways to learn knowledge that is vital to their futures.”
- 2) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the IQC and SBE with the authority to develop and adopt state curriculum and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, developing drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comment. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a public process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools then adopt instructional materials aligned to these standards and frameworks. Local adoption of new curricula involves significant local cost and investment of resources and professional development.

These existing processes involve practitioners and experts who have an in-depth understanding of curriculum and instruction, including the full scope and sequence of the curriculum in each subject and at each grade level, constraints on instructional time and resources, and the relationship of curriculum to state assessments and other measures of student progress.

3) **H-SS Framework – Personal Finance.** Currently, the H-SS Framework, adopted in 2016, contains the following objectives related to financial literacy:

Grade 1: Students acquire a beginning understanding of economics, including how people exchange money for goods and services, and how people make choices about how to spend money, including budgeting.

Grade 2: Students learn basic economic concepts of human wants, scarcity, and choice; the importance of specialization in work today. Students also develop an understanding of their roles as consumers in a complex economy.

Grade 9: Elective course outline in financial literacy: Students learn about credit cards and other forms of consumer debt, savings and budgeting, retirement planning, state and federal laws related to personal finance (e.g., bankruptcy), financial credit scores, credit card applications, bank account applications, simple and compound interest calculations, retirement calculations, and mortgage and interest rates. Students also learn about the importance of managing credit and debt, and identity theft security.

The Framework also emphasizes the ability of personal finance concepts to be taught through the required high school economics course, noting: “Budgeting can be taught as an example of scarcity; job applications can be taught as examples of human capital inventories; student loans can be taught as an investment in developing human capital; use of credit cards can be taught to explain the opportunity cost of interest and repayment; and interest on credit can be taught as an example of price determination through supply and demand.”

What Is The IQC Currently Required To Consider During the Next Revision of the H-SS Framework? Statute requires the IQC to consider the following content to be include as part of the next revision of the H-SS Framework revision.

- a) Fundamentals of banking for personal use, including, but not limited to, savings and checking;
- b) Principles of budgeting and personal finance;
- c) Employment and understanding factors that affect net income;
- d) Uses and costs of credit, including the relation of debt and interest to credit;
- e) Uses and costs of loans, including student loans;
- f) Types and costs of insurance;

- g) Forms of governmental taxation;
- h) Principles of investing and building wealth;
- i) Identity theft and security;
- j) Planning and paying for postsecondary education; and
- k) Charitable giving.

- 4) ***Additional resources provided by the California Department of Education (CDE) on financial literacy.*** On CDE's website, it provides a host of lesson plans, curricula programs, student contests, professional development, research, and more. These resources span kindergarten through grade twelve (K–12), and many provide customizable support. For example:

California Council on Economic Education (CCEE). Founded as part of the California State University Foundation to provide economics and financial literacy training, the CCEE works with California teachers to support K–12 financial literacy education. They provide comprehensive economic and financial literacy resources for teachers and students, including lesson plans, student contests, and curricula programs.

Jump\$tart. This national nonprofit coalition consists of more than 100 organizations that share a commitment to “financial smarts for students” by providing resources and training to support financial literacy education. Their clearinghouse external link opens in a new window or tab and is a database of personal finance resources available from a variety of education providers such as government, business, and nonprofit organizations.

Next Gen Personal Finance (NGPF). NGPF provides a wide variety of up-to-date resources for teachers, students, and families. Resources include games (for both students and instructors), free curriculum units customizable by course length (for both middle and high school), case studies, Questions of the Day, a video library, blog, and podcast.

- 5) ***Related Legislation.***

AB 2546 (Ian Calderon, Chapter 616, Statutes of 2016) requires that, when the H-SS Framework is revised after January 1, 2017, the IQC consider including specified content on financial literacy.

AB 431 (Papan, 2023) would require the SPI to allocate these funds to school districts, county offices of education, charter schools, and the state special schools on the basis of an equal amount per unit of average daily attendance, as those numbers were reported at the time of the first principal apportionment for the 2022–23 fiscal year.

AB 526 (Ta, 2023) would require the SPI to allocate these funds to school districts, county offices of education, charter schools, and the state special schools on the

basis of an equal amount per unit of average daily attendance, as those numbers were reported at the time of the first principal apportionment for the 2021–22 fiscal year.

AB 1161 (Hover, 2023) would require the IQC, when the H-SS Framework is revised after January 1, 2017, to also consider including age-appropriate information and content for kindergarten and grades 1 to 12, inclusive, on the importance of estate planning and the use of trusts.

AB 1456 (Joe Patterson, 2023) would add financial literacy to the adopted course of study for social science instruction.

AB 858 (Dababneh, 2017) would have established the California Financial Literacy Initiative, to be administered by the SPI, for the purpose of improving the availability of instructional materials and programs to help students understand how to manage their finances and protect their financial privacy. This bill was vetoed by Governor Brown:

This bill is unnecessary. The History-Social Science Framework already contains financial literacy content for pupils in kindergarten through grade 12, as well as a financial literacy elective. In addition, the California Department of Education maintains a Web page with financial literacy resources for pupils in kindergarten through grade 12.

AB 391 (Wieckowski, 2013) would have required the H-SS Framework, when updated, to include financial literacy, and required the one-semester instructional program entitled Consumer Economics already developed by the SPI and adopted by the SBE to be updated to include instruction in specified areas of financial literacy. *This bill was held in the Assembly Appropriations Committee.*

SB 1080 (Lieu, 2012) would have authorized instruction provided in economics to include personal finances, including, but not limited to, mathematics, budgeting, savings, credit, and identity theft. The bill would have required the CDE to develop a personal finance curriculum in the next cycle in which the mathematics and H-SS Framework were to be adopted. *This bill was held in the Assembly Judiciary Committee.*

SB 696 (Lieu, 2012) would have encouraged the instruction provided in economics to include instruction related to the understanding of personal finances, including budgeting, savings, credit, and identity theft. The bill would have also made several legislative findings and declarations. *This bill did not receive a hearing.*

SB 779 (Lieu, 2011) would have authorized a school district, as part of providing economics instruction in grades 7-12, to include personal finances, including, but not limited to, budget savings, credit, and identify theft. This bill would have also required the CDE to consider developing a personal finance curriculum in the next cycle in which the history/social science curriculum framework would have been adopted. *This bill was held in the Assembly Appropriations Committee.*

SB 223 (Wyland, 2009) would have required that one-half of the economics course required for high school graduation focus on personal finance and financial literacy. *This bill was held in the Assembly Appropriations Committee.*

AB 1502 (Lieu, 2008) would have required the SBE and the Curriculum Development and Supplemental Materials Commission (now the IQC) to ensure that information about financial literacy be included in appropriate subject area frameworks, encouraged school districts to include instruction in personal finance, as specified in economics, and authorized the SPI to accept private donations for the purposes of implementing these provisions. *This measure was vetoed by Governor Schwarzenegger.*

While I acknowledge that teaching students the importance of financial literacy is meritorious, school districts already have the flexibility to incorporate money management into their lesson plans. Moreover, the State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 1950 (Lieu, 2006) would have authorized school districts to provide instruction in personal finances in economics courses. *This measure was vetoed by Governor Schwarzenegger:*

School districts already have the flexibility to incorporate money management into their lesson plans and that the state's content standards are intentionally broad in order to allow instruction on a range of topics.

AB 2435 (Wiggins, 2004) would have authorized school districts to include instruction related to the understanding of personal finances in economics courses. *This measure was vetoed by Governor Schwarzenegger:*

School districts already have the flexibility to incorporate money management into their lesson plans and that the state's content standards are intentionally broad in order to allow instruction on a range of topics.

SUPPORT

California Association of School Business Officials
California Bankers Association
California Community Banking Network
California Credit Union League

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1805 **Hearing Date:** May 29, 2024
Author: Ta
Version: April 1, 2024
Urgency: No **Fiscal:** Yes
Consultant: Kordell Hampton

Subject: Instructional materials: history-social science: Mendez v. Westminster School District of Orange County.

SUMMARY

This bill requires the Instruction Quality Commission (IQC), when the state board of education (SBE) adopts new instructional materials for history-social science (H-SS) on or after January 1, 2025, to consider providing for inclusion, in its evaluation criteria, content on the case of Mendez v. Westminster School District of Orange County.

BACKGROUND

Existing law:

Education Code (EC)

- 1) Requires the IQC, when the H-SS Framework is next revised, on or after January 1, 2024, to consider including the H-SS Framework is next revised, on or after January 1, 2024 and examples of racism, discrimination, and violence perpetrated against Asian Americans, Native Hawaiians, and Pacific Islanders in the United States, including, but not limited to, hate crimes committed during the COVID-19 pandemic. (EC § 51226.3(l))
- 2) Requires the State Board of Education (SBE), when the curriculum framework for H-SS on or after January 1, 2016, to consider providing for the inclusion, in that curriculum framework, evaluation criteria, and accompanying instructional materials, of instruction on the unconstitutional deportation to Mexico during the Great Depression of citizens and lawful permanent residents of the United States. (EC § 51226.3 (j)).
- 3) Requires the IQC, when the H-SS Framework is revised, to consider including the Armenian, Cambodian, Darfur, and Rwandan genocides in the recommended H-SS Framework. (EC § 51226.3 (g))
- 4) Encourages, but does not require, all state and local professional development activities to provide teachers with content background and resources to assist them in teaching about the Great Irish Famine of 1845–50; civil rights, human rights violations, genocide, slavery, the Armenian Genocide, and the Holocaust; and the Chinese Exclusion Act of 1882 and the contributions of Chinese Americans to the establishment of the transcontinental railroad. (EC § 51226.3 (f))

ANALYSIS

This bill:

- 1) Requires the IQC, when the state board adopts new instructional materials for H-SS on or after January 1, 2025, to consider providing for inclusion, in its evaluation criteria, content on the case of Mendez v. Westminster School District of Orange County.
- 2) Makes findings and declarations\ related to the significance of Mendez v. Westminster School District of Orange County.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “As the former Mayor of Westminster, I know the power of the Mendez v. Westminster case. It’s important for California students to learn of the civil rights challenges faced by Mexican-Americans in this state. Furthermore, I am confident California students will benefit from learning of the historical link between Mendez v. Westminster and Brown v. Board of Education, and of how California led the way as the first state to outlaw all public school segregation. This legislative session should waste no time in directing the Instructional Quality Commission to consider including Mendez v. Westminster in the state’s instructional materials to ensure this trailblazing case receives its proper place in history.”
- 2) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the IQC and SBE with the authority to develop and adopt state curriculum and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, developing drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comment. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a public process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools then adopt instructional materials aligned to these standards and frameworks. Local adoption of new curricula involves significant local cost and investment of resources and professional development.

These existing processes involve practitioners and experts who have an in-depth understanding of curriculum and instruction, including the full scope and sequence of the curriculum in each subject and at each grade level, constraints on instructional time and resources, and the relationship of curriculum to state assessments and other measures of student progress.

- 3) ***Mendez v. Westminster School District of Orange County.*** *Mendez et al v. Westminster School District of Orange County et al. (1946)* is a historic court case on racial segregation in the California public school system. The Ninth Circuit Court of Appeals ruled that it was unconstitutional and unlawful to forcibly segregate Mexican-American students by focusing on Mexican ancestry, skin color, and the Spanish language. This case forged a foundation upholding the Equal Protection

Clause of the 14th Amendment, thereby strengthening the landmark Supreme Court ruling in *Brown v. Board of Education* in 1954, which found racial segregation in public schools unconstitutional.

In 1945, the all-white Westminster Elementary School District rejected nine-year-old Sylvia Mendez and her brothers because of their Mexican appearance and ancestry. Legally, the census classified Mexican-Americans as racially “white” based on a designation in the Treaty of Guadalupe Hidalgo (1848). However, schools in California had begun to create separate Mexican schools at the behest of white parents in the 1930s. At the time, Mexican-American migrants had established themselves as a large minority population following the Mexican Revolution (1910-1920). James Kent, the superintendent of one of the defending districts, stated that “people of Mexican descent were intellectually, culturally, and morally inferior to European Americans.” Judge Paul McCormick found these arguments did not justify the segregation of schools. His ruling established that “the clear purpose of the segregation by the school districts was to discriminate against pupils of Mexican descent,” affecting roughly 5000 Mexican-American students across four school districts.

4) ***Related Legislation.***

AB 1354 (M. Fong, Chapter 140, Statutes 2023) requires, in the next revision of the H-SS Framework, the IQC to consider the historical, social, economic, and political contributions of, and examples of, racism, discrimination, and violence perpetrated against, Asian Americans, Native Hawaiians, and Pacific Islanders in the United States.

AB 2864 (Chau, Chapter 648, Statutes of 2016) requires the SBE, during the next revision of the history-social science framework, to consider including instruction on the Chinese Exclusion Act of 1882 and the contributions of Chinese Americans to the establishment of the transcontinental railroad.

SB 1380 (Wyland, Chapter 441, Statutes of 2014) requires the IQC to consider including the Armenian Genocide in the H-SS Framework, and encourages instruction to include specific components.

AB 1915 (Nazarian, Chapter 414, Statutes of 2014) enacts the Armenian Genocide Education Act and provides that the instruction in human rights issues may also include particular attention to the study of the inhumanity of the Armenian genocide.

SUPPORT

California Association for Bilingual Education
 California Charter Schools Association
 California Federation of Teachers
 Campbell Union High School District
 Coast Community College District
 Delta Kappa Gamma International - Chi State
 Los Angeles County Office of Education
 Rancho Santiago Community College District

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1821	Hearing Date:	May 29, 2024
Author:	Ramos		
Version:	April 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil instruction: course of study: social sciences: treatment of Native Americans.

SUMMARY

This bill requires, that any instruction on the Spanish colonization of California and the Gold Rush Era, include instruction regarding the treatment of Native Americans during those periods within the History and Social sciences (H-SS) course of study for grades 1 to 6 and 7 to 12.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires the adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:
 - a) English, including knowledge of and appreciation for literature and the language, as well as speaking, reading, listening, spelling, handwriting, and composition skills.
 - b) Mathematics, including concepts, operational skills, and problem-solving.
 - c) Social sciences, drawing upon anthropology, economics, geography, history, political science, psychology, and sociology, are designed to fit the pupils' maturity.
 - d) Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry and the place of humans in ecological systems.
 - e) Visual and performing arts, including instruction in the subjects of dance, music, theatre, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.
 - f) Health, including instruction in the principles and practices of individual, family, and community health.

