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California State Senate

EDUCATION



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AGENDA

Wednesday, March 19, 2025
9 a.m. -- 1021 O Street, Room 2100

ADOPTION OF COMMITTEE RULES

ADOPTION OF CURRICULUM POLICY

MEASURES HEARD IN FILE ORDER

- | | | | |
|----|--------|---------|--|
| 1. | SB 60 | Seyarto | Public postsecondary education: waiver of tuition and fees: California Military Department GI Bill Award Program: extended education courses. |
| 2. | SB 67 | Seyarto | Student financial aid: Cal Grants: Middle Class Scholarship Program: eligibility: dependents of members of the armed services stationed outside of California. |
| 3. | SB 64 | Grove | Education expenses: School Choice Flex Account Act of 2025. |
| 4. | SB 399 | Niello | School districts: interdistrict transfers. |
| 5. | SB 33 | Cortese | Homeless pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program. |
| 6. | SB 316 | Reyes | High school pupils: voter registration. |
| 7. | SB 98 | Pérez | Elementary, secondary, and postsecondary education: immigration enforcement: notification. |
| 8. | SB 341 | Pérez | Instructional School Gardens Program: reestablishment: Department of Food and Agriculture. |

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 60	Hearing Date:	March 19, 2025
Author:	Seyarto		
Version:	January 8, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: waiver of tuition and fees: California
Military Department GI Bill Award Program: extended education courses.

NOTE: This bill has been referred to the Committees on Education and *Military and Veterans Affairs*. A “do pass” motion should include referral to the Committee on *Military and Veterans Affairs*.

SUMMARY

This bill prohibits the University of California (UC) and the California State University (CSU) from charging tuition or fees for extended education courses that count toward an undergraduate degree for dependents of service-injured military veterans, as well as for Medal of Honor recipients and their dependents. It also expands the uses of the California Military Department GI Bill award to cover fees associated with extended education courses that count toward an undergraduate degree at CSU or UC.

BACKGROUND

Existing federal law:

- 1) Establishes educational benefits for the spouse and children or both currently serving members of the Armed Forces of the United States and veterans, in such instances where the service member or veteran is permanently and totally disabled due to a service-connected disability, or died while on active duty or as a result of a service-connected disability. (38 U.S. Code Section 3500, et seq.)

Existing state law:

- 2) Authorizes the CSU and requires the California Community Colleges (CCC) to collect fees from students attending those postsecondary education institutions. (Education Code (EC) § 89700 and §76300)
- 3) Prohibits UC, CSU, and CCC from charging mandatory systemwide tuition or fees to specified students who apply for a waiver, including a child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the state poverty level. (EC § 66025.3, et seq.)

- 4) Further prohibits UC, CSU, and CCC from charging mandatory systemwide tuition or fees to the surviving spouse or child of a deceased law enforcement or fire suppression personnel, as specified, and the surviving dependent of any California resident killed in the September 11, 2001 attack, as specified. The fee waivers are limited to undergraduate students who meet the specified financial need requirements. (EC § 68120 and EC § 68121)
- 5) Provides that statutes related to UC (and most other aspects of the governance and operation of UC) are applicable only to the extent that the Regents of UC make such provisions applicable. (EC § 67400 and 68134)
- 6) Establishes the California Military Department GI Bill Award Program for persons who are active members of the California National Guard, the State Guard, or the Naval Militia to use toward obtaining a certificate, degree, or diploma. In order to qualify for an award, current law requires that the member agree to serve at least two years upon completion of the last academic period that the person uses educational assistance under the program and is required to complete their course of study within 10 years of initial acceptance into the program. Existing law also establishes the eligibility criteria for an award and specifies the qualifying institutions for which the award may be used. (EC § 69999.16)
- 7) Establishes various educational benefits for dependents of veterans who were killed during military service or are totally disabled, as specified; defines “dependent of a veteran” to include the spouse of a totally disabled veteran; and prohibits a dependent of a veteran from receiving these educational benefits during the time the dependent is entitled to receive specified federal educational benefits or duplicative assistance from any other government source. (Military and Veterans Code (MVC) § 890, et seq.)

ANALYSIS

This bill:

- 1) Prohibits the UC and the CSU from charging tuition or fees for extended education courses that count toward an undergraduate degree for dependents of service-injured military veterans, including veterans of the California National Guard and United States military as specified, as well as for Medal of Honor recipients and their dependents.
- 2) Expands the uses of the California Military Department GI Bill award to cover fees associated with extended education courses at a CSU or UC campus that count toward an undergraduate degree.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “We need to keep up with the changing landscape in education and the benefits military families receive to advance their quality of life. This is an easy way to show that continued support and provide clarification to the benefits these families deserve.”

- 2) **California Military Department GI Bill Award Program.** The California Military Department GI Bill Award Program is a state-funded grant for active service members in the California Military Department or the California Naval Militia. It is designed as an educational incentive to improve skills, competencies, and abilities for up to 1,000 service members (as the budget allows) to remain active. This grant is not based on financial need. Through an interagency agreement, the California Military Department authorized the California Student Aid Commission to process and disburse award payments. Students apply through the California Guard, and participants can receive up to the amount of the Cal Grant A award for attending UC or CSU, up to the Cal Grant B award for attending a community college, or up to the UC Cal Grant A amount for attending a non-public institution. According to information posted on the CalVet website, the CSU and the UC do not consider enrollment in most of their extended education programs to be the equivalent of enrollment in traditional programs, and therefore enrollment in the extended education programs may not qualify for the California Military Department GI Bill Award program. It is unclear which specific programs accept an award payment. This bill aims to ensure CA GI Bill awards can be used for extended education courses.
- 3) **Makes self-supported courses eligible for fee waiver.** This bill also seeks to address extended education course fees at a California public higher education institution (UC and CSU) for certain military-connected students. Extended education is also known as continuing education, university extension, or community service classes, with all attempting to convey that they are distinct from traditional academic programs in their admission requirements, funding model, and course enrollment costs. Extended education programs can include academic, professional certificate, and personal enrichment courses. Programs typically feature classes available throughout the year, including nights, and weekends. Widespread availability of remote learning options is also a defining feature of extended education. Flexibility in course scheduling enhances its appeal to individuals who are employed full-time, working professionals, adult learners or those who have families. Extended education students pay fees to cover the *entire* cost of a course, since programs typically operate without any financial support from the state. As such, they are described as self-supported programs. In contrast, traditional academic courses are supported by a mix of state funding and student tuition fees. Existing law requires CSU and UC to waive fees associated with traditional academic programs for Medal of Honor recipients and dependents of a service-injured veteran. The waiver requirement does not apply to extended education courses. This bill seeks to ensure that that benefit is also offered to qualifying students in an undergraduate extended education program.
- 4) **What effect will this have on colleges?** The bill's dual objectives of expanding two different types of student aid benefits may have varying impacts on colleges, with the waiver presenting the greatest challenge. As noted in the background of this analysis, current law prohibits public postsecondary institutions from applying certain fees to service-injured veterans and their dependents or Medal of Honor recipients and their dependents. These fee exemptions or waivers apply to systemwide fees associated with traditional academic programs. It appears that the state has provided partial reimbursement to CSU for waiving those fees as a result of recent amendments that broadened qualifying criteria. The 2024 Budget