- g) Physical education, emphasizing the physical activities for the pupils that may be conducive to health and vigor of body and mind.
 - h) Other studies that the governing board may prescribe. (EC § 51210)
- 2) Requires the adopted course of study for grades 7 to 12, inclusive, shall offer courses in the following areas of study:
- a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.
 - b) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils.
 - c) World language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.
 - d) Physical education, with emphasis given to physical activities that are conducive to health and vigor of body and mind.
 - e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems, and with appropriate applications of the interrelation and interdependence of the sciences.
 - f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem-solving procedures.
 - g) Visual and performing arts, including dance, music, theater, and visual arts, with emphasis upon development of aesthetic appreciation and the skills of creative expression.
 - h) Applied arts, including instruction in the areas of consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture.
 - i) Career technical education designed and conducted for the purpose of preparing youth for gainful employment.
 - j) Automobile driver education, designed to develop a knowledge of the Vehicle Code and other laws of this state relating to the operation of motor vehicles.
 - k) Other studies as may be prescribed by the governing board. (EC § 51220)

ANALYSIS

This bill requires, that any instruction on the Spanish colonization of California and the Gold Rush Era, include instruction regarding the treatment of Native Americans during those periods within the H-SS course of study for grades 1 to 6 and 7 to 12.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “This bill builds upon my previous legislation, the California Indian Education Act, approved in 2022. For far too long California’s First People and their history have been ignored or misrepresented. Classroom instruction about the Spanish Colonization and Gold Rush periods fails to include the loss of life, enslavement, starvation, illness and violence inflicted upon California Native American people during those times. These historical omissions from the curriculum are misleading. We will continue to work and ensure our students are learning an accurate history of California’s First People.”

- 2) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the Instructional Quality Commission (IQC) and State Board of Education (SBE) with the authority to develop and adopt state curriculum and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, developing drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comment. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a public process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools then adopt instructional materials aligned to these standards and frameworks. Local adoption of new curricula involves significant local cost and investment of resources and professional development.

These existing processes involve practitioners and experts who have an in-depth understanding of curriculum and instruction, including the full scope and sequence of the curriculum in each subject and at each grade level, constraints on instructional time and resources, and the relationship of curriculum to state assessments and other measures of student progress.

- 3) ***The H-SS Framework Currently Includes Content on Native Americans during the Spanish Colonization of California and Gold Rush Eras.*** In the H-SS framework, fourth-grade students explore the intricate cultural tapestry of gender roles, religious beliefs, and the dynamic interactions between Native and Spanish communities. By utilizing diverse sources, they will delve into the lives of various groups residing in and around missions, enabling them to draw insightful comparisons. Furthermore, students will gain an understanding of the profound impact of the gold rush era and early statehood, recognizing the significant loss of property and autonomy experienced by many of the state’s earlier Mexican and Indian residents.

- 4) **Ethnic Studies: Areas of Study - Native American Studies.** The Ethnic Studies Model Curriculum (ESMC) adopted by the SBE in 2021 focuses on the traditional ethnic studies established in California higher education. It is characterized by four foundational disciplines: African American, Chicana/o/x and Latina/o/x, Native American, and Asian American and Pacific Islander studies.

The ESMC provides a sample course outline for a general Introduction to Ethnic Studies course using a thematic approach. This includes content from Native American Studies alongside three other disciplines. The curriculum discusses tribal consultation and offers a course outline for a Native American studies course that districts can use as guidance for creating their own ethnic studies courses. These courses aim to have engaging lessons that connect with the demographics in their communities. The field of study explores the complexity and diversity of Native American experiences from the pre-contact era to the present. Key concepts covered include Indigeneity, settler colonialism, environmental justice, cultural retention, cultural hegemony, imperialism, genocide, language groups, language revitalization, self-determination, land acknowledgment, and tribal sovereignty. The course aims to provide students with a comprehensive understanding of how the role of imperialism, settler colonialism, decolonization, and genocide, both cultural and physical, of North American Native Americans contributed to the formation of the United States. Students are exposed to the history and significant political, social, and cultural achievements of various Native American tribes and their resilience and continuance into the present and future.

University of California (UC) and California State University (CSU) Approved Courses

The ESMC also includes two course outlines in Native American Studies approved as meeting the A-G admissions requirements of the UC and the CSU:

- Native American Studies: Contemporary Perspectives, from Golden Valley Charter, Ventura
- Native American Studies: Historical Perspectives, from Opportunities for Learning, Irwindale

Starting with the graduating class of 2029-30, students must complete a one-semester ethnic studies course that meets specific requirements to receive a high school diploma. Additionally, beginning in the 2025–26 school year, school districts and charter schools serving students in grades 9 through 12 must offer at least a one-semester ethnic studies course.

5) **Related Legislation.**

SB 1410 (Ochoa Bogh, 2024) requires the IQC, when the mathematics curriculum framework is next revised after January 1, 2025, to consider including that pupils in grade 8 be offered the opportunity to take an Algebra or Mathematics I course that is aligned to the content standards adopted by the SBE.

SB 1341 (Allen, 2024) defines visual and performing arts in the adopted course of study for grades 1 to 6 and grades 7 to 12, including media art.

AB 1871 (Alanis, 2024) would require the social sciences and career technical education areas of study to also include instruction on personal financial literacy.

AB 1805 (Ta, 2024) would require the IQC to consider including in its evaluation criteria content on the case of Mendez v. Westminster School District of Orange County when the SBE adopts new instructional materials for H-SS on or after January 1, 2025.

SUPPORT

Soboba Band of Luiseno Indians (Co-Sponsor)
American Civil Liberties Union California Action
California Association for Bilingual Education
California Charter Schools Association
California Teachers Association
Delta Kappa Gamma International - Chi State
Equality California
Los Angeles County Office of Education

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1841	Hearing Date:	May 29, 2024
Author:	Weber		
Version:	May 20, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Student safety: opioid overdose reversal medication: student housing facilities.

NOTE: This bill has been referred to the Committees on Education and *Health*. A "do pass" motion should include referral to the Committee on *Health*.

SUMMARY

This bill requires health centers on California Community College (CCC) campuses and California State University (CSU) campuses, and requests health centers on University of California (UC) campuses, to provide two doses of opioid overdose reversal medication, as specified, to each campus residential advisor and each house manager of sorority and fraternity housing and ensure that they receive treatment training. It further requires the governing board of each CCC district and the CSU Trustees, and requests the Regents of the UC to notify students as prescribed regarding the location of fentanyl test strips and opioid overdose reversal medication. Lastly, the bill would prohibit disciplinary measures from being imposed for drug related violations of the institution's student conduct policy when a dose is administered.

BACKGROUND

Existing law:

- 1) Requires the governing board of each CCC district and the Trustees of the CSU, and requests the Regents of the UC to do the following:
 - a) Collaborate with campus-based and community-based recovery advocacy organization to provide educational and prevention information provided by the State Department of Public Health (CDPH) about opioid overdose during the campus orientation. The educational and prevention materials should include information about the location of fentanyl test strips and opioid overdose reversal medication on campus.
 - b) Notify students of the presence and location of fentanyl test strips via email.
 - c) Have each campus health center do the following:
 - i) 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.

- ii) If approved, distribute the federally approved opioid overdose medication in accordance with the terms and conditions of the State Department of Health Care Services (CDHS).
- iii) Stock and distribute fentanyl strips with written instruction's on how to properly use the fentanyl test strips. (Education Code § 67384)

ANALYSIS

This bill:

- 1) Requires health centers on CCC and CSU campuses and requests health centers on UC campuses to do all of the following:
 - a) Distribute, at the beginning of each academic semester or term, two doses of a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project in accordance with its terms and conditions:
 - i) To each residential advisor in college housing facilities and each house manager of a college-affiliated sorority and fraternity housing facility, to have either in their room or on-their-person while on-call.
 - ii) Four additional doses, located at each residential housing office front desk, for a residential advisor to resupply as needed.
 - b) Ensure that each residential advisor and each house manager receive opioid overdose prevention and treatment training consistent with the Naloxone Distribution Project's terms and conditions.
 - c) Include in the training at the beginning of each academic semester that each residential advisor and house manager inform students that they have training to use opioid overdose reversal medication and access to it in the event of an overdose.
- 2) States that the bill does not require a residential advisor or house manager to administer opioid overdose reversal medication. If administered, the bill prohibits disciplinary measures from being imposed for any violation of the institution's student conduct policy regarding drug possession, use, or treatment that occurs near the time of an incident where the residential advisor or house manager administers a dose of opioid overdose reversal medication obtained through the Naloxone Distribution Project.
- 3) States that the institution's primary concern in implementing the bill's provisions be student safety.

- 4) Requires the governing board of each CCC district and the CSU Trustees and requests that the Regents of the UC email students at the beginning of each semester the location of fentanyl test strips and opioid overdose reversal medication and that each residential advisor and each housing advisor have been trained on the use of opioid overdose reversal medication.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “There has been an increase in opioid-related deaths in California, with reported opioid deaths skyrocketing to 6800 in 2021. Specifically one out of every five Californian youth aged 15 to 24 tragically passed away in 2021 due to fentanyl overdose.” The author further states, “California continues to fight the war against opioids. SB 367 which required college campuses Health Centers to distribute approved opioid overdose reversal medication. While this is helpful in the fight against opioid overdoses, if a student does not have the medication, it can be difficult and timely to find and use the opioid overdose reversal medication. AB 1841 would require Residential advisors be trained and have access to the opioid overdose reversal medication in dorms and for school affiliated Greek housing to have possession of these medication as well. Opioid overdoses don’t happen at the health center, they are more likely to occur where the students spend the majority of their free time. AB 1841 would save lives by placing the opioid overdose reversal medication where it is needed.”
- 2) **Naloxone.** According to information posted on the CDPH website, Naloxone, a prescription drug, is an opioid antagonist that works almost immediately to reverse an opiate overdose. It further states that Naloxone has few known adverse effects, no potential for abuse, and can be rapidly administered through intramuscular injection or nasal spray. Programs to train and equip bystanders such as friends, family, and other non-health-care providers, as well as drug users themselves, have gained momentum as an effective way to respond to and reverse an opioid overdose.
- 3) **Statewide Standing Order for Naloxone Distribution.** Current law, established by SB 367 (Hurtado, Chapter 218, Statutes of 2022), calls for each health center located on a UC, CSU, or CCC campus to apply for the statewide standing order issued by CDPH and participate in the naloxone distribution project. If approved, health centers are to distribute the medication according to the project’s terms and conditions. The statewide standing order issued by CDPH allows organizations and entities, including colleges and universities, to distribute naloxone to a person at-risk of experiencing an overdose or an individual in a position to assist a person at-risk. Staff of community organizations and other entities distributing naloxone under the statewide standing order are required to receive training and are also required to train individuals who receive naloxone from them. Organizations, including colleges, may apply to use the statewide standing order and meet certain terms and conditions. A separate distribution program administered through the CDHS allows universities and colleges to apply for and obtain Naloxone at no cost to the institution. As of March 2024, the data collected by the CDHS shows that 10,973 applications were approved for free naloxone. 1,865 of the approved applicants were identified as either schools

or colleges. Of the 3,887,536 doses of naloxone provided, 194,376 went to schools or colleges.

- 4) **Administration of the medication is not required.** This bill attempts to ensure that students who are living in college-affiliated housing facilities have access to medication on site at those facilities. The naloxone distribution project's terms and conditions would still apply. Although residential advisors and house managers are required to keep the overdose reversal medication on hand as prescribed, the bill does not require them to administer it to students. The bill stipulates that if they choose to administer the medication, the institution will not impose any disciplinary actions for drug-related violations of the student conduct code policy during the incident. As mentioned, under the Naloxone Distribution Project, entities distributing naloxone are required to train individuals who receive naloxone from them on opioid overdose prevention and treatment. Recipient entities are required to report to CDPH the number of known reversals that occurred due to naloxone distribution. This bill would require that campus health centers ensure the training of residential advisors and housing managers, and notify students about their training.

- 5) **Status on implementation.** According to the Assembly Committee analysis, in response to SB 367, (Hurtado, Chapter 218, Statutes of 2022) CDPH created a toolkit for colleges and universities to use to be in compliance with existing law. The toolkit includes a video on naloxone, fact sheets on opioid overdose prevention on college campuses, a video on how to use Narcan (nasal spray naloxone), and social media campaigns to help advertise the availability of naloxone on campus. The CDPH website dedicated to College Opioid Overdose Prevention includes information on California Good Samaritan Laws and encourages campuses to inform students of their protection from being liable for any civil damages for administering naloxone under Health and Safety Code Section 1799.102.

Each of the CSU, UC, and 92 CCC campuses has a designated campus health center. The CSU provides educational materials that include the location of naloxone on campus through various methods, including information on the campus website and during orientation. Since 2023, collectively, the 23 campuses of the CSU have provided 5,489 doses of naloxone. Within the CCC system, how naloxone is distributed varies from campus to campus, with some providing naloxone directly from the health center or from campus security and others holding publicly available trainings where students can pick up a naloxone kit after they complete the training. Others, such as Cerritos College, have naloxone available at 11 different locations on campus, including the Child Development Center, the Pool, and the Learning Resource Center.

- 6) **Previous legislation.**

AB 461 (Ramos, Chapter 525, Statutes of 2023) required the CCC and CSU and requests the UC, to provide information about the use and location of fentanyl test strips as part of established campus orientations, to notify students of the presence and location of fentanyl test strips, and requires that each campus health center stock and distribute fentanyl test strips, as specified.

SB 367 (Hurtado, Chapter 219, Statutes of 2022) established the Campus Opioid Safety Act, which required each CCC and CSU and requests the UC, to provide educational and preventive information about opioid overdose and the use and location of opioid overdose reversal medication on campus during campus orientations.