Act, AB 107 (Gabriel, Chapter 22, Statutes of 2024) provided ongoing funds to support expanded fee waiver costs for Medal of Honor recipients, their children and dependents of service injured veterans attending CSU. This bill would establish precedent for prohibiting the charging of fees for students in self-supported courses (extended education). Colleges heavily rely on fees to operate extended education programs and without the ability to charge fees to some individuals or if future legislation were to follow suit seeking a similar benefit for other groups, the sustainability of these offerings may be at risk.

- 5) **The effect on students.** Expanding waiver eligibility for undergraduate degree courses in extended education could help facilitate access to higher education for students seeking a nontraditional educational delivery model. The proposed expansion may simplify the waiver program for applicants, as they will no longer have to make distinctions between state-supported and self-supported undergraduate degree programs to access the benefit. Further, this bill's provisions appear to be consistent with the core principles of the original statute, seeking to acknowledge dependents impacted by a military service-related incident by offering a tuition-free degree at a public university or college. Similarly, the expanded use of the California Military Department GI Bill award for extended education courses seems to align with that program.

- 6) **Prior legislation.**

SB 916 (Seyarto, 2024), similar to this bill, would have required UC and CSU to waive tuition or fees for certain extended education courses for a student who is a dependent of a service-injured veteran, a medal of honor recipient, or a child of a medal of honor recipient. Unlike this bill, SB 916 did not include changes to California Military Department GI Bill Award Program. SB 916 was held Suspende in Assembly Appropriations.

SUPPORT

California Association of County Veterans Service Officers

OPPOSITION

California State University, Office of the Chancellor

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 67	Hearing Date:	March 19, 2025
Author:	Seyarto		
Version:	January 13, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Student financial aid: Cal Grants: Middle Class Scholarship Program: eligibility: dependents of members of the armed services stationed outside of California.

NOTE: This bill has been referred to the Committees on Education and *Military and Veterans Affairs*. A “do pass” motion should include referral to the Committee on *Military and Veterans Affairs*.

SUMMARY

This bill extends eligibility for the Cal Grant and Middle Class Scholarship (MCS) Program to dependents of a member of the United States (US) Armed Forces who maintains California as their state of legal residence even if the dependent member did not graduate from a California high school and who otherwise meets all other applicable eligibility requirements.

BACKGROUND

Existing law:

- 1) Creates the Cal Grant Program, and therein establishes the Cal Grant A Entitlement Awards, the Cal Grant B Entitlement Awards, the California Community College (CCC) Expanded Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission. (Education Code (EC) § 69430 et al.)
- 2) Establishes the Cal Grant Reform Act, which revises and recasts the provisions establishing and governing the existing Cal Grant Program into a new Cal Grant Program. Specifies that the Act becomes operative only if General Fund moneys over the multiyear forecasts beginning in the 2024–25 fiscal year are available to support ongoing augmentations and actions, and if funding is provided in the annual Budget Act to implement the Act. (EC § 69504 et al.)
- 3) Establishes eligibility requirements for awards under the program for participating students attending qualifying institutions, including, among others, California residency requirements, as provided. (EC § 69411 and 69433.9.)

- 4) Establishes the MCS program under the administration of the Commission. Existing law makes an undergraduate student eligible for a scholarship award under the MCS if the student is enrolled at the University of California (UC) or the California State University (CSU), or enrolled in upper division coursework in a community college baccalaureate program, and meets certain eligibility requirements, including, among others, that the applicant meets the eligibility requirements for a Cal Grant. (EC § 70020 et al.)

ANALYSIS

This bill:

- 1) Extends Cal Grant and MCS Program eligibility to a student who is a dependent child or spouse of a member of the US Armed Forces stationed outside of California on active duty, if:
 - a) The member of the US Armed Forces otherwise maintains California as their state of legal residence; and
 - b) The student meets all other eligibility requirements.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "California is home to many active-duty military personnel and Veterans who made the courageous decision to dedicate their lives to service and protecting our nation's freedoms. This weighty commitment often takes them and their families far away from the state they call their home for extended periods of time, whether it be across state lines or across the globe.

'The fact that these families are stationed out of state does not make them any less Californian. California is their home, they pay the same taxes and they contribute in all the same ways as any other resident and then some with their added commitment to our nation. Cal Grant was meant to make education more accessible to all Californians regardless of their socioeconomic status or background. SB 67 will ensure our military families are afforded that same access to education for their children.'

- 2) **State of legal residence.** The federal Servicemembers' Civil Relief Act of 2003 grants active military members certain privileges and protections that allow them to maintain legal residency in one state while physically stationed in another state or outside of the country. The State of Legal Residence (SLR) is what the military service considers to be one's true, fixed, and permanent residence. According to the US Military's Staff Judge Advocate document, "What You Should Know About Your State of Legal Residence," a service member's SLR is the location where they intend to return and their permanent home after retirement. SLR also determines where a service member votes, pays taxes, registers vehicles, has their will probated, and whether or not they receive privileges from a state.