SUPPORT

Generation Up (Sponsor)
American Academy of Pediatrics, California
California Federation of Teachers
Faculty Association of California's Community Colleges

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1891	Hearing Date:	May 29, 2024
Author:	Weber		
Version:	May 20, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Community colleges: allied health programs.

SUMMARY

This bill authorizes California Community College (CCC) allied health program to use a selection process known as “multicriteria screening” for admitting applicants into impacted allied health programs when the number of applicants to that program exceeds its capacity.

BACKGROUND

Existing law:

Federal law

- 1) Defines “allied health professionals” as a health professional who has received a certificate, an associate’s degree, a bachelor’s degree, a master’s degree, a doctoral degree, or postbaccalaureate training in a science relating to health care. The professional shares in the responsibility for delivering health care services or related services. The professional has not received a doctoral degree in medicine, osteopathy, dentistry, veterinary medicine, pharmacy, podiatric medicine, optometry, public health, public administration, clinical psychology, or sociology. (Section 295p (5) of Title 42 of the United States Code).

State law

- 2) Authorizes a CCC registered nursing program, if it determines that the number of applicants to the program exceeds its capacity, to admit students to the program using a multicriteria screening process, a random selection process, or a blended combination of random selection and a multicriteria screening process, as specified. (Education Code (EC) § 78261.3)
- 3) Requires a CCC that elects to use a multicriteria screening process to evaluate applicants and to apply those measures in accordance with all of the following:
 - a) The criteria applied in a multicriteria screening process will include, but are not limited to:
 - i) Academic degrees or diplomas held by an applicant.

- ii) Grade-point average in relevant coursework.
 - iii) Any relevant work or volunteer experience.
 - iv) Life experiences or special circumstances of the applicants as defined.
 - v) Proficiency in advanced-level coursework in languages other than English, as defined.
- b) Additional criteria such as a personal interview, a personal statement, a letter of recommendation, or a number of repetitions of prerequisite classes may be included but are not required.
 - c) Additional criteria may include the use of a diagnostic test. (EC § 78261.5(a) and (b))
- 4) Sunsets these provisions relating to admission to community college nursing programs on January 1, 2025. (EC § 78261.5(e))
 - 5) It further requires that the CCC Chancellor report annually to the Legislature and the Governor on students admitted to community college registered nursing programs through a multicriteria screening process, as provided. (EC § 78261.3 and § 78261.5)

ANALYSIS

This bill authorizes CCC allied health programs to use a selection process known as “multicriteria screening” for admitting applicants into impacted allied health programs when the number of applicants to that program exceeds its capacity. Specifically it:

Diagnostic Assessment Tool

- 1) Authorizes a community college district to utilize a diagnostic assessment tool that is commonly used in allied health programs and is approved by the Chancellor.
- 2) Authorizes a community college allied health program to utilize additional multicriteria screening measures if that program determines that the number of applicants exceeds its capacity, after utilizing the diagnostic assessment tool. A community college allied health program may use an approved diagnostic assessment tool before or during a multicriteria screening process.
- 3) Prohibits a community college district from doing either of the following:
 - a) Excluding an applicant to an allied health program on the basis that the applicant is not a resident of that district or has not completed prerequisite courses in that district.

- b) Implement policies, procedures, and systems, including, but not limited to, priority registration systems, that have the effect of excluding an applicant or student who is not a resident of that district from an allied health program of that district.

Capacity Procedures, Random Selection, and Multicriteria Screening

- 4) Authorizes a community college allied health program that determines that the number of applicants to that program exceeds its capacity to admit students in accordance with any of the following procedures:
 - a) Administration of a multicriteria screening process, if that program determines that the number of applicants exceeds its capacity, after utilizing the approved diagnostic assessment tool, as prescribed.
 - b) A random selection process.
 - c) A blended combination of random selection and a multicriteria screening process.

Criteria for Multicriteria Screening Process

- 5) Requires a community college allied health program that elects to use a multicriteria screening process, including a blended process, to evaluate applicants pursuant to the bill and apply those measures in accordance with all of the following:
 - a) The inclusion of all of the following criteria in a multicriteria screening process:
 - i) Academic degrees or diplomas, or relevant certificates, held by an applicant.
 - ii) Grade point average in relevant coursework.
 - iii) Any relevant work or volunteer experience.
 - iv) Life experiences or special circumstances of an applicant, including, but not limited to, any or any combination of the following experiences or circumstances:
 - (1) Disabilities.
 - (2) Low family income.
 - (3) First generation of family to attend college.
 - (4) Need to work.
 - (5) Disadvantaged social or educational environment.

- (6) Difficult personal and family situations or circumstances.
 - (7) Refugee or veteran status.
 - (8) Living in a medically underserved area or population, as designated by the federal Health Resources and Services Administration.
- v) Proficiency or advanced level coursework in languages other than English, as prescribed.
- b) Authorizes additional criteria, such as a personal interview, a personal statement, a letter of recommendation, or the number of repetitions or prerequisite classes, or other criteria, as approved by the Chancellor.
 - c) Authorizes a community college allied health program that chooses to employ a multicriteria screening process to use an approved diagnostic assessment tool.

Reporting

- 6) Requires an allied health program that elects to use a multicriteria screening process to annually report its admissions policies to the Chancellor in writing and include the weight given to any criteria used by the program, including demographic information related to both the persons admitted to the program and the persons of that group who successfully completed that program.
- 7) Encourages the Chancellor to develop and make available to community college allied health programs by July 1, 2025, a model admissions process based on the bill's provisions.
- 8) Requires that the Chancellor submit an annual report commencing with March 1, 2026, to the Legislature and the Governor that examines and includes, but is not limited to, both of the following:
 - a) The participation, retention, and completion rates in community college allied health programs of students admitted through a multicriteria screening process.
 - b) Information on the annual impact, if any, of the specified matriculation services for students admitted through the multicriteria screening process.
- 9) Authorizes the Chancellor to include the allied health program reports required in this bill with a similar report required for registered nursing programs.

Definitions

- 10) Defines all of the following terms for purposes of the bill:

- a) “allied health program” to mean a community college program that offers certificates or degrees related to allied health professionals, as defined in Section 295p of Title 42 of the United States Code. See the background section of this analysis for the complete definition.
- b) “Disabilities” to have the same meaning as used in Section 2626 of the Unemployment Insurance Code.
- c) “Disadvantaged social or educational environment” to include, but is not necessarily limited to, the status of a student who has participated in Extended Opportunity Programs and Services.
- d) “Grade point average” to refer to the same fixed set of required prerequisite courses that all applicants to the allied health program administering the multicriteria screening process are required to complete.
- e) “Low family income” to be measured by a community college allied health program in terms of a student’s eligibility for, or receipt of, financial aid under a program that may include, but is not necessarily limited to, a fee waiver from the board of governors under Section 76300, the Cal Grant Program under Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5, the federal Pell Grant program, or CalWORKs.
- f) “Need to work” to mean that the student is working at least part time while completing academic work that is a prerequisite for admission to the allied health program.

Sunset

- 11) Sunsets the bill’s provisions on January 1, 2030.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “California’s health care industry has experienced sustained worker shortages among nurses and Allied Health professionals. As the largest educator of California’s healthcare workforce, California Community Colleges (CCCs) play a major role in addressing healthcare workforce shortages. Though demand for CCCs’ Allied Health programs remains high, capacity limitations affect the CCCs ability to grow California’s healthcare workforce. Multicriteria screening is proven to grow the diversity and completion rate of CCCs’ healthcare students.”
- 2) **Allied health programs at the CCC.** According to the Assembly Higher Education Committee analysis, “The United States Department of Health and Human Services defines allied health professionals as persons in the medical field who deliver health or health-related services pertaining to the identification, evaluation, and prevention of diseases and disorders; dietary and nutrition services; and rehabilitation and health systems management. The National Center for Health Workforce Analysis, which projects the future supply of and demand for healthcare occupations, lists 27 professions as “allied healthcare professionals.

'In January 2024, the CCC Chancellor's Office issued a report entitled "2023 Allied Health Programs," as required by EC Section 88826.5. In compliance with the reporting requirements, the report included an analysis of clinical placement for all allied health programs that require clinical placements throughout all 116 community colleges in California. According to the report the CCC offers 44 different allied health programs that require clinical placements ranging from health information coding to respiratory care therapy. The National Center for Health Workforce Analysis projected that in 2024, allied health professional demand in California will increase to 443,310 positions. With the demand significantly outweighing the supply, questions have been raised as to what is preventing the workforce from meeting the demand of these positions."

- 3) **The current selection process for some nursing programs involves Multicriteria screening.** When more applicants qualify for admission than there are enrollment slots, CCC nursing programs must decide which applicants to admit. Current law allows programs to enroll students through a random selection process or a multicriteria screening process. CCCs that elect to use a multicriteria screening process to evaluate applicants must do so based on specified criteria. Those criteria pertain to the applicant's academic performance, work or volunteer experience, foreign language skills, life experiences, and other special circumstances. The purpose of establishing this multicriteria screening process is to assess the applicant's preparedness to reduce program attrition rates while retaining a diverse student body. Of the 77 CCCs with registered nursing programs, 54 colleges reported using the multicriteria screening process in the 2021-22 academic year. This bill seeks to authorize the use of this selection process for enrolling students in CCC allied health programs.
- 4) **A related report highlights positive outcomes from multicriteria screening.** In its 2019 report on *nursing educational programs*, the CCC Chancellor's Office provided a comparison between the colleges not using this multicriteria process and those that do. There were 47 out of 77 (67 percent) colleges using multicriteria screening in fiscal year 2017-18, compared to 42 out of 77 (54.5 percent) in the prior year. Thirty of the 77 colleges do not use multicriteria screening for their applicants. They used at least one of the following methods: 1) first-come, first-served; 2) pre-requisite courses; 3) the CCC Chancellor's Office pre-requisite knowledge and skills validation process; 4) modified random selection; and 5) lottery or random selection. Some multicriteria colleges also use a combination of five additional methods for selecting students from their qualified applicant pool. The report highlights the two largest nursing programs in the state, Riverside City College and Fresno City College, and finds that both colleges had great success using the multicriteria enrollment process. For Riverside, the report states that since the initiation of the multicriteria enrollment process, program outcomes have met or exceeded expected levels of achievement consistently, as data from the past three years demonstrates licensure passage rates are between 91 and 94 percent, program completion rates are between 91 and 95 percent, and job placement rates range from 92 to 98 percent. The report indicates that the multicriteria system has not disproportionately affected nursing students, with diversity rates consistently increasing with each passing year. Colleges using the multicriteria selection process have a total average attrition rate of 12 percent and a retention rate of 82

percent, while those using a non-multicriteria selection process have an attrition rate of 15 percent and a retention rate of 79 percent. Overall, colleges that used multicriteria screening had lower attrition rates and higher success rates.

- 5) **Expands the application of multicriteria screening to allied health programs.** The original authorization is limited to nursing programs. This bill could significantly broaden the scope of multicriteria screening within the CCC system as there many program that fall under the allied health umbrella. According to the CCC Chancellor's Office, similar to nursing, there is increasing demand for community college allied health programs, which has prevented some programs from admitting all qualified applicants due to space or resource limitations. These programs are referred to as limited enrollment programs and are governed under Title 5 of the California Regulations. The CCC Chancellor's Office does not collect data on the number of limited enrollment programs, making it challenging to quantify the problem. However, the CCC Chancellor's Office is aware that many of these programs are currently relying on first-come, first-served policies, lottery systems, or waiting lists to admit students. These methods can be one-dimensional and do not allow colleges to address the applicants' preparedness or provide an equitable approach to selection. The push for multicriteria screening in nursing was to ensure selection processes do not have disparate impacts on historically underrepresented student groups, while also taking student academic preparedness into account when space is limited. Temporarily extending this process for allied health programs seems reasonable.
- 6) **Will it work for all allied health programs?** This bill would allow the CCC Chancellor's Office to begin collecting data, as programs would have to report their multicriteria screening policies directly to the CCC Chancellor's Office. Information must include the weight given to any criteria used by the program, as well as demographic information relating to both the applicants admitted and those who successfully completed that program. It further requires that the chancellor submit an annual report to the Legislature that examines retention and completion rates in community college allied health programs of students admitted through a multicriteria screening process disaggregated by age, gender, ethnicity, and language spoken at the home of those students. Because there are many programs that qualify as allied health programs, the results for each program may vary. The report's information could assist in determining whether to extend this bill's provisions before sunseting.
- 7) **Related legislation.**
- SB 1183 (Hurtado, 2024) would add "living in a medically underserved area" to the list of multicriteria screening criteria and extend the sunset date authorizing multicriteria screening for community college nursing programs. SB 1183 was approved by this committee on April 3, 2024, and has been referred to the Assembly Higher Education Committee.

AB 2532 (Mathis, 2024) would add "being a resident of the community college district" to the list of multicriteria screening criteria, repeal provisions in existing law prohibiting community college districts from implementing policies that have

the effect of excluding students who are not residents of the district, and extend the sunset date authorizing multicriteria screening for community college nursing programs. AB 2532 is pending referral in the Senate Rules Committee.

SUPPORT

California Community Colleges Chancellor's Office (Sponsor)
California Dental Association
Cerritos College
College of the Canyons
College of the Redwoods
Dental Hygiene Board of California
Diablo Valley College Dental Hygiene Program
Faculty Association of California's Community Colleges
Foothill-De Anza Community College District
Monterey Peninsula Community College District
Moreno Valley College
Palo Verde Community College District
Pasadena City College
Rancho Santiago Community College District
Riverside Community College District
San Bernardino Community College District
San Diego Community College District
South Orange County Community College District
Southwestern Community College District
Ventura County Community College District
Yuba Community College District

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1930 **Hearing Date:** May 29, 2024
Author: Reyes
Version: May 16, 2024
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: Teaching credentials: Child Development Associate Teacher Permit:
renewal.

NOTE: This bill has been referred to the Committees on Education and *Rules*. A "do pass" motion should include referral to the Committee on *Rules*.

SUMMARY

This bill requires the Commission on Teacher Credentialing (CTC) to authorize a holder of a Child Development Associate Teacher Permit to renew their permit without a limitation on the number of renewals if the permit holder completes specified hours of professional growth activities.

BACKGROUND

Existing law:

- 1) Requires the CTC to, by rule or regulation, establish the requirements for the following:
 - a) The issuance and the renewal of permits authorizing service in the care, development, and instruction of children in child care and development programs, as well as the issuance of emergency permits for this purpose.
 - b) The issuance and renewal of permits authorizing supervision of a child care and development program, as well as the issuance of emergency permits for this purpose.
 - c) The periods of duration of the permits. (Education Code § 8301)
- 2) Requires each applicant for a Child Development Associate Teacher Permit to meet one of the following:
 - a) Completion of the Child Development Associate Credential.
 - b) Completion of equivalent training approved by the CTC (may include traditional coursework taken through a regionally accredited institution of higher education and CTC-approved alternative education programs).
 - c) All of the following:

- i) Completion of a minimum of 12 semester units of coursework in early childhood education/child development, including at least one course in each of the following core areas: child/human growth and development; child, family and community, or child and family relations; programs/curriculum; and,
 - ii) Fifty days of experience in an instructional capacity in a child care and development program, working at least three hours per day within the last two years. (California Code of Regulations (CCR), Title 5, § 80111)
- 3) Authorizes a Child Development Associate Teacher Permit to be renewed only once, and to be held for a total of ten years. Existing law provides that upon expiration of the renewed Child Development Associate Teacher Permit, the applicant must qualify for the Child Development Teacher Permit (which requires additional coursework). (5 CCR § 80111)
 - 4) Requires an applicant, in order to renew the Child Development Associate Teacher Permit, to have completed at least 15 semester units toward the Child Development Teacher Permit. (5 CCR § 80111)
 - 5) Authorizes the holder of a Child Development Associate Teacher Permit to provide service in the care, development, and instruction of children in a child care and development program, and supervise a Child Development Assistant Permit holder and an aide. (5 CCR § 80111)

ANALYSIS

This bill requires the CTC, on or before April 30, 2025, to authorize a holder of a Child Development Associate Teacher Permit to renew their permit without a limitation on the number of renewals if the permit holder completes specified hours of professional growth activities, as determined by the CTC.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 1930 addresses staffing shortages in early learning and care programs, by removing restrictions on Child Development Associate Teacher permit renewals. Associate Teachers provide important support in classrooms and critical care for our children. For many, they are not seeking a higher position. However, the Associate Teacher Permit can only be renewed once after five years, and permit holders must progress to a Child Development Teacher Permit within ten years or lose their permit. It is the only permit that restricts individuals to one renewal, and this means that these individuals can work for a maximum of ten years as Associate Teachers and then must either meet the requirements for a Teacher Permit, leave their position, or leave the field altogether. For some experienced Associate Teacher Permit holders, this forces a change they are not seeking. Some may choose not to pursue another permit level. For providers, it results in the loss of experienced valuable staff. AB 1930 requires that the Commission on Teacher Credentialing authorize Child Development Associate Permit holders to renew their permits

without a limitation on the number of renewals if the permit holder completes professional development and early childhood education unit requirements.”

2) **Child development permit matrix.**

Title	Education Requirements	Experience Requirements	Authorization	5-year Renewal
Assistant	6 units of Early Childhood Education (ECE) or child development (CD)	None	Assist in the instruction of children under supervision of Associate Teacher or above	105 hours of professional growth
Associate Teacher	12 units ECE/CD	50 days of 3+ hrs/day within 2 years	May provide instruction and supervise Assistant	One renewal with 15 units; must meet Teacher Permit requirements within 10 yrs
Teacher	24 units ECE/CD, + 16 units GE	175 days of 3+ hrs/day within 4 years	May provide instruction and supervise all above	105 hours of professional growth
Master Teacher	24 units ECE/CD +16 units GE + 5 units specialization + 2 units adult supervision	350 days of 3+ hrs/day within 4 years	May provide instruction and supervise all above May also serve as coordinator of curriculum & staff development	105 hours of professional growth
Site Supervisor	AA with 24 units ECE/CD + 6 units admin + 2 units adult supervision	350 days of 3+ hrs/day within 4 years, including 100+ days of supervising adults	May supervise single-site program, provide instruction; and serve as coordinator of curriculum & staff development.	105 hours of professional growth
Program Director	BA with 24 units ECE/CD + 6 units admin + 2 units adult supervision	Site supervisor status and one program year of site supervisor experience.	May supervise multiple-site program; provide instruction; and serve as coordinator of curriculum & staff development	105 hours of professional growth

Source: CTC, September, 2021

As noted in the Assembly Education Committee analysis of this bill, according to the CTC, “The Child Development Permit Matrix dates from the early 1990’s and has not been updated since that time. Although recommendations were made in

2017 by an advisory panel of ECE content experts to update the Permit Matrix, these recommendations were temporarily tabled by the Commission for a variety of reasons, including the potential effect on ECE teacher supply and on the ability of employers to staff ECE programs; the potential effect on compensation for these positions; the desire of some in the field to strengthen requirements who felt these recommendations may not go far enough; and the pending direction from the state's Master Plan for Early Learning and Care, which at that time was being conceptualized although work on the plan itself had not yet begun. Given the complexity of these factors, the Commission temporarily tabled the recommendations in 2017 while moving forward with building out and reviewing with stakeholders new ECE Teaching Performance Expectations (TPEs) and the new ECE Program Guidelines. The Commission adopted the ECE TPEs and the ECE Program Guidelines in 2019 as development of the Master Plan for Early Learning and Care was launched, and subsequently published in December 2020."

- 3) ***Master Plan and advisory recommendations.*** The Master Plan for Early Learning and Care recommends, among other things, that the Child Development Permit Matrix be updated to link to "the reimbursement rate model that provides incentives for competency advancement and supports a career lattice that allows for multiple entry points and pathways to encourage diverse candidates to enter and advance in the profession." The Master Plan does not include recommendations specifically related to the Associate Teacher permit. [https://californiaforallkids.chhs.ca.gov/assets/pdfs/Master%20Plan%20for%20Early%20Learning%20and%20Care%20-%20Making%20California%20For%20All%20Kids%20\(English\).pdf](https://californiaforallkids.chhs.ca.gov/assets/pdfs/Master%20Plan%20for%20Early%20Learning%20and%20Care%20-%20Making%20California%20For%20All%20Kids%20(English).pdf)

The Child Development Permit Advisory Panel's 2017 recommendations included revising the Child Development Permit Matrix to remove the limit on the number of times the Associate Teacher Permit can be renewed.

In August 2023, the CTC approved a plan for a workgroup of Early Childhood Education experts to build on recommendations provided to the CTC by the Child Development Permit Advisory Panel in 2017 and make further recommendations to the CTC on the structure and requirements of the Child Development Permit in alignment with the state's Master Plan for Early Learning and Care and current needs in the field. The workgroup began meeting in August 2023 and is expected to conclude in June 2024. https://www.ctc.ca.gov/docs/default-source/commission/agendas/2024-04/2024-04-3a.pdf?sfvrsn=606e3db1_3

- 4) ***Why limit the Associate Teacher Permit?*** Existing law authorizes a Child Development Associate Teacher Permit to be renewed only once, and to be held for a total of ten years. Existing law provides that upon expiration of the renewed Child Development Associate Teacher Permit, the applicant must qualify for the Child Development Teacher Permit (which requires additional coursework).

The limitation on the duration and renewal of the Associate Teacher Permit was put into place presumably to encourage employees working under the Associate Teacher Permit to advance to the Teacher Permit, and presumably under the guise of increasing program quality. Holders of the Associate Teacher Permit

would need an additional 12 units in early education/child development as well as 16 units in general education.

Is it realistic to expect early learning employees to desire to take additional courses and desire to “move up” the career ladder, and is it realistic to expect employees to have access to the necessary coursework? Should the state expect early learning employees to take additional coursework or to give up their existing positions? Are early learning programs sufficiently staffed without experienced Associate Teachers? Should early learning programs be forced to demote or fire experienced Associate Teachers and then hire newer Associate Teachers who have less than 10 years of experience?

As noted in the Assembly Education Committee analysis of this bill, the 2018 National Council of State Legislatures report on building a qualified workforce notes: “ECE workers pursuing additional education face significant barriers, perhaps the greatest being the cost of higher education. Because ECE workers typically earn poverty-level wages, they likely must work while attending classes. This may pose scheduling challenges and impede their ability to take out student loans. Also, some current ECE workers are “nontraditional students” and require remedial education and other supports, including English language support and academic and career counseling from a counselor familiar with the ECE field. In addition, variations in standards and training requirements among providers, programs and states pose challenges for ECE workers moving or changing employers.”

The Assembly Blue Ribbon Commission’s (BRC) 2019 Final Report included recommendations regarding compensation and support of the ECE workforce, including the following:

- Achieve salary parity with TK-3 for those with comparable education and experience, with competitive benefit packages including health, paid time off, retirement, and other compensation; and
- Increases in compensation are required at all levels of qualification among the incumbent workforce. Standards for the ECE workforce cannot be increased until compensation levels are significantly raised.

The Assembly BRC report includes the following recommendations in this regard:

- As new qualifications are enacted, ensure that resources to support any education, training, and certification that may be required is available and accessible.
- Invest in strategies that compensate providers as they increase their professional development, such as student loan forgiveness, paid professional development time, and graduated wage increases above the base.

- 5) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose minor and absorbable costs to CTC to update rules or regulations to comply with this bill's requirements.

SUPPORT

California County Superintendents (Co-Sponsor)
Child Care Resource Center (Co-Sponsor)
EveryChild California (Co-Sponsor)
Head Start California (Co-Sponsor)
Kidango (Co-Sponsor)
Los Angeles County Office of Education (Co-Sponsor)
Santa Clara County Office of Education (Co-Sponsor)
American Red Cross California Chapter
Association of California School Administrators
California Charter Schools Association
California Federation of Teachers
Child Action, Inc.
Children's Bureau of Southern California
Early Care and Education Consortium
Early Edge California
Every Child California
Los Angeles Unified School District
San Bernardino County District Advocates for Better Schools
San Mateo County Child Care Partnership Council
School Employers Association of California
Small School Districts Association
Thriving Families California
Unite-LA

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1947 **Hearing Date:** May 29, 2024
Author: Luz Rivas
Version: May 15, 2024
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: California state preschool programs: contracting agencies: staff training days.

NOTE: This bill has been referred to the Committees on Education and *Human Services*. A "do pass" motion should include referral to the Committee on *Human Services*.

SUMMARY

This bill expands the number of staff training days, from up to two days to up to six days, that agencies contracting with the California Department of Education (CDE) are authorized to schedule, and requires contractors with an enrollment of at least 25 percent dual language learners that have at least three days of staff training to dedicate at least one training day specifically on supporting dual language learners.

BACKGROUND

Existing law:

- 1) Establishes the Early Education Act to, among other things:
 - a) Provide an inclusive and cost-effective preschool program that provides high-quality learning experiences, coordinated services, and referrals for families to access health and social-emotional support services through full- and part-day programs.
 - b) To promote and support home language and development of multilingual capabilities to ensure all children attain their full potential.
(Education Code (EC) § 8201)
- 2) Requires the Superintendent of Public Instruction (SPI) to administer all state preschool programs, which are to include full- and part-day age and developmentally appropriate programs offered through child care centers and family child care home education networks, that are designed to facilitate the transition to kindergarten for three- and four-year old children, and that provide early learning and care, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development.
(EC § 8207)

- 3) Requires the SPI to develop standards for the implementation of high-quality preschool programs, and requires indicators of quality to include, among other things, program activities and services that meet the cultural and linguistic needs of children and families, including but not limited to program activities and services that meet the need of dual language learners for support in the development of their home language and English. (EC § 8203)
- 4) Defines “dual language learner children” as children whose first language is a language other than English or children who are developing two or more languages, one of which may be English. (EC § 8205)
- 5) States legislative intent for state preschool contractors, teachers, and staff to better understand the language and developmental needs of dual language learners enrolled in publicly funded preschool programs by identifying them as a dual language learner through a family language instrument and support their needs through a family language and interest interview. Existing law states that the identification of dual language learners will help improve program quality and inform the allocation and use of state and program resources to better support them and their linguistic and developmental needs for success in school and in life. (EC § 8241.5)
- 6) Requires the SPI to develop procedures for state preschool contractors to identify and report data on dual language learners enrolled in a state preschool program. (EC § 8241.5)
- 7) Authorizes an agency contracting with CDE to provide state preschool program services to schedule up to two days of staff training, per contract period, using state reimbursement funding on the topics including procedures for emergencies in preschool programs, licensing regulations relating to preschool programs, recognition and reporting of suspected abuse of children in preschool programs, managing challenging behaviors and preventing expulsion of children, and addressing items on the program’s Quality Rating and Improvement System (QRIS) Quality plan. (EC § 8251)

ANALYSIS

This bill:

- 1) Expands the number of staff training days, from up to two days to up to six days, that agencies contracting with CDE are authorized to schedule, per contract period, using state reimbursement funding.
- 2) Expands the topics that may be included in staff training to include practices related to trauma-informed care, practices to support dual language learners, and improving program quality in alignment with state standards.
- 3) Requires a contractor with an enrollment of at least 25 percent dual language learner children that schedules a minimum of three days of staff training to ensure that at least one scheduled staff training day is used to provide staff development that is specific to supporting dual language learner children enrolled

in the program.