According to an example presented in the publication, a service member with SLR in Minnesota leaves the state on military orders but intends to return to Minnesota after leaving the military. Minnesota is the service member's SLR, even though the service member is temporarily absent from it due to military orders. The service member may never be stationed in Minnesota during his or her military career, but Minnesota would remain the service member's SLR.

Furthermore, the publication states that changing SLR is difficult. To alter SLR, three requirements must be met: 1) one must be physically present in the new state; 2) intend to remain in the new state permanently, or treat the location as a permanent home, demonstrated by registering to vote, obtaining a driver's license, paying taxes, among other things; 3) and must demonstrate intent to abandon the old SLR.

This bill attempts to extend state aid eligibility specifically for Cal Grant and MCS to a child or spouse of a service member with SLR in California, which can be used at qualifying California-based institutions. It is unclear whether expanding eligibility to state aid programs could result in supplanting other forms of federal student aid currently available to defray college costs for the dependents of service members.

- 3) **The Cal Grant program.** The Cal Grant program is the state's largest financial aid program, it is intended to help students with financial need to cover college costs. The program offers multiple types of Cal Grant awards. The aid amount students receive depends on their award type and the segment of higher education they attend. Cal Grant A covers full systemwide tuition and fees at public universities and a fixed amount of tuition at private universities. Cal Grant B provides the same amount of tuition coverage as Cal Grant A in most cases, while also providing an "access award" for non-tuition expenses such as food and housing. Cal Grant C, which is only available to students enrolled in career technical education programs, provides lower award amounts for tuition and non-tuition expenses. Across all award types, larger amounts of non-tuition coverage are available to students with dependent children as well as current and former foster youth. Among the conditions for Cal Grant A and B entitlement award eligibility is the requirement that a student be a resident of California at the time of their high school graduation in order to qualify for an award. Additionally, any nonresident student who has spent at least three years in a California school and has graduated from a California high school may qualify for the program.
- 4) **MCS program.** MCS provides undergraduate students, including students pursuing a teaching credential, with a scholarship, and was recently revamped to account for cost of attendance, to attend a UC, CSU or CCC Bachelor's degree program. Currently, a CCC student pursuing an associate degree or certificate is not eligible for MCS. Students with family income and assets up to \$217,000 may be eligible. MCS California residency requirements are aligned with the Cal Grant program.
- 5) **The consideration of the federal SLR for state student aid remains ambiguous.** Most students apply for Cal Grant awards and MCS by submitting the free application for federal student aid (FAFSA), which is operated by the

U.S. Department of Education and the Office of Federal Student Aid. An applicant may identify their SLR on the FAFSA. Seemingly, a student with a California SLR who has completed their application correctly, submitted a verified high school GPA by the deadline, and met all other eligibility requirements may receive award consideration. However, it is important to note that final determination of California residency requirements happens at the college or university. According to information provided by CSU within their system student residency is determined by their parents' residency and servicemembers often remain residents of California after they join the service, or switch their residency to California while stationed in the state as a result pay California income taxes regardless of where they are stationed. Committee staff was unable to receive information from UC in time for this analysis. It is not clear the extent to which having a California SLR has disqualified a student from California residency status for purposes of qualifying for resident tuition or aid programs. It is possible that the bill's provisions are clarifying and codifying an existing practice.

6) **Prior and related legislation.**

AB 88 (Ta, 2025) identical to this bill and AB 1793, would expand eligibility for the Cal Grant and MCS program to dependents of a US Armed Forces member who maintains California as their SLR, even if the dependent did not graduate from a California high school and otherwise meets all other applicable eligibility requirements.

AB 1793 (Ta, 2024) identical to this bill, would have expanded eligibility for the Cal Grant and MCS program to dependents of a US Armed Forces member who maintains California as their SLR, even if the dependent did not graduate from a California high school and otherwise meets all other applicable eligibility requirements.

SUPPORT

California Association of County Veterans Service Officers
California State University, Office of the Chancellor
Peace Officers Research Association of California

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 64 **Hearing Date:** March 19, 2025
Author: Grove
Version: February 27, 2025
Urgency: No **Fiscal:** Yes
Consultant: Ian Johnson

Subject: Education expenses: School Choice Flex Account Act of 2025.

NOTE: This bill has been referred to the Committees on Education and *Revenue and Taxation*. A “do pass” motion should include referral to the Committee on *Revenue and Taxation*.

SUMMARY

This bill would establish the School Choice Flex Account (SCFA) Act of 2025 only if an unspecified Senate Constitutional Amendment is approved as part of the November 2026 election.

BACKGROUND

Subdivision (b) of Section 8 of Article XVI of the California Constitution requires the state to spend a minimum amount of funding on school districts and community colleges every fiscal year, based on specific calculations built on a percentage of General Fund revenues or prior-year education appropriations, enrollment, and economic growth.

In 2013, the Local Control Funding Formula (LCFF) was enacted. The LCFF establishes per-pupil funding targets, with adjustments for different student grade levels, and includes supplemental funding for local educational agencies (LEA) serving students who are low-income, English learners, or foster youth. The LCFF replaced almost all sources of state funding for LEAs, including most categorical programs, with general purpose funding including few spending restrictions.