- 4) Encourages staff training on supporting dual language learners to include, but not be limited to, training on all of the following:
 - a) Dual language acquisition.
 - b) Biliteracy development.
 - c) Engaging culturally and linguistically diverse families.
 - d) Home language support.
 - e) Culturally and linguistically appropriate observation and assessment of dual language learner children.
 - f) Identification and support of dual language learner children with special needs.
- 5) Requires, to the maximum extent possible, the staff training relative to dual language learners to offer instruction on how to involve parents and members of the community to promote cultural competence and improved understanding of the needs of dual language learner children.
- 6) Provides that staff training that incorporates other training related to supporting the whole child and that includes at least 80 percent of the training consistent with the provisions of this bill meets the requirements of this bill.
- 7) Requires that a day of staff training pursuant to this bill that is scheduled during a contractor's regular hours of operation be considered a day of operation for purposes of meeting the required minimum days of operation for state preschool programs.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "My bill, AB 1947, takes a critical step in implementing the Master Plan for Early Learning and Care recommendations supporting our children who are DLLs. These children are just beginning to be assessed and identified as DLLs when they enter California's State Preschool Programs (CSPP). However, CSPP teachers are not given enough time to be properly trained to provide quality early education to DLLs. The absence of a selected professional development day impairs CSPP teachers from enriching the early linguistic assets of these children for their benefit and the greater benefit of California. Early Childhood educators must have the tools and abilities to properly teach and care for DLLs to support children in ways that intentionally develop their home language and English."
- 2) ***Identification of dual language learners.*** Existing law defines "dual language learner children" as children whose first language is a language other than English or children who are developing two or more languages, one of which may

be English.

The Master Plan for Early Learning and Care recommends providing dual language learners with high-quality language experiences in both English and their home language as a foundation for future academic success, noting that bilingualism has associated benefits such as strengthened cognitive and memory processes, improved communication abilities, social and cultural benefits, and advantages in the job market. The Master Plan also found that California lacks a basic universal infrastructure for identifying dual language learners, and that caregivers often lack the support they need in order to provide these children with high-quality, culturally relevant experiences in both English and the children’s home language. The Master Plan recommended, among other things, that the state require specialized training and development to address dual language development, children with disabilities, and how to eliminate bias and inequitable practices.

AB 1363 (Luz Rivas, Chapter 498, Statutes of 2021) requires the SPI to develop procedures for providers to identify and report data on dual language learners enrolled in the state preschool program. The CDE issued a management bulletin in March 2023 to notify and provide guidance to state preschool contractors regarding new requirements for identifying and collecting data on dual language learners, including multilingual learners, language characteristics of preschool programs, and language composition of program staff. State preschool program contractors were required to begin identifying dual language learners as of January 1, 2023.

- 3) **Staff training.** As noted in the Assembly Education Committee analysis of this bill, according to the CDE, a significant number of state preschool program providers are not utilizing their currently allotted two staff training days (see figure below). The CDE suggests that the reason these are not being utilized by more contractors is that contractors essentially have to enroll fewer children to be able to use their funding to pay for these days as many contractors are having to cover the cost of staff training within their existing contract funds. Another issue is that programs can only offer this on the weekends, after hours, or by retaining substitute staff, all of which have been flagged as administrative burdens.

Fiscal year	# of CSPP contractors reporting staff training expenses	Total # of CSPP contractors	% of contractors reporting training costs
2019-20	164	691	24%
2020-21	110	673	16%
2021-22	88	653	13%

Source: CDE

This bill requires state preschool contractors with an enrollment of at least 25 percent dual language learners that have at least three days of staff training to dedicate at least one training day specifically on supporting dual language learners. As noted above, the Master Plan for Early Learning and Care

recommended that the state require specialized training and development to address dual language development, children with disabilities, and how to eliminate bias and inequitable practices.

- 4) ***Fiscal impact.*** According to the Assembly Appropriations Committee analysis, this bill would likely be cost neutral, as this bill does not increase funding for state preschool program contracts to provide training. Instead, the bill specifies that state preschool program contractors may use their existing state funding to provide training, should they choose to provide training.

SUPPORT

Californians Together (Co-Sponsor)
Early Edge California (Co-Sponsor)
Asian Americans Advancing Justice-Southern California
Association of Two-way Dual Language Education
California Federation of Teachers
Catalyst California
Children Now
Kern County Superintendent of Schools Office
Los Angeles County Office of Education
Los Angeles Unified School District
Sobrato Early Academic Language
The Children's Partnership

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2044	Hearing Date:	May 29, 2024
Author:	Chen		
Version:	February 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: community colleges: statewide baccalaureate degree program.

SUMMARY

This bill requires the California Community College (CCC) Chancellor's Office to evaluate whether a baccalaureate degree holder is paid more than an associate degree holder in the same field when conducting an existing review of whether to approve the elimination of an associate degree program at a CCC offering a baccalaureate degree in the same subject.

BACKGROUND

Existing law:

- 1) Establishes that the mission and function of the CCC is the offering of academic and vocational instruction at the lower division level, and the CCC are authorized to grant the Associate in Arts and the Associate in Science degrees. The community colleges are also required to offer learning supports to close learning gaps, English as a Second Language instruction, and adult noncredit instruction, and support services, which help students, succeed at the postsecondary level. (Education Code (EC) § 66010.4)
- 2) Establishes the CCC, under the administration of the Board of Governors (BOG) of the CCC, as one of the segments of public postsecondary education in this state. (EC § 66700, et seq.)
- 3) Existing law requires the BOG to appoint a chief executive officer, to be known as the Chancellor of the CCC. (EC § 71090, et seq.)
- 4) Authorizes the BOG of the CCC to establish permanent district baccalaureate degree programs, and provided that only 15 baccalaureate degree programs are approved during each application period allowing for a total of 30 baccalaureate degree programs per academic year. Additionally, existing law:
 - a) Specifies that community college districts (CCD), as part of the baccalaureate degree program, will have the additional mission to provide high-quality undergraduate education at an affordable price for students and the state.

- b) Requires the Chancellor of the CCC to consult with and seek feedback from the Chancellor of the California State University (CSU), the President of the University of California (UC), and the President of the Association of Independent California Colleges and Universities (AICCU) on proposed baccalaureate degree programs, as specified, and establishes a mechanism for the assessment, consultation, and approval of programs where duplication is identified, as specified.
- c) Requires a CCD to continue to offer an associate degree program in the same academic subject for which baccalaureate degree program has been approved, unless the CCD has received approval from the CCC Chancellor to eliminate the associate degree program, and requires the CCC Chancellor to evaluate both changes to the labor market viability of an associate degree and changes to the minimum education required to maintain program accreditation when making a decision to authorize the elimination of an associate degree program.
- d) Specifies that the total number of baccalaureate degree programs offered by a CCD, at any time, does not exceed 25% of the total number of associate degree programs offered by the CCD, including associate degrees for transfer. (EC § 78040, et seq.)

ANALYSIS

This bill requires the CCC Chancellor's Office to evaluate whether a baccalaureate degree holder is paid more than an associate degree holder in the same field when conducting an existing review of whether to approve the elimination of an associate degree program at a CCC offering a baccalaureate degree in the same subject.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "AB 2044 is a small but meaningful step forward to ensure that before a community college can eliminate an associate's program, the Chancellor's Office must consider long-term student success. This bill will help to safeguard the mission of the community college system, while ensuring affected students will persist with less debt, and in less time."
- 2) **CCC Mission.** Of California's three public higher education segments, only the community colleges offer associate degrees. The CCC mission statement is outlined in the Master Plan for Higher Education and by state statute. The CCCs are to have an open admission policy and bear the most extensive responsibility for lower-division undergraduate instruction. Its primary areas of mission include instruction leading to associate degrees and university transfer, vocational instruction, and remedial education. Despite the differentiation of mission, the Legislature has authorized the CCCs to go beyond their original mission to offer a limited number of baccalaureate degree programs, so long as programs do not duplicate those offered by the other segments with primary jurisdiction.

3) **Criteria for replacing associate degrees with baccalaureate degree programs.** In order to address concerns that CCC baccalaureate degree programs would diminish attention from the CCCs original mission as well as have an impact on existing programs at local campuses statutory provisions limited the overall number of baccalaureate degree programs a college may accumulate and restricted the ways CCDs may eliminate associate degree programs. Specifically, CCDs are to continue to offer an associate degree program in the same academic subject for which baccalaureate degree program has been approved, unless the CCDs has received approval from the CCC Chancellor to eliminate the associate degree program. It further requires when conducting the review to approve the elimination of an associate degree, the CCC Chancellor to evaluate both changes to the labor market viability of an associate degree and changes to the minimum education required to maintain program accreditation when making a decision to authorize the elimination of an associate degree program. This bill would additionally require an evaluation of wage differences between associate and baccalaureate degree recipients prior to approving the elimination of an associate degree program. The author argues that requiring baccalaureate degrees for jobs that previously required a certificate or associate degree for the same amount of pay could result in degree inflation. Shifting the minimum level of education required for a trade or profession is a concerning trend as prospective student may face higher financial costs and take longer to complete their degrees. Wage information could help identify the frequency with which this occurs.

4) **Prior and related legislation.**

AB 2305 (Mike Fong, 2024) would require that a CCD is provided with one annual timeline in which to apply for a baccalaureate degree program, with a total of 30 baccalaureate degree programs approved per academic year, and that a minimum of 90 days is taken to validate the submitted information and assess the workforce value of the proposed baccalaureate degree program. AB 2305 (Mike Fong) is scheduled to be heard by this committee on May 29.

AB 2104 (Soria, 2024) would require the CCC Chancellor's Office to develop a Baccalaureate Degree in Nursing Pilot Program that authorizes select CCDs to offer a Bachelor of Science in Nursing degree. AB 2104 is pending referral in the Senate Rules Committee.

AB 927 (Medina and Choi, Chapter 565, Statutes of 2021), removed the cap on the total number of baccalaureate degree programs allowed within the CCC system and eliminates the January 1, 2027 sunset date of the statewide baccalaureate degree pilot program, thereby permanently authorizing the offering of baccalaureate degree programs at CCCs.

SB 874 (Hill, 2020), would have extended the operation of the statewide baccalaureate degree pilot program indefinitely. The bill would have removed the requirements that the program consist of a maximum of 15 CCD programs and for a student to commence a program by the end of the 2022–23 academic year. SB 874 was held in the Senate Committee on Education due to bill restrictions from COVID-19.

SB 769 (Hill, 2017), would have extended the operation of the statewide baccalaureate degree pilot program until July 1, 2028. SB 769 was held in the Assembly Committee on Appropriations.

SB 850 (Block, Chapter 747, Statutes of 2014) authorizes the BOG of the CCC, in consultation with the CSU and the UC, to establish baccalaureate degree pilot programs, at up to 15 CCDs, with one baccalaureate degree program each, as specified, to be determined by the CCC Chancellor's Office.

AB 661 (Block, 2011) authorized Grossmont-Cuyamaca and the San Mateo CCD to offer one baccalaureate degree pilot program per campus.

AB 2400 (Block, 2010) authorized the San Diego, Grossmont-Cuyamaca and San Mateo Community College districts to establish baccalaureate degree pilot programs. No vote was taken and AB 2400 was held in the Assembly Higher Education Committee.

SUPPORT

None received

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2053	Hearing Date:	May 29, 2024
Author:	Mathis		
Version:	February 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil instruction: abusive relationships.

SUMMARY

This bill requires that instruction about adolescent relationship abuse and intimate partner violence include, within the California Healthy Youth Act (CHYA), the resources available to students related to adolescent relationship abuse and intimate partner violence, include the National Domestic Violence Hotline and local domestic violence hotlines that provide confidential support services for students that have experienced domestic violence or stalking, and that are available by telephone 24 hours a day.

BACKGROUND

Existing law:

Education Code (EC)

- 1) Ensures pupils in grades 7 to 12 receive instruction, once in junior high or middle school and once in high school, about adolescent relationship abuse and intimate partner violence, including the early warning signs, among other things required under the CHYA. (EC § 51934)
- 2) Requires, commencing October 1, 2020, a public school, including a charter school, or a private school, that serves pupils in any of grades 7 to 12, inclusive, and that issues pupil identification cards shall have printed on either side of the pupil identification cards the telephone number for the National Domestic Violence Hotline. (EC § 215.5 (a)(2))
- 3) Requires when the Health Framework for California Public Schools (Health Framework) is next revised after January 1, 2016, the Instructional Quality Commission (IQC) to include comprehensive information for grades 9 to 12, inclusive, on sexual harassment and violence that includes, but is not limited to, all of the following:
 - a) Information on different forms of sexual harassment and violence, including instances among peers and in a dating relationship; a discussion of prevention strategies; how pupils report sexual harassment and violence; and potential resources victims can access.
 - b) Discuss the affirmative consent standard and pupils' skills to establish boundaries in peer and dating relationships.

- c) Discuss legal aspects of sexual harassment and violence under state and federal law. (EC § 33544)
- 4) Requires when the Health Framework is next revised after January 1, 2015, the Instructional Quality Commission (IQC) to consider including a distinct category on sexual abuse and sex trafficking prevention education that includes, but is not limited to, all of the following:
 - a) Information on different forms of sexual abuse and assault; discussion of prevention strategies; how to report sexual abuse or suspected sexual abuse; and local resources for victims.
 - b) Discuss healthy boundaries for relationships, how to recognize potentially harmful and abusive relationships, and refusal skills to overcome peer pressure and avoid high-risk activities.
 - c) Information on sex trafficking and risk factors; the recruiting tactics of sex traffickers and peer recruiters, including online recruitment; how to report sex trafficking or suspected sex trafficking; and local resources for victims.
 - d) Discuss legal aspects of sexual abuse and sex trafficking under state and federal laws.
 - e) Discuss how culture and mass media influence and desensitize our perceptions of sexual abuse and sex trafficking, including, but not limited to, stereotypes and myths about the victims and abusers, victim blaming, and the role of language. This instruction shall emphasize compassion for people who have suffered from sexual abuse or sex trafficking and support positive reentry experiences for survivors returning to school. (EC § 33545)

ANALYSIS

This bill requires that instruction about adolescent relationship abuse and intimate partner violence include, within the CHYA, the resources available to students related to adolescent relationship abuse and intimate partner violence, include the National Domestic Violence Hotline and local domestic violence hotlines that provide confidential support services for students that have experienced domestic violence or stalking, and that are available by telephone 24 hours a day.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 2053 is bipartisan measure to address a rising issue facing many students, and ensures that the most vulnerable and susceptible students are provided with the resources to break a cycle of abuse and receive the treatment, support and care that they need and deserve.”
- 2) ***The Dangers of Teenage Dating.*** Teen dating violence is a primary adolescent health concern. Youths ages 16 to 24 experience the highest per capita rate of intimate partner violence of any age group—a rate nearly triple the national average.