ANALYSIS

This bill:

- 1) Establishes the SCFA Act of 2025 and creates the SCFA Trust as a fund within the State Treasury to be administered by the SCFA Trust Board.
- 2) Specifies that during the first four school years following the operative date of the act, certain school-aged children are eligible to establish a SCFA or a Special Education Flex Account (SEFA) based on their parent’s or guardian’s income. After the first four years, every school-aged child would become eligible.
- 3) Specifies that every child enrolled in an eligible school shall be entitled to a credit to their SCFA or SEFA for tuition, elementary and secondary eligible education

- expenses, and special education-related services for students with exceptional needs.
- 4) Requires the Department of Finance to annually determine the SCFA and SEFA deposit amounts for the upcoming school year and specifies the procedure for calculating those amounts.
 - 5) Establishes initial funding levels of \$8,000 per student and \$16,000 per student with exceptional needs for the 2027-28 school year, with annual adjustments based on changes in state funding for school districts.
 - 6) Requires the Superintendent of Public Instruction (SPI) to establish a procedure for the parents and legal guardians of eligible students to apply for an SCFA or SEFA and submit an executed participation agreement.
 - 7) Authorizes SCFA and SEFA fund disbursements to eligible schools, including accredited private full-time day schools, vocational education or training institutions, and community colleges, as specified.
 - 8) Specifies that any unused SCFA or SEFA funds at the end of a school year must be returned to the state for the benefit of elementary and secondary education.
 - 9) Establishes a process for parents to change eligible schools and for the SPI to confirm student eligibility and enrollment each year.
 - 10) Requires the SCFA Trust Board to manage investments, audit disbursements, and publicly report fund performance, while limiting administrative costs of the total trust funds annually.
 - 11) Prohibits eligible schools from sharing, refunding, or rebating SCFA or SEFA funds to parents, legal guardians, or students in any manner.
 - 12) Requires the Legislature to recalculate the minimum education funding guarantee (Proposition 98) by including non-public school students in funding calculations based on their average daily attendance.
 - 13) Specifies that the costs of providing SCFA and SEFA deposit amounts shall be apportioned between the General Fund and local school districts, in the same ratio of funding that would have been used for that student in their public school district.
 - 14) Excludes SCFA and SEFA distributions from taxable income for tax years beginning on or after January 1, 2027.
 - 15) Becomes operative on January 1, 2027, but only if an unspecified Senate Constitutional Amendment is approved by voters at the statewide general election on November 4, 2026.

STAFF COMMENTS

1) ***Need for the bill.*** According to the author, “California’s government-run schools are failing too many students. Any company that failed 84% of its customers would be run out of business, but in California the legislature rewards failing schools with even more funding. The government focuses more on funding institutions than students, and most parents have no other options. SB 64, School Choice Flex Account Act of 2025, will introduce more choice into California’s school system, giving parents and students more educational options. This bill will empower students to enroll in schools better suited for their educational needs. SB 64 creates flexible spending for flexible learning.”

2) ***Is this a voucher program?*** While SCFAs and SEFAs are not traditional vouchers, they function similarly by allowing parents to direct public education dollars toward private school tuition and other educational expenses. The funds in an SCFA or SEFA can be used for tuition, textbooks, tutoring, and specialized services for students with exceptional needs.

This bill requires the state to “rebase” the Proposition 98 minimum funding guarantee to include students who attend private schools. The policy changes and financial mechanisms required to implement this bill and its unspecified companion constitutional amendment are complex and would significantly alter how public education is funded in California. Given that there is no reliable estimate of how many parents and schools would participate, it is difficult to predict the fiscal impact with certainty.

3) ***Voucher programs in other states.*** Publicly funded voucher programs have expanded in many states. The first major school voucher program began in Milwaukee in 1990, and as of today, there are 25 voucher programs in 14 states, plus the District of Columbia.

Many states limit eligibility to students who meet specific criteria, such as having a disability, being from low-income households, or attending underperforming schools. A few states, like Arizona and Florida, have universal Education Savings Account (ESA) programs that allow all students to participate.

Historically, California voters have rejected voucher programs, including Proposition 174 (1993) and Proposition 38 (2000), both of which received only 30 percent support. Whether voters will approve a similar policy in 2026 remains uncertain.

4) ***Many existing school choice options for California parents.*** While this bill seeks to expand educational choice, California already provides several public school alternatives, including:

a) ***Charter Schools.*** There are over 1,000 public charter schools in the state that provide instruction in any combination of grades kindergarten through grade 12. Parents, teachers, or community members may initiate charter petitions, which include the specific goals and operating procedures for the charter school. While most charter schools offer traditional,

classroom-based instruction, about 20 percent offer some form of independent study, such as distance learning or home study.

- b) *Magnet Schools.* Magnet schools are designed by local authorities to attract parents, guardians, and students who are free to choose the school in which they enroll. These programs and schools are established by district governing boards that can make a wide range of choices depending on their local needs and resources. Magnet schools and programs include those that provide unique instruction in the arts, in various sciences, and in career education. Others reflect a district strategy to achieve racial and ethnic balance. When one or more magnets are established at a particular school, students from across the district may select a magnet with available space.
- c) *District of Choice (DOC) Program.* This program allows a student to transfer to any district that has deemed itself a DOC and agreed to accept a specified number of transfers. DOC may not use a selective admissions process. Transfer students generally do not need the consent of their home districts.
- d) *Interdistrict Permits.* These allow a student to transfer from one district to another district provided both districts consent to the transfer and the student meets any locally determined conditions. Districts receiving these transfer students may require students to meet certain attendance and/or academic standards.
- e) *Parental employment transfers.* These allow a student to transfer into a district if at least one parent is employed within the boundaries of that district and that district has chosen to accept parental employment transfers. Transfer students generally do not need the consent of their home districts.
- f) *The Open Enrollment Act.* This option, for low-performing schools, allows a student attending a school with low performance on state tests to transfer to another school inside or outside the district that has a higher level of performance and space available. Transfer students generally do not need the consent of their home districts.

Additionally, approximately 7.5 percent of California K–12 students are already enrolled in private schools. These families would immediately benefit from this bill, as they would gain access to public funding without having to switch schools.

- 5) ***How would low-income families be affected?*** Based on existing research, low-income families may likely participate in a voucher program, especially given recent polls that show growing parental support for school choice in disadvantaged communities. However, among these families, it is the better-educated parents, who express strong commitments to education, that most often take advantage of voucher programs. While this bill includes a four-year phase in based on income, would it be the most disadvantaged children in the state—those from low-income families with minimally educated parents—that

would be left behind in struggling public schools with even fewer resources upon full implementation? How does the creation of an unregulated voucher program square with the principles of the LCFF, which targets additional resources to the communities with the highest proportions of English-learning, low-income, and foster youth students?