Younger adolescents are also at risk. A recent study found significant levels of abusive behavior between ages 11 to 14 in dating relationships, and teens report that abusive behavior increases dramatically in the later teen years. According to the U.S Department of Education:

- a) Research shows that about one in three U.S. teens ages 14 to 20 have been victims of dating violence, and about the same number say they have committed relationship violence themselves.
- b) Nationwide, 12 percent of 9th-12th grade girls have been physically forced to have sexual intercourse when they did not want to.
- c) One in six women was raped before age 25; 42 percent of female rape victims were first raped before age 18.
- d) 19 percent of young women report experiencing completed or attempted sexual assault since entering college.
- e) 43 percent of college women report experiencing violent and abusive dating behaviors, including physical, sexual, verbal, and controlling abuse. 22 percent have been the victim of physical abuse, sexual abuse, or threats of physical violence.

Adolescence is critical in developing lifelong behaviors, attitudes, and expectations about intimate relationships. Teens in abusive relationships are likelier to be in abusive relationships than adults. Teen dating violence is associated with an increased risk of substance use, unhealthy weight control behaviors, sexual risk behaviors, pregnancy, and suicide. Without adequate information and support, teens will likely continue the cycle of violence in their adult lives. By preventing and intervening in abusive relationships in adolescence, we can help ensure a healthier future for our youth. Adolescence is crucial to reinforcing attitudes about equality and respect in relationships.

- 3) ***Teen Dating Violence Prevention in California Health Education Content Standards and Health Framework.*** In 2005, Governor Schwarzenegger signed AB 689 (Nava, Chapter 645, Statutes of 2005), which required the State Board of Education (SBE), based on recommendations from the State Superintendent of Public Instruction, to adopt content standards for health education. The SBE adopted Health Education Framework content standards in 2008 related to teen dating violence

Grade Level	Content Standards
Grades 7 & 8	<ul style="list-style-type: none"> • Use a decision-making process to examine risky social and dating situations. (5.1.S) • Apply a decision-making process to avoid potentially dangerous situations, such as gang activities, violence in dating, and other social situations. (5.2.S)

	<ul style="list-style-type: none"> • Demonstrate skills to avoid or escape from potentially violent situations, including dating. (7.5.M)
Grades 9-12	<ul style="list-style-type: none"> • Discuss the characteristics of healthy relationships, dating, committed relationships, and marriage. (1.3.G) • Demonstrate effective communication skills within healthy dating relationships. (4.3.G) • Recognize potentially harmful or abusive relationships, including dangerous dating situations. (1.2.S)

The *Health Education Framework*, adopted by the SBE in 2019, is aligned with the 2008 *California Health Education Content Standards*, which support the development of knowledge, skills, and attitudes in overarching standards, including teen dating violence. Chapter 5 of the Health Education Framework introduced to students in grades 7 and 8 the importance of understanding the relationship between dating violence, sexual assault, child sexual abuse, and sex trafficking. These chapters provide educators with examples and scenarios of teen dating violence, sexual assault, or child abuse. Chapter 6 builds on Chapter 5 as students in grades 9 to 12 learn about different forms of abuse that may occur in a teen relationship (such as physical, emotional, sexual, financial, spiritual, and technological) are led in discussions about the right to refuse sexual contact, including in dating relationships, long-term relationships, and marriage, and in making positive and healthful choices.

4) ***Student Identification Cards – Domestic Violence Hotline Telephone Number.*** In 2019, the Legislature passed SB 316 (Rubio, Chapter 270, Statutes of 2019), which required public schools, including charter schools, that serve pupils in any of grades 9 to 12, inclusive, that issue pupil or student identification cards, to print the telephone number for the National Domestic Violence Hotline on the back of those identification cards, among other requirements.

5) ***Related Legislation.***

AB 1071 (Hoover, Chapter 65, Statutes of 2023) requires the California Department of Education to post on its website resources on teen dating violence prevention, local and national hotlines and services for youth experiencing teen dating violence, and other relevant sources for parents, guardians, and other caretakers of pupils.

SB 316 (Rubio, Chapter 270, Statutes of 2019) requires public schools, including charter schools, that serve pupils in any of grades 9 to 12, inclusive, that issue pupil or student identification cards, to print the telephone number for the National Domestic Violence Hotline on the back of those identification cards; and (2) requires public or private institutions of higher education, that issue pupil or student identification cards, to print the telephone number for the National Domestic Violence Hotline or a local domestic violence hotline that provides confidential support services for students that have experienced domestic violence or stalking and is available by telephone 24 hours a day on back of those identification cards.

SB 1435 (Jackson, Chapter 633, Statutes of 2016) requires that when the Health Framework is revised after January 1, 2017, the IQC should consider including comprehensive information for kindergarten and grades 1 to 8, including developing healthy relationships, as specified.

SB 1165 (Mitchell & Block, Chapter 713, Statutes of 2014) required the IQC to consider including sexual abuse and sex trafficking prevention education in the Health Framework and permits a school district to provide sexual abuse and sex trafficking prevention education, as specified.

SB 695 (De Leon & Jackson, Chapter 424, Statutes of 2015) requires the IQC to consider adding content to the Health Framework for grades 9-12 on sexual harassment and violence, including the affirmative consent standard and requires school districts that require a health course for graduation to provide instruction on these topics.

AB 689 (Nava, Chapter 645, Statutes of 2005) required the SBE to adopt content standards in the health education curriculum by March 1, 2008.

SUPPORT

California Council of Community Behavioral Health Agencies (Sponsor)
American College of Obstetricians and Gynecologists District IX
Asian Americans for Community Involvement
Equality California

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2173	Hearing Date:	May 29, 2024
Author:	Addis		
Version:	February 7, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Special education: emotional disability.

SUMMARY

This bill provides that the term “emotional disturbance,” as defined in federal law and used throughout state law related to special education services, may also be known as “emotional disability”.

BACKGROUND

Existing law:

- 1) Establishes the federal Individuals with Disabilities Educational Act (IDEA), which requires that eligible children receive a free, appropriate public education (FAPE) in the least restrictive environment (LRE), and that eligible children receive special education and related services.
- 2) Establishes, in IDEA, 13 disability categories entitling students to rights under the law, including a category of “emotional disturbance.”
- 3) Defines, in the federal IDEA, in state law for children birth to age 3 and in other references, and in state regulations for students age 3 through 21, “emotional disturbance” to mean a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - a) An inability to learn that cannot be explained by an intellectual, sensory, or health factor;
 - b) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
 - c) Inappropriate types of behavior or feelings under normal circumstances;
 - d) A general pervasive mood of unhappiness or depression;
 - e) A tendency to develop physical symptoms or fears associated with personal or school problems; and

- f) States that emotional disturbance includes schizophrenia and does not apply to children who are socially maladjusted.
- 4) Defines “children with severe disabilities” to mean children with exceptional needs from birth to 21 years of age, inclusive, with profound disabilities to include those with serious emotional disturbances.
- 5) Identifies, in state regulations, which credentials authorize teachers to serve students with emotional disturbance.

ANALYSIS

This bill provides that the term “emotional disturbance,” as defined in federal law and used throughout state law related to special education services, may also be known as “emotional disability.”

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “No child should be told that they are ‘emotionally disturbed.’ This outdated and inappropriate term stigmatizes students from the moment they enter the special education system, decreasing access to important services. AB 2173 is a simple fix that eliminates confusion while maintaining compliance with federal standards.”
- 2) ***Introducing “Emotional Disability” in State Law without Changing Eligibility Criteria.*** This bill aims to substitute the term "emotional disturbance" with "emotional disability" within state law while keeping the criteria for accessing services unchanged under both state and federal laws. Since the term "emotional disability" is rooted in federal legislation, a direct alteration of the category name isn't feasible. However, allowing the use of an alternative term, with an equivalent definition, within state regulations is possible.
- 3) ***Emotional Disturbance Label Viewed as Stigmatizing.*** Research confirms that the term “emotionally disturbed” is often viewed as stigmatizing by parents and educators. One study reports:

The term ‘emotional disturbance’ (ED) has been a source of controversy in the United States since its introduction in 1975 (as part of legislation, the Education for All Handicapped Children Act). The lack of connection to diagnostic criteria and the stigma attached to the term have been associated with its criticism from a broad and diverse range of stakeholder groups, including young people, families, researchers, educators, and mental health professionals. (Walker, 2011)

- 4) ***Study Finds “Emotional Disability” is a Preferred Term Among Students.*** A 2011 study (Walker, 2011) reported on a survey conducted of educators, clinicians, family advocates, families, and young people in Maryland to assess the preferred terminology to describe emotional disturbance. The term with the greatest frequency of endorsement (30%) was “emotional/behavioral disability,

with the exception of students, who preferred ‘emotional or behavioral disorder’ (30%) or ‘emotional disability’ (30%). (Walker, 2011)

- 5) ***Stigma May Deter Parents From Seeking Eligibility for Services.*** According to materials provided by the author from the San Diego Volunteer Lawyer Program, the term emotional disturbance can negatively impact the identification of students for support in a variety of ways:

Because California regulations list the category as ‘emotional disturbance, there is no avoiding the term for a special education team. The evaluating school psychologist must review the legal definition with parents at an initial assessment, and if they agree to services, emotional disturbance’ will appear on the front page of their child’s individualized educational plan (IEP) for the rest of their school career.

In addition, the term hampers the participation of youth in the IEP process. Despite best practices encouraging the inclusion and active participation of students in their own IEP meetings, teachers and guardians are often hesitant to include the youth when they know ‘emotional disturbance’ is going to be discussed.

‘Emotional Disturbance’ may also cause underidentification of qualifying students. First, school staff may be unwilling to propose emotional disturbance eligibility out of concern that it will follow a student for the rest of their education and potentially bias future teachers against them...Fears of labeling are understandable, but failure to qualify a student who may need it can block future services and deny a student legal protections.

The term also can create a misleading perception regarding what is required to qualify under this category. While emotional disturbance’s legal definition includes mild mental health issues like ‘a general pervasive mood of unhappiness or depression’ which affects a student’s educational performance, the term itself evokes images of violent or psychotic behavior. However, it is well established that ‘emotional disturbance’ can include common anxiety and depressive disorders if they significantly impact a student’s education.

- 6) ***Other States Have Changed This Label.*** An analysis conducted by the State Education Department of the State of New York in 2020 found that:
- a) The term “emotional disturbance” or “serious emotional disturbance” is used by 27 states;
 - b) “Emotional disability” or “serious emotional disability” is used by 12 states;
 - c) A variation of “emotional/behavioral disability or disorder” is used by 8 states;
 - d) “Emotional impairment” is used by 2 states;

- e) “Behavior disorder” is used by one state; and
- f) Two of the states that did not use “emotional disturbance” as their primary terminology, used this as a secondary descriptor.

The State of New York subsequently changed its label to “emotional disability” in 2022.

- 7) ***History of Problems with “Emotional Disturbance” Label.*** One study of the “emotional disturbance” label highlights concerns from its first use in federal law in 1977:

The federal definition of ED is based upon work carried out by Eli Bower in the 1960s as part of a California state-funded initiative aimed at “identifying California students who were in need of receiving services because of their severe behavioral and emotional problems.” (Bower, 1981, pp. 115–6; Merrell & Walker, 2004).

Bower’s terminology and definition were accepted into Public Law 94–142 (IDEA, 1977), which provided overall guidance on school-based services for young people with disabilities, with few edits. Exceptions were the addition of the ‘social maladjustment clause’ (which excludes some acting-out young people from receiving the label and special education services) and the title, which was altered to ‘emotional disturbance’ instead of ‘emotional handicap.’ Merrell and Walker (2004) remark that Bower’s definition had a foundational influence in its attempt to conceptualize mental health disorders in young people and its impact on learning at the time of its introduction in the 1960s. In 1977, Hallahan and Kauffman argued that the ED term and definition were problematic along a number of dimensions, and failed to provide clear behavioral markers to assist with relevant decision making, for example on whether a ‘disability’ was actually present.

Concern was also expressed that the definition relied heavily on adult perception, and that a child or adolescent is considered disturbed ‘when an adult authority says he is.’ Gruttadaro (2004) concurred that the ED label is set apart from other special education categories by its lack of connection to psychiatric terminology and/or diagnostic criteria, and that it is, instead, assigned on the basis of adult observation of student behavior. This lack of adherence to specific, definable criteria (such as test scores and standardized observational measures) creates an opportunity for wide variation between professionals, school districts, and schools regarding how the term ED is actually applied and how students are classified for services. While the term ED is commonly used by educators, it lacks meaning for mental health professionals, as ED is not a diagnostic category within the psychiatric nomenclature, such as that used in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition.

Even with the changes in IDEA 1997 and 2004, many of the early concerns expressed by Hallahan and Kauffman (1977) still remain. The

current definition of ED as defined in IDEA 2004 continues to be associated with ambiguity and confusion.

- 8) **Arguments in Support.** The Coalition for Adequate Funding for Special Education writes, “Over the years, the term emotional disturbance has been criticized for inappropriately stigmatizing children, especially young children. In some instances, parents have opposed classification and the receipt of special education services simply to avoid the ‘emotional disturbance’ label.

“AB 2173 would permit California to use the less offensive term ‘emotional disability’ in state law while at the same time ensuring compliance with the IDEA, which still uses the term “emotional disturbance’ in federal statute.”

SUPPORT

- SELPA Administrators of California (Sponsor)
- ABC Special Education Local Plan Area
- ABC Unified School District
- Antelope Valley SELPA
- Association of California School Administrators
- California Association of School Psychologists
- California Charter Schools Association
- California County Superintendents
- California Federation of Teachers
- California Teachers Association
- Coalition for Adequate Funding for Special Education
- Educate. Advocate.
- Foothill SELPA
- Fresno County SELPA
- Los Angeles County Office of Education
- Los Angeles Unified School District
- Office of the Riverside County Superintendent of Schools
- Santa Barbara County Special Education Local Plan Area
- Seneca Family of Agencies
- Solano County SELPA
- Southwest Special Education Local Plan Area
- Tehama County Special Education Local Plan Area
- Tri-City SELPA
- Yuba County SELPA

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2179	Hearing Date:	May 29, 2024
Author:	Davies		
Version:	April 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Pupil services: local apprenticeship programs and preapprenticeship programs: notification of parents or guardians.