- 6) ***Research on voucher programs and student achievement.*** The effectiveness of school voucher programs on student achievement remains inconclusive. While some studies suggest that students using vouchers perform better over time, others indicate no significant difference—or even worse outcomes—compared to their peers in public schools. Research on school vouchers has been limited, partly because there were relatively few large-scale programs before 2010. Additionally, measuring the direct impact of vouchers is complicated by other factors that influence student achievement, including class size differences between public and private schools, school environment factors such as safety, peer effects, and parental involvement, and variability in private school quality, as not all private schools offer superior instruction.

Most studies show that students in voucher programs perform similarly to their public school peers. Some research even suggests short-term declines in academic achievement for voucher students, particularly in subjects like math and reading. A longitudinal study of Milwaukee's voucher program, the nation's oldest, found that younger students initially lagged behind their public school peers in reading and science, but older students who remained in the program eventually caught up and, in some cases, outperformed public school students. Many voucher students started one to two years behind academically, and the program appeared to help them recover lost ground.

The mixed results raise important considerations for this bill's potential impact. Would these achievement trends hold in a statewide program, or would results vary widely by school and student demographics? Would low-performing private schools emerge to capitalize on state funding, potentially limiting educational gains? How would voucher students compare to their peers who remain in traditional public schools with fewer resources? While vouchers may benefit motivated families seeking better educational options, the question remains whether they improve overall student outcomes or simply shift students between schools without addressing systemic issues.

- 7) ***Voucher programs face legal challenges.*** Voucher programs have frequently faced legal challenges, primarily revolving around the question of whether public funds can be used for religious education. Many lawsuits have focused on whether directing state funds to sectarian private schools violates the Establishment Clause of the First Amendment of the U.S. Constitution. Additionally, nearly 40 states, including California, have constitutional provisions known as Blaine Amendments, which explicitly prohibit public funding of religious schools. The legal outcomes of these challenges have been mixed, with some courts upholding voucher programs while others have ruled them unconstitutional. Recent U.S. Supreme Court decisions have weakened some state-level restrictions, finding that if a state offers public funding for private education, it cannot exclude religious schools solely based on their religious

status. However, California's Blaine Amendment remains one of the strictest in the nation, and any program that directs public funds to private schools, particularly religious ones, is likely to face legal scrutiny and potential litigation.

- 8) ***Other policy considerations.*** Beyond legal and fiscal implications, this bill raises several broader policy considerations that could significantly impact California's education system. The bill proposes to "rebase" the Proposition 98 Guarantee to include private school students in the calculation of ADA, effectively redirecting public education funds to families who enroll their children in private schools. However, it is unclear whether this shift would fully cover the costs of funding SCFAs and SEFAs for private school students. If not, the redistribution of funds could result in reduced per-pupil state aid for public school districts and charter schools, potentially exacerbating existing funding disparities between public and private education.

Other key considerations include how the rights of students with disabilities would be protected, particularly since private schools are not bound by the same special education requirements as public schools. It remains uncertain whether the voucher amounts provided under this bill would be sufficient to make private school tuition accessible to low-income families, especially if increased demand leads to rising tuition costs. Additionally, questions remain about whether private schools accepting public funds should be required to administer state standardized tests to ensure accountability and whether taxpayers would have any oversight over how these funds are spent. Furthermore, without specific regulations governing private school admissions, there is a possibility that some students, particularly those with special needs or lower academic performance, could face admissions barriers in a largely unregulated voucher system. These issues underscore the complexity of implementing a publicly funded school choice program and the need for further analysis to assess its long-term impact on educational equity and quality.

- 9) ***This bill would create costs between \$4 and \$6 billion, paid by cuts to public education or other areas in the state budget.*** A similar school choice initiative previously analyzed by the Legislative Analyst's Office (LAO) estimated that the 471,000 students already enrolled in private schools would likely be the first to sign up, along with a portion of the 84,000 homeschooled students who may shift to private school participation. Because these students currently receive no state funding, their inclusion in the Proposition 98 funding formula would represent a new cost to the state, rather than a simple reallocation of existing public education funds.

If 308,000 students participate (approximately 60 percent of current private school students and 30 percent of homeschool students switching to private schools), the LAO estimated an annual cost of \$4 billion at full implementation. If 462,000 students participate (about 90 percent of private school students and 45 percent of homeschool students switching), the cost would rise to \$6 billion per year. To cover these costs, the state would need to reduce funding for public schools or cut spending in other areas of the state budget. While the bill allows for these adjustments, the long-term fiscal sustainability of such a program remains uncertain, particularly if participation exceeds initial projections or if

public school districts experience significant budget reductions as students leave for private education.

- 10) ***Arguments in support of vouchers.*** Proponents argue that these programs empower parents by providing them with choices about where and how to educate their children, and provide students, particularly at-risk or underserved students, with better education options. They also argue that free-market competition among public and private schools improves overall school quality through competition. Interestingly, some note that arguments in favor of school vouchers shifted over the years, with less discussion about the effects of vouchers on student achievement and more discussion about both the value of choice as a right in itself and the beneficial competitive effect of voucher programs on public schools.
- 11) ***Arguments in opposition of vouchers.*** Opponents argue that voucher programs divert public dollars to private schools, but without the same accountability or special education requirements as public schools. They express concerns that voucher programs divert motivated parents and students from underfunded public schools, leaving behind a larger number of disadvantaged students with fewer resources. Opponents also point out that it may be difficult for lower-income families to benefit from voucher programs, as the amount of money available through a voucher may not always cover the full costs of private school. Some raise concerns about public dollars funding religiously-affiliated private schools as a potential violation of the constitutional separation of church and state, as well as the potential for religious discrimination. Finally, some argue that these programs may potentially benefit only a small number of children without providing the comprehensive reforms needed to strengthen the entire public education system.
- 12) ***Related Legislation***

SCA 1 (Grove, 2025) proposes to amend Article IX of the State Constitution to allow the state to disburse funds to parents or guardians for tuition and education-related expenses at private schools, regardless of religious affiliation, as provided by statute. It would also allow the state to provide tax or other public benefits to private schools serving K–12 students, irrespective of religious affiliation. Additionally, SCA 1 would amend Article XVI to expand the definition of average daily attendance to include students who are eligible to enroll in public schools but instead use a SCFA or SEFA to fund their education at a private school. SCA 1 is pending referral in the Senate.

SUPPORT

California Catholic Conference
Californians for Equal Rights Foundation
Children’s Educational Opportunity Act
Fresno Christian Schools
Howard Jarvis Taxpayers Association
Mom Army
Our Duty

Silicon Valley Association of Conservative Republicans
St. Francis Parish School
Stand Up Sacramento County
12 Individuals

OPPOSITION

California School Employees Association
California State PTA
California Tax Reform Association
California Teachers Association
CFT - A Union of Educators & Classified Professionals, AFT, AFL-CIO
SEIU California
1 Individual

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 399 **Hearing Date:** March 19, 2025
Author: Niello
Version: February 14, 2025
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: School districts: interdistrict transfers.

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) requires school districts to keep a record of all requests for inter-district transfer and records of the disposition of those requests, including specified information; (2) requires school districts to submit annually, by October 15, the information for the current school year to the Superintendent of Public Instruction (SPI); and (3) requires the SPI to post annually, by December 31, the information on the California Department of Education’s (CDE) website.

BACKGROUND

Existing law:

- 1) Authorizes the governing boards of two or more school districts to enter into an agreement, for a term of up to five school years, for the inter-district attendance of students who are residents of the school districts. (Education Code (EC) § 46600)
- 2) Authorizes the agreement to provide for the admission to a school district other than the school district of residence of a student who requests a permit to attend a school district of proposed enrollment (that is a party to the agreement). (EC § 46600)
- 3) Provides that a student does not have to reapply for inter-district transfer once the student is enrolled in a school through inter-district transfer, and requires the governing board of the school district of enrollment to allow the student to continue to attend the school. (EC § 46600)
- 4) Requires the agreement to stipulate the terms and conditions under which inter-district attendance shall be permitted or denied, and authorizes the agreement to stipulate terms and conditions established by the school district of residence and the school district of enrollment under which the permit may be revoked. (EC § 46600)

- 5) Prohibits a school district of residence or school district of enrollment from rescinding existing transfer permits for students after June 30 following the completion of grade 10, or for students in grade 11 or 12. (EC § 46600)
- 6) Requires that a student who has been determined by personnel of either the school district of residence or the school district of proposed enrollment to have been the victim of an act of bullying (committed by a student of the school district of residence), to be given priority for inter-district attendance, at the request of the parent. A school district of residence shall approve an *intra-district* transfer request for a victim of an act of bullying unless the requested school is at maximum capacity, in which case the school district shall accept an *intra-district* transfer request for a different school in the school district. A school district of residence is prohibited from prohibiting the transfer of a student who is the victim of an act of bullying if the district only has one school offering the student's grade level (so there is no option for intra-district transfer), regardless of whether an agreement exists or a permit for inter-district transfer is issued, if the school district of proposed enrollment approves the application for transfer. (EC § 46600)
- 7) Prohibits a school district of residence from prohibiting the transfer of a student who is a child of an active duty military parent, regardless of whether an agreement exists or a permit for inter-district transfer is issued, if the school district of proposed enrollment approves the application for transfer. (EC § 46600)
- 8) Requires a school district of proposed enrollment that elects to accept inter-district transfers to accept all students who apply to transfer until the school district is at maximum capacity. A school district of proposed enrollment shall ensure that students are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics for protected classes (race or ethnicity, gender, gender identity, gender expression, and immigration status). (EC § 46600)
- 9) Requires each school district of residence and school district of proposed enrollment to post on its website the procedures and timelines, including a link to the policy of the governing board of the school district, regarding a request for an inter-district transfer permit in a manner that is accessible to the public without a password. (EC § 46600.2)
- 10) Requires a school district that denies a request for an inter-district transfer to advise the parent, in writing, of the right to appeal to the county board of education within 30 calendar days from the date of the final denial. (EC § 46600.2)

ANALYSIS

This bill:

- 1) Requires school districts to keep a record of all requests for inter-district transfer and records of the disposition of those requests, including all of the following:
 - a) The number of requests granted, denied, or withdrawn. In the case of denied requests, the records shall indicate the reasons for the denials.
 - b) The number of students transferred out of the school district through inter-district transfer.
 - c) The number of students transferred into the school district through inter-district transfer.
 - d) The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, foster youth status, homeless child or youth status, and the school district of residence of each of the students who transfer into and out of the district through inter-district transfer.
 - e) The number of students who are classified as English learners or identified as individuals with exceptional needs who transfer into and out of the district through inter-district transfer.
 - f) The self-reported reason for the request for inter-district transfer for each of the students who transfer into and out of the district through inter-district transfer.
- 2) Requires school districts to submit annually, by October 15, the information described in #1 for the current school year to the SPI in a manner specified by the SPI.
- 3) Requires the SPI to post annually, by December 31, the information submitted pursuant to #1 for the current school year on the CDE's website.
- 4) Authorizes the SPI to provide a template for a school district to use, and may issue guidance regarding the procedures, for collecting and reporting data.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "SB 399 is about expanding transparency by making transfer data available. We have seen a litany of bills over the years on the school transfer system but we have no real insight as to how the program is being used. By providing parents, students, school districts and policy makers access to this data it will help us better understand how the transfers are being utilized. It may even help schools to determine ways to better their programs by understanding where transferring students are going and why. This bill is simply about having better transparency and access to information."
- 2) ***Is this information already collected?*** This bill requires school districts to keep a record of all requests for inter-district transfer and records of the disposition of those requests, including specific information. This bill further requires school districts to submit the information to CDE, and requires CDE to post it on its

website. While many school districts currently collect some student-level data about inter-district transfers, this bill would require new data collections.