SUMMARY

This bill requires a school district, as part of its annual notification process, to provide information on local apprenticeship and preapprenticeship programs to the parents or guardians of pupils in grades 11 and 12.

BACKGROUND

Existing law:

- 1) Requires that work experience education be consistent with standards established by the California Apprenticeship Council or the Division of Apprenticeship Standards (DAS) of the Department of Industrial Relations (DIR).
- 2) Requires the Chancellor of the California Community Colleges (CCCC) to be responsible for allocating funds for apprenticeship programs in good standing for the secondary education system.
- 3) Requires the Chancellor and the Division of Apprenticeship Standards of the DIR, in consultation with the Superintendent of Public Instruction (SPI), to jointly develop a model format for agreements between apprenticeship programs and local educational agencies (LEAs) for instruction.
- 4) Defines an “apprenticeship training program” as a comprehensive plan containing, among other things, apprenticeship program standards, program regulations, related and supplemental instruction course outlines, and policy statements for the effective administration of that apprenticeship training program.
- 5) Defines a “pre-apprenticeship program” as a structured plan of training and studies based on industry standards that is designed to prepare individuals with the skills and competencies needed to enter an approved apprenticeship training program.
- 6) Urges the governing board of a school district to provide access to a comprehensive educational counseling program for all students enrolled in the school district, and among other duties, requires that educational counseling

include high-quality career programs at all grade levels for students, in which students are assisted in doing the following:

- a) Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition;
 - b) Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success;
 - c) Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on the quality of life;
 - d) Understanding the relationship between academic achievement and career success, and the importance of maximizing career options;
 - e) Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the United States Department of Labor offering free education and vocational training to pupils, known as "Job Corps," the California Conservation Corps, work-based learning, industry certifications, college preparation and credit, and employment opportunities;
 - f) Understanding the need to develop essential employable skills and work habits; and
 - g) Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test.
- 7) Requires the governing boards of school districts to notify parents and guardians of minor pupils of specified items at the beginning of the first semester or quarter of the regular school term.

ANALYSIS

This bill requires a school district, as part of its annual notification process, to provide information on local apprenticeship and preapprenticeship programs to the parents or guardians of pupils in grades 11 and 12. The bill also requires a school district to include a link to the Division of Apprenticeship Standards' apprenticeship database on its website. Specifically, the bill requires a school district to use the database of registered program sponsors provided on the Division of Apprenticeship Standards' website.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Apprenticeships have the opportunity to offer students of every background the chance for a steady and stable job in a number of growing fields. Many of these experiences lead to well-paying careers. California should be at the forefront when it comes to recruiting and teaching students about local opportunities located near them. AB 2179 is a common-sense measure to ensure our schools are providing information to our students about apprenticeship opportunities available to them.”

- 2) ***Apprenticeship in California.*** Apprenticeship is a system of training in a trade or profession that combines both classroom study and on-the-job training. The DAS within the DIR administers California apprenticeship law and establishes apprenticeship standards for wages, hours, working conditions, and the specific skills required for state certification as a journey person in an apprenticeable occupation. It promotes apprenticeship training, consults with program sponsors, and monitors programs to ensure high standards for on-the-job training and supplemental classroom instruction. DAS has a new Business Engagement Team to particularly address the needs of non-traditional industries seeking to develop new programs.

The number of apprentices in California has increased dramatically in recent years in tandem with the state’s economic growth. Governor Newsom set a goal of serving 500,000 apprentices by 2029. According to the DIR, there are currently 90,283 registered apprentices and 1,295 registered trainees.

- 3) ***Pre-apprenticeship programs.*** According to the DIR, registered pre-apprenticeship programs prepare individuals to enter and succeed in registered apprenticeship programs, and must be formally associated with at least one DAS registered apprenticeship program sponsor. They expand the participant’s career pathway opportunities with industry-based training coupled with classroom instruction. There are currently 1,777 registered pre-apprentices in California.

- 4) ***Arguments in support.*** The Sheet Metal Workers’ Local Union No. 104 writes: “Our Union represents over 10,000 members and we currently have over 1,000 apprentices active in our programs throughout Northern California training the next generation of Union Sheet Metal Workers at our state-of-the-art training facilities. Through apprenticeship, our members have developed both a pathway to the middle class and valuable skills to make them the best qualified workforce in the country.

“As of February 2024, the state of California has 91,420 apprentices and this figure leads the nation. The premise of this bill is nothing new. In fact, Governor Newsom understands the importance of apprenticeships and growing our workforce. That is why he has set out on an ambitious goal for California to spend millions of dollars recruiting new apprentices for a statewide goal of 500,000 apprentices by 2029. AB 2179 merely helps achieve this goal.

Sheet Metal Workers' Local Union No. 104 supports this measure because there's a need to provide students with alternatives to college that can be lucrative and fulfilling. With our average age in our apprenticeship being 29 years old, there's a clear need for additional education about apprenticeships in grades 11 and 12 so younger people are shown the value of choosing a Division of Apprenticeship Standards program as a viable career path to provide them a fulfilling life."

SUPPORT

Associated General Contractors of California
California Community Colleges Chancellor's Office
California Federation of Teachers
California Legislative Conference of Plumbing, Heating & Piping Industry
California State Association of Electrical Workers
California State Pipe Trades Council
National Electrical Contractors Association
Northern California Allied Trades
Plumbing-Heating-Cooling Contractors Association of California
Southern California Glass Management Association
United Contractors
Wall and Ceiling Alliance
Western Electrical Contractors Association
Western Painting and Coating Contractors Association
Western States Council Sheet Metal, Air, Rail and Transportation
Western Wall and Ceiling Contractors Association

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2268	Hearing Date:	May 29, 2024
Author:	Muratsuchi		
Version:	May 8, 2024		
Urgency:	Yes	Fiscal:	No
Consultant:	Olgalilia Ramirez		

Subject: English learners: initial identification: English language proficiency assessment.

SUMMARY

This bill, an urgency measure, exempts students in transitional kindergarten (TK) from being assessed for English language development using the English Language Proficiency Assessments for California (ELPAC). It further excludes students in TK from being assessed for initial identification as an English learner upon their initial enrollment.

BACKGROUND

Existing law:

State law

- 1) Requires each school district, and to the extent required by federal law each county office of education (COE) and each charter school, to assess the English language development of each student in order to determine the level of proficiency. (Education Code (EC) § 313)
- 2) Requires the assessment to be conducted upon initial enrollment, and annually, thereafter, during a period of time determined by the Superintendent of Public Instruction (SPI) and the State Board of Education (SBE), and until the student is redesignated as English proficient. (EC § 313)
- 3) Requires the assessment to primarily utilize the English language development test identified or developed by the SPI. (EC § 313)
- 4) Requires, subject to the approval of the U.S. Department of Education (USDOE) that the assessment for initial identification be conducted upon the initial enrollment of a student in order to provide information to be used to determine if the student is an English learner. (EC § 313)
- 5) Requires that these assessments be conducted in a manner consistent with federal statutes and regulations. (EC § 313)
- 6) Requires the SPI to review existing assessments that assess the English language development of students whose primary language is a language other than English, and requires that the assessment for initial identification and the summative assessment include, but not be limited to, an assessment of

achievement of these students in English reading, speaking, and written skills. Requires the SPI to explore the option of a collaborative effort with other states to develop an assessment or series of assessments and share assessment development costs. (EC § 60810)

- 7) Requires that students in kindergarten and grade 1 be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. (EC § 60810)
- 8) Requires that, in the development and administration of the assessment for students in kindergarten and grade 1, the California Department of Education (CDE) minimize any additional assessment time, to the extent possible. To the extent that it is technically possible, items that are used to assess listening and speaking shall be used to measure early literacy skills. (EC § 60810)
- 9) Requires the CDE to ensure that the assessment and procedures for its administration are age and developmentally appropriate. States that age and developmentally appropriate procedures for administration may include, but are not limited to, one-on-one administration, a small group setting, and orally responding or circling a response to a question. (EC § 60810)
- 10) Requires that the initial and summative assessments, among other requirements:
 - a) Have psychometric properties of reliability and validity deemed adequate by technical experts.
 - b) Be aligned with the standards for English language development adopted by the SBE.
 - c) Be age and developmentally appropriate for students. (EC § 60810)
- 11) Defines long term English learner (LTEL) to mean a student who:
 - a) Is enrolled in any of grades 6 to 12, inclusive.
 - b) Has been enrolled in schools in the United States for six years or more.
 - c) Has remained at the same English language proficiency level for two or more consecutive prior years, or has regressed to a lower English language proficiency level, as determined by the English language development test identified or developed pursuant to Section 60810, or a score determined by the Superintendent on any successor test.
 - d) For a student in any of grades 6 to 9, inclusive, has scored far below basic or below basic on the prior year's English language arts standards-based achievement test. (EC § 313.1)
- 12) Requires the SPI to develop procedures for California State Preschool Program (CSPP) contractors to identify and report data on dual language learners enrolled in a CSPP, and requires those procedures to include, at a minimum:

- a) The distribution and collection of a completed family language instrument developed by the SPI from a parent or guardian of each child enrolled in a preschool program no later than upon enrollment. Requires, at a minimum, that the family language instrument be able to identify which languages the child is exposed to in the child's home and community environment, which languages the child understands, and which languages the child is able to speak.
- b) Criteria for state preschool contractors to use to accurately identify dual language learners enrolled in their preschool programs based on the information collected from the family language instrument and criteria for the family language and interest interview. (EC § 8241.5)

Federal law

- 13) Defines "English learner" to mean an individual who:
 - a) Is age 3 through 21.
 - b) Is enrolled or preparing to enroll in an elementary school or secondary school.
 - c) Was not born in the United States or whose native language is a language other than English;
 - i) Is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - ii) Comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - iii) Is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
 - d) Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
 - i) The ability to meet the challenging state academic standards;
 - ii) The ability to successfully achieve in classrooms where the language of instruction is English; or
 - iii) The opportunity to participate fully in society. (Title 20, USC 7801)
- 14) Requires that each state plan demonstrate that local educational agencies (LEAs) in the state will provide for an annual assessment of English proficiency of all English learners; and requires that the assessments be aligned with the state's English language proficiency standards. (Title 20, USC § 6311(b)(2)(G))

- 15) Requires that each state plan contain assurances that the state has appropriate procedures and safeguards in place to ensure the validity of the assessment process. (Title 20, USC § 6311 b2g2I)
- 16) Requires each LEA to use such assessment to assess annually the English language proficiency, including reading, writing, speaking, and listening skills, of all English learners in kindergarten through grade 12 in schools served by the LEA. Requires that the assessment:
 - a) Be aligned with the state's English language proficiency standards;
 - b) Be developed and used consistent with the requirements that the assessment be valid and accessible for use by all students, including those with disabilities and English learners; and
 - c) Provide coherent and timely information about each student's attainment of the state's English language proficiency standards to parents. (Title 34, USC § 200.6)
- 17) Requires state plans to demonstrate that the state has adopted English language proficiency standards that:
 - a) Are derived from the 4 recognized domains of speaking, listening, reading, and writing;
 - b) Address the different proficiency levels of English learners; and
 - c) Are aligned with the challenging state academic standards. (Title 20 USC § 6311 b(1)(F))
- 18) Requires that state plans describe how the state will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the state, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the state. (Title 20 USC § 6823)
- 19) Defines TK to mean the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. (EC § 48000)
- 20) Requires that, starting with the 2025-26 school year, a child who will have their fourth birthday by September 1 be admitted to a TK program. (EC § 48000)

ANALYSIS

This bill:

- 1) An urgency measure, exempts students in TK from being assessed for English language development using the ELPAC.
- 2) Exempts students in TK from being assessed for initial identification as an English learner upon initial enrollment.
- 3) States a number of findings and declarations related to the identification and assessment of English learners and to ensuring assessments are developmentally appropriate for students in transitional kindergarten.
- 4) Includes an urgency clause in order to implement changes before the 2024-25 school year.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “High quality early education is a critical investment in the future of our students and our state. California’s decision to fund universal pre-kindergarten was a monumental achievement, which will improve the lives of our children for generations to come. One unintended consequence of this laudable policy is that our youngest students are being assessed and classified as English learners using an assessment, which was not designed for them. This assessment, the ELPAC, is an important instrument, but it is not developmentally appropriate, and has not been proven valid and reliable for use with all four-year-olds, as required by state and federal law.

‘For some time, educators around the state have expressed frustration with this requirement, reporting that the assessment does not yield useful information about children’s language proficiency, and that it causes some children considerable distress. Research suggests that this practice is leading to an over-identification of our 4-year-olds as English learners. This trend may accelerate as younger 4-year-olds enroll in TK.

‘AB 2268 is intended to help the state course-correct and ensure that our children are not inappropriately assessed, so they can receive instruction and support based upon their true learning needs.’”

- 2) **ELPAC.** Federal law requires that states assess students for English language proficiency starting in kindergarten, which typically means children who are five years old. The ELPAC is California’s statewide test for English language proficiency, designed for students in kindergarten through grade twelve. The initial ELPAC is given to students who are enrolling in California schools for the first time and whose primary language is not English, as reported by their parents on the home language survey. Students are classified as English learners based on their initial ELPAC results. The summative ELPAC is administered each year thereafter to assess English learners’ progress in developing their English language skills in listening, speaking, reading, and writing. The summative assessment is also used to determine whether an English learner is ready for reclassification as proficient in English. According to information provided by the author’s office in other states, the federal assessment requirement results in

students being assessed in kindergarten, at five years old. But because California law defines TK to mean the first year of a two-year kindergarten program, the current interpretation of the requirement is to assess students for English language proficiency starting in TK. This bill seeks to exempt students from having to take the ELPAC in TK at an earlier stage than originally intended. The assessment of eligible student would occur upon their entry into kindergarten.

- 3) **TK expansion.** As mentioned, current state law defines TK as the first year of a two-year kindergarten program. The enrollment of younger four-year-olds eligible to attend TK will expand to include all four-year-olds during the 2025-26 school year. The expansion phases in two months of eligible birthdates each year commencing with the 2022-23 school year and ending in the 2025-26 school. TK expansion of younger four-year-olds in K-12 education, along with current statutory requirements to assess and classify English learners using the ELPAC as early as kindergarten and, by extension, including TK, has raised concerns about whether the assessment is developmentally appropriate for four-year-olds. Students at this age are considered dual language learners. This bill includes an urgency clause that would enable the ELPAC exemption to take effect before the next phase of TK expansion.
- 4) **Impact on TK students.** Using an assessment that is not suitable for the developmental stage of four-year-olds may result in their misidentification as English learners or English proficient. The PPIC, in their report, *Assessing Transitional Kindergarten's Impact on Elementary School Trajectories (2023)*, analyzed the English learner identification patterns among 90,000 TK students enrolled in five large districts from 2014-15 through 2020-21, and found "stark differences in the timing of English learner identification and reclassification due to TK." The report's key findings that are relevant to the provisions in this bill include the following:
 - a) Some students are identified in TK who would never have been identified had they started elementary school in kindergarten.
 - b) Nearly 40 percent of students who enrolled in TK were classified as English learners in TK and kindergarten, compared to under 30 percent of kindergarteners who did not enroll in TK.
 - c) When the effect of TK on English learner status is broken down by grade, TK assessment leads to an increased likelihood of being classified as an English learner in kindergarten.
 - d) Overall, TK students are classified as English learners for about 40 percent of an academic year longer than their non-TK counterparts.
 - e) Students who enroll in TK are both identified earlier and are more likely to ever be English learners with a higher likelihood of being English learners in kindergarten for students who enroll in TK versus those who do not.

- f) TK students identified as English learners also reclassify earlier. According to the report, this is likely due to misidentification as a result of being in TK, and some of the students identified in TK would have never been identified had they started elementary school in kindergarten.
- 5) **How would TK students' language needs be met without English learner classification?** According to the Assembly Education Committee analysis, "ELD support is provided to TK students in several ways. Parents share information about their home languages through the required administration of the home language survey that identifies when they are exposed to or speak a home language other than English. Teachers are required to support the academic development of their students in alignment with state standards and curricula, which includes supporting their English language development needs. The state is currently revising the Preschool/Transitional Kindergarten Learning Foundations, which will have a strong focus on supporting English and home language development of children in TK settings. Finally, TK teachers and other classroom staff build relationships with their students and families that are often more instructive about their students' needs than a standardized assessment."

SUPPORT

California Association for Bilingual Education (Co-Sponsor)
 Californians Together (Co-Sponsor)
 Early Edge California (Co-Sponsor)
 Asian Americans Advancing Justice Southern California
 Association of California School Administrators
 Association of Two-way Dual Language Education
 California Association of School Business Officials
 California Democratic Party
 California Federation of Teachers
 California Teachers Association
 Kern County Superintendent of Schools Office
 Kidango
 Los Angeles County Office of Education
 Office of the Riverside County Superintendent of Schools
 Riverside County Public K-12 School District Superintendents
 Small School Districts Association
 Sobrato Early Academic Language
 The Children's Partnership
 The Education Trust - West
 Unite-LA

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2345	Hearing Date:	May 29, 2024
Author:	Jim Patterson		
Version:	April 1, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Short-term staff permits: provisional intern permits: teaching permits for statutory leave: designated subjects career technical education teaching credentials: cardiopulmonary resuscitation (CPR) certification.

SUMMARY

This bill requires a new applicant for a career technical education teaching (CTE) credential to hold a certification in CPR and prohibits a school from hiring applicants for specified teaching permits who do not hold a certification in CPR.

BACKGROUND

Existing law:

- 1) Requires a program of professional preparation for multiple subject, single subject, and education specialist teaching credentials to provide experience that addresses CPR.
- 2) Requires training in CPR to meet the standards established by the American Heart Association or the American Red Cross.

ANALYSIS

This bill:

- 1) Adds certification in CPR that meets the standards established by the American Heart Association or the American Red Cross to the minimum requirements for the 3-year preliminary designated subjects career technical education teaching credential and the 5-year clear designated subjects career technical education teaching credential, commencing July 1, 2025.
- 2) Prohibits a school district, county office of education, charter school, or state special school from hiring any person for purposes of a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave unless that person has a certification in CPR that meets the standards established by the American Heart Association or the American Red Cross, commencing July 1, 2025.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “This bill addresses a crucial gap in our existing framework by requiring CPR certification, meeting specified standards, for individuals applying for short-term staff permits or provisional internship permits issued by the Commission on Teacher Credentialing (CTC). By advocating for this legislation, we will be contributing to a safer educational environment, ensuring that even in temporary roles, educators are adequately trained to provide life-saving assistance during emergencies.”
- 2) ***Cardiopulmonary resuscitation (CPR).*** According to the American Heart Association:

CPR is an emergency lifesaving procedure performed when the heart stops beating. Immediate CPR can double or triple chances of survival after cardiac arrest. Keeping the blood flow active – even partially – extends the opportunity for a successful resuscitation once trained medical staff arrive on site.

In one year alone, 475,000 Americans die from cardiac arrest. Globally, cardiac arrest claims more lives than colorectal cancer, breast cancer, prostate cancer, influenza, pneumonia, auto accidents, HIV, firearms, and house fires combined. More than 350,000 cardiac arrests occur outside of the hospital each year. In 2015, any-mention sudden cardiac arrest mortality in the US was 366,807. About 90 percent of people who experience an out-of-hospital cardiac arrest die.

The American Heart Association and American Red Cross establish standards for CPR that are regularly updated. Most CPR certification courses are valid for two years.

- 3) ***CPR Certification Requirement for Teaching.*** Among other duties, the CTC issues various teaching credentials to certify an individual has completed the qualifications necessary to be a teacher. One such credential is a CTE credential. In addition, CTC issues various teaching permits. Permits allow individuals to teach without credentials, typically for a shorter time and in emergency circumstances. A short-term staff permit allows an employing agency to fill an acute staffing need when the agency has made local recruitment efforts but could not find a credentialed teacher. A provisional internship permit allows an employing agency to fill an immediate staffing need by hiring an individual who has not yet met certain credentialing requirements needed to enter into a teaching intern program. A teaching permit for statutory leave allows an employing agency to fill a position where the teacher of record is unable to teach due to a statutory leave (such as medical leave) with a temporary teacher for the duration of the leave.

Current law requires most teaching credential applicants to hold a certification in CPR. Most CPR certifications are valid for two years. Current law does not require a teaching credential holder to renew their CPR certification once it has lapsed.

Current law does not require a CTE teacher to hold a CPR certification, nor does it require applicants for a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave to hold CPR certification. This bill would require a new applicant for CTE credentials to hold a certification in CPR and prohibit a school from hiring an applicant for a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave who does not hold a certification in CPR.

- 4) ***Arguments in support.*** Clovis Unified School District states, "Requiring CPR credentialing for these roles would not only add a layer of protection for our students and staff, but it would also better prepare those holding short-term/provisional internship roles for a career as fully credentialed educators. As Superintendent of a large school system, where on any given day we have dozens of individuals serving in temporary, short-term roles, I see the value in closing this gap and encourage you to support AB 2345."

SUPPORT

Clovis Unified School District

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 2630	Hearing Date:	May 29, 2024
Author:	Bonta		
Version:	February 14, 2024		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil health: oral health assessment.

NOTE: This bill has been referred to the Committees on Education and *Health*. A "do pass" motion should include referral to the Committee on *Health*.

SUMMARY

This bill expands the definition of "kindergarten" to include transitional kindergarten (TK) and requires proof of a student's oral health assessment upon first enrollment only once during a two-year kindergarten program.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires a pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school, to present proof, by May 31 of the school year, of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional, that was performed no earlier than 12 months before the date of the initial enrollment of the pupil. (EC § 49452.8 (a))
- 2) Allows a parent or legal guardian of a pupil to be excused if the oral health assessment could not be completed for the following reasons: completion of an assessment poses undue financial burden; lack of access to a licensed dentist or other licensed or registered dental health professional; or the parent or legal guardian does not consent to an assessment. (EC § 49452.8 (b))
- 3) Requires a public school to notify a parent or legal guardian of a pupil concerning the oral health assessment requirement by letter that includes such information as the importance of primary teeth, the importance of oral health to overall health and learning, a toll-free number to request an application for Medi-Cal or other government-subsidized health insurance program, contact information for county public health departments, and a privacy statement. (EC § 49452.8 (c))
- 4) Requires the California Department of Education (CDE), in consultation with the state dental director and interested persons, to develop and make available on its website a standardized notification form to be used by each school district, and including a section for the dental health professional performing the assessment to

record specified information, and a section for a parent or legal guardian to indicate a reason why an assessment could not be completed. (EC § 49452.8 (d))

- 5) Requires all school districts, upon receiving completed assessments, by July 1 of each year, to submit a report to the County Office of Education (COE) of the county in which the school district is located that includes information on the total number of pupils in the district who:
 - a) Are subject to the assessment requirement;
 - b) Present proof of an assessment;
 - c) Could not complete an assessment due to an undue financial burden;
 - d) Could not complete an assessment due to a lack of access to a dental health professional;
 - e) Could not complete an assessment because their parent or guardians did not consent to their child receiving the assessment;
 - f) Are assessed and found to have untreated decay; and
 - g) Do not return either the assessment form or the waiver request to the school. (EC § 49452.8 (e))

ANALYSIS

This bill:

- 1) Defines “Kindergarten” for the purposes of this bill to include both TK and kindergarten.
- 2) Clarifies that the requirement for proof of a student’s oral health assessment upon first enrollment, must only once during the two-year kindergarten program.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “The Kindergarten Oral Health Assessment (KOHA) was originally passed in 2006 to apply to students entering the public school system as kindergarteners (and in some cases 1st graders). Confusion about whether KOHA applies to students in transitional kindergarten is common among local educational agencies (LEAs) and local oral health programs working to collect KOHA forms and report KOHA data to the State Office of Oral Health. Given transitional kindergarten is becoming a primary entry point for students, clarity is needed about how to apply the KOHA requirement. Oral health issues, including dental decay, is the top reason for absenteeism. You can’t focus when your mouth is throbbing. AB 2630 will both clarify the current requirement and encourage earlier screening and intervention when a child is enrolled in TK, leading to fewer dental problems and less absenteeism related to these problems.”

- 2) **Oral Health: Gum Disease and Cavities.** The American Academy of Pediatrics (AAP) recommends dental screening as soon as teeth erupt and every year, or more, for young children through age 6. A growing body of evidence has linked oral health, particularly periodontal or gum disease, to several chronic diseases, including diabetes, heart disease, and stroke.

Gum Disease

According to the Mayo Clinic, gum disease (also known as periodontitis) is a serious gum infection that damages the soft tissue around teeth. In most cases, the development of gum disease starts with plaque when starches and sugars in food interact with bacteria commonly found in your mouth. Plaque can harden under your gumline into tartar if it stays on your teeth. Plaque can cause gingivitis, the mildest form of gum disease, ongoing gum irritation and swelling, called inflammation, can cause gum disease and tooth loss.

Periodontitis is common but can usually be prevented. The best way to prevent periodontitis is to get into the habit of taking good care of your mouth and teeth with good oral care, including brushing one's teeth for two minutes at least twice a day and flossing, and regular dental visits every 6 to 12 months.

Cavities

Cavities (also known as caries or tooth decay) are areas on the hard surface of your teeth that are damaged. These areas of tooth decay become tiny openings or holes that can lead to a serious toothache, infection, and tooth loss. There are several causes of cavities, including bacteria in your mouth, snacking a lot, sipping sugary drinks and not cleaning your teeth well. According to the Center for Disease Control and Prevention:

- More than half of children aged 6 to 8 have had a cavity in at least one of their baby (primary) teeth
- More than half of adolescents aged 12 to 19 have had a cavity in at least one of their permanent teeth
- Children aged 5 to 19 years from low-income families are twice as likely (25%) to have cavities, compared with children from higher-income households (11%).

Oral health is integral to general health. Fluoride varnish can prevent about one-third (33%) of cavities in the primary teeth. Children living in communities with fluoridated tap water have fewer cavities than children whose water is not fluoridated. Similarly, children who brush daily with fluoride toothpaste will have fewer cavities.

- 3) **Kindergarten Oral Health Assessment (KOHA).** KOHA is another way schools can help reduce dental disease in children through connecting children to a source of dental care, reduce chronic absenteeism, and improve school readiness.

In 2006, the Legislature passed AB 1433 (Emmerson, Chapter 413, Statutes of 2006), which requires a pupil attending a public school while in kindergarten or first

grade to present proof of having received an oral health assessment by a licensed dentist no earlier than 12 months prior to the date of the initial enrollment.

SB 379 (Atkins, Chapter 772, Statutes of 2017), provided school districts additional flexibility, by allowing districts to provide onsite screening and fulfill KOHA with consent, such that parents/guardians of students would need to notify the school that they do not want their child screened.

This bill clarifies that the requirement for proof of a student's oral health assessment upon first enrollment must occur once during the two-year kindergarten program.

4) Related Legislation.

SB 379 (Atkins, Chapter 772, Statutes of 2017) modifies oral health assessment requirements for pupils in public schools, including authorizing schools or school districts who host a free oral health assessment to provide an oral health assessment unless the parent or legal guardian opts out.

AB 1433 (Emmerson, Chapter 413, Statutes of 2006) requires a pupil attending a public school while in kindergarten or first grade to present proof, by May 31 of each year, of having received an oral health assessment by a licensed dentist no earlier than 12 months prior to the date of the initial enrollment, and requires public schools to send a notification of the assessment requirement to the parent of the pupil and to send a report, as specified, to the public health department of the county in which the school is located.

SUPPORT

Children Now (Sponsor)
California Dental Association
California Primary Care Association Advocates
California Teachers Association
Dientes Community Dental Care
Los Angeles County Office of Education
Oral Health Access Santa Cruz County
San Francisco Unified School District
The Los Angeles Trust for Children's Health

OPPOSITION

None received

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