School districts currently collect and report data through an Online Reporting Application to the California Basic Educational Data System (CBEDS). Data collection is comprised of three distinct “forms” – one is specific to school districts and county offices of education, one is for school-level data, and the other is specific to the District of Choice program. *The existing “forms” do not support the data collection required by this bill; Online Reporting Applications, CBEDS and the California Longitudinal Pupil Achievement System (CALPADS) would need to be modified to support such data collection and reporting.*

- 3) **Timing of data reporting.** This bill requires school districts to submit information on inter-district transfers for the current school year to the SPI by October 15. To ensure a full school year of data is collected and submitted shortly after the end of the school year, **staff recommends amendments** to shift the due date for school districts to submit the information to the SPI to June 30, and the date by which the SPI is to post the information online to August 1.
- 4) **Report overload?** SB 1315 (Archuleta, Chapter 468, Statutes of 2024) requires CDE to conduct a report on the number and types of reports that local educational agencies (LEAs) are required to submit on an annual basis. Committee analyses of that bill note that LEAs are overburdened with reports, as they are required to submit 170 reports on an annual basis.

While this bill requires school districts to collect information and submit it to the SPI, rather than developing a report with the information, the bill does impose data collection requirements upon school districts.

This bill requires school districts to submit information relative to inter-district transfers to the SPI on an annual basis. *Should this information be submitted to the SPI less frequently than on an annual basis?*

- 5) **Privacy.** This bill requires school districts to collect student-level data, such as the number of students who are classified as English learners or identified as individuals with exceptional needs, and foster or homeless youth status. Further, this bill requires this information to be posted on the CDE’s website. Could it be possible to identify individual students with this information, particularly for students who attend a very small school district? This bill has been double-referred to the Senate Judiciary Committee, where such issues may be considered.
- 6) **Prior legislation.**
 AB 1408 (Wallis, 2024) required LEAs to allow a low-performing student at a low-performing school to transfer to a higher-performing school either within their home LEA or in another LEA, if the LEA with the higher-performing school agrees to accept transfer students. AB 1408 was held in the Assembly Appropriations Committee.

AB 237 (Wallis, 2023) was identical to AB 1408, and was also held in the Assembly Appropriations Committee.

AB 1984 (Weber, Chapter 368, Statutes of 2024) requires (1) LEAs to provide to CDE, beginning with the 2026–27 school year, data on student transfers due to disciplinary reasons, and requires CDE to collect and publish this data on its website; and, (2) CDE, when providing guidance on its website about reducing disproportionate discipline of student subgroups in schools, to advise LEAs against the use of transfers to avoid reporting suspensions and expulsions.

SUPPORT

None received

OPPOSITION

California Association of School Business Officials

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 33 **Hearing Date:** March 19, 2025
Author: Cortese
Version: March 10, 2025
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Homeless pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program.

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 requires, upon appropriation by the Legislature and until January 1, 2029, that the Department of Social Services establish the California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program to provide monthly payments for four months to homeless youth in grade 12 who are enrolled in a public high school.

BACKGROUND

Existing *federal* law:

- 1) Defines, in the federal McKinney-Vento Homeless Assistance Act (McKinney-Vento), “homeless children and youth” as individuals who lack a fixed, regular, and adequate nighttime residence, including children who are sharing the housing of other people, living in motels, hotels, trailer parks, or campgrounds, emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement, or who are living in a place not generally used for sleeping, cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, and migratory children living in the circumstances above. (Title 42 United States Code (USC) § 11434a(2))
- 2) Requires, under the federal McKinney-Vento Act, every local educational agency (LEA) to designate a local liaison for homeless children and youth, who, among other duties, is responsible for ensuring that homeless children and youth are identified by school personnel through outreach and coordination activities with other entities and agencies, and ensuring that homeless families and homeless children and youth have access to and receive educational services for which such families, children, and youth are eligible. (42 USC § 11432(g))
- 3) Requires, under the federal McKinney-Vento Act, states that receive federal funds to serve homeless children and youth to establish or designate in the State educational agency an Office of the Coordinator for Education of Homeless

Children and Youths. (42 USC § 11432(d))

- 4) Requires, under the federal McKinney-Vento Act, the Coordinator for Education of Homeless Children and Youth to:
 - a) Gather and make publicly available reliable, valid, and comprehensive information, as specified.
 - b) Develop and carry out the state plan.
 - c) Collect data for and transmit to the federal Secretary of Education a report containing information necessary to assess the educational needs of homeless children and youth within the state.
 - d) Coordinate activities and collaborate, as specified, to improve the provision of comprehensive education and related services to homeless children and youth.
 - e) Provide technical assistance to and conduct monitoring of LEAs in coordination with LEA liaisons.
 - f) Provide professional development opportunities for LEA personnel and the LEA liaison to assist in identifying and meeting the needs of homeless children and youth.
 - g) Respond to inquiries from parents and guardians of homeless children and youth. (42 USC § 11432(f))
- 5) Requires, under the federal McKinney-Vento Act, the Coordinator for Education of Homeless Children and Youths to gather and make publicly available reliable, valid, and comprehensive information on the number of homeless children and youth identified in the State, and requires this information to be posted annually on the State educational agency's website. (42 USC § 11432(f))

Existing *state* law:

- 1) Requires the California Department of Education (CDE) and the California Department of Social Services (CDSS) to identify representatives from CDE, CDSS, and other state agencies that have experience in homeless youth issues to develop policies and practices to support homeless children and youths and to ensure that child abuse and neglect reporting requirements do not create barriers to the school enrollment and attendance of homeless children or youths, including but not limited to, ensuring that a student who is a homeless child or youth is not reported to law enforcement by school personnel if the sole reason for the report is the student's homelessness. (Education Code (EC) § 48850)
- 2) Requires a LEA to ensure that each school within the LEA identifies all homeless children and youths and unaccompanied youths enrolled at the school pursuant to federal law. (EC § 48851 (a))

ANALYSIS

This bill:

- 1) Requires, upon an appropriation by the Legislature and until January 1, 2029, the CDSS to establish the California SOAR Guaranteed Income Program to provide homeless youth, as defined, in grade 12 who are enrolled in a public high school, a guaranteed income of \$1,000 each month from May 1, 2026, to August 1, 2026.
- 2) Requires the CDSS to work with the CDE to identify the number of eligible participants in a county and award funds to a county that chooses to participate in the SOAR program based on the number of eligible participants in the county.
- 3) Requires the CDSS to award a participating county an additional 10 percent of the amount of funds awarded to cover administrative costs, including the costs of facilitating program enrollment and outreach.
- 4) Allows a county that does not expend all awarded program funds in 2026 to extend the SOAR program and use any remaining funds to continue the program in subsequent years to fund additional eligible participants until December 31, 2028, or until those funds are exhausted, whichever occurs sooner.
- 5) Requires a LEA liaison for homeless children, youth, and unaccompanied youths in a participating county to provide all known eligible participants with SOAR program information and a county enrollment form during routine initial and final communications required under federal law, as well as ensure that the enrollment forms are confidentially distributed to both of the following:
 - a) All eligible participants age 17 and older.
 - b) Parents or guardians of eligible participants younger than 18 years of age.
- 6) Specifies that liaisons are not required to assist an eligible participant in completing an enrollment form and allows an eligible participant to apply for and participate in the SOAR program without a parent's or guardian's consent or approval, regardless of their age.
- 7) Establishes a related fund, to be administered by the CDSS, as an initial depository of all moneys received for the SOAR program and requires the CDSS to distribute moneys in the fund to participating counties in accordance with the bill's provisions.
- 8) Authorizes the CDSS to accept in-kind contributions, including, but not limited to, financial mentorship services for participants.
- 9) Requires the CDSS to submit an evaluation report to the Legislature upon the conclusion of the SOAR program and work with at least one independent, research-based institution to identify existing and establish new SOAR program outcome measurements to inform an evaluation report, as specified.

- 10) Authorizes the CDSS to accept and, upon appropriation, expend funds from non-government sources to prepare the evaluation report, or prepare a longitudinal study of the program in addition to the report, or both.
- 11) Exempts contracts or grants awarded pursuant to the bill's provisions from personal services contracting requirements prescribed in current law and from the Public Contract Code and the State Contracting Manual and are not subject to the approval of the Department of General Services.
- 12) Exempts award amount from being considered as:
 - a) Gross income for the taxable year beginning on January 1, 2026, and before January 1, 2031, and earned income, for the taxable year beginning on January 1, 2026, and before January 1, 2031, for purposes of eligibility for the California Earned Income Tax Credit or the young child tax credit.
 - i) The bill makes legislative findings and declarations about the specific purpose and goal of the tax exemptions, aimed at ensuring the general welfare and increasing economic security, educational attainment, and employment among youth who have experienced homelessness. It specifies that performance indicators that are college enrollment, attainment, progress towards degree completion, and measures of economic security, including housing security, ability to meet basic needs, income level, and employment, be used to make the determination of whether tax exclusions meet the specific goal, purpose, and objectives. It further requires by March 1, 2027, that the CDSS analyze and report information relevant to the indicators to the Legislature as specified.
 - b) Income or resources for purposes of determining the individual's, or any member of their household's, eligibility for benefits or assistance, or the amount or extent of benefits or assistance, under any state or local means-tested program. It is only applicable to the extent that provisions do not conflict with federal law relating to that program, any necessary federal waivers or exemptions are obtained, and that federal financial participation is available and not otherwise jeopardized.
 - i) The CDSS, in consultation with stakeholders and the Legislature is required to, identify the California Work Opportunity and Responsibility to Kids program, the CalFresh program, the Medi-Cal program, and any other state program that implements a federal means-tested program and that would require an exemption or waiver to exclude the SOAR award amount from consideration as income or resources for purposes of the federal program. The bill also requires, if possible, the appropriate state entity to approve an income or resource exemption or waiver for purposes of the federal program. If the state is not granted a federal exemption or

waiver, as described, the bill specifies that it not affect CDSS' ability to administer the SOAR program and that it can consider alternatives, as specified, to prevent adverse consequences for participants.

- 13) Requires that CDSS be responsible for promulgating rules and regulations governing the administration of the program as well as the associated fund and authorizes them to implement, interpret, or make specific the provisions of this bill without enacting any regulations.
- 14) Defines various terms for purposes of this bill, including:
 - a) "Eligible Participant" to mean a public school student who is in grade 12 and is a homeless child or youth, as defined in federal current law under the McKinney-Vento Homeless Assistance Act.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "California is a state affected by staggering inequities – we possess the most wealth, yet suffer from the highest rate of poverty. And it is our youth who are stuck in a cycle of generational poverty without the means or opportunities to advance themselves. K-12 students experiencing homelessness receive support through the federal McKinney-Vento Homeless Assistance Act while they are in school. However, once the student graduates, they lose this support system and oftentimes struggle to successfully transition into adulthood. In recognition of the hardship that our most vulnerable students encounter when making this critical transition, SB 33 establishes the California SOAR Guaranteed Income Program, which will equip youth experiencing homelessness with the resources needed to access higher education, employment, and financial stability. Guaranteed income is proving to be an effective policy solution to support marginalized communities struggling to attain financial security. SB 33 follows the guaranteed income model to empower participants to use the funds as they see best fit for their individual needs- whether that be to pursue higher education or enter the workforce."
- 2) **Guaranteed income program.** This bill attempts to establish a source of guaranteed income of \$1,000 per month for homeless youth for a period of four months. It would provide direct cash assistance intended to support the basic needs of individuals with no restrictions on how money is spent. Eligibility requirements for the program are minimal. The program is to be administered by the CDSS until January 1, 2029 at which time the provisions of the bill will sunset. The CDSS must collaborate with CDE to identify the number of eligible participants in a county. An evaluation of the SOAR program is due to the Legislature upon its conclusion. The bill makes its provisions contingent upon an appropriation by the Legislature. This committee traditionally reviews financial aid legislation that condition award payments on college enrollment. The SOAR award payments aim to ensure general welfare and increase economic security for youth experiencing homelessness, and while the SOAR program also seeks to encourage college attendance or employment, neither is required to receive payments.

- 3) **Who is eligible?** Eligible participants are public high school students who are experiencing homelessness near the end of their senior year as they transition from high school into adult life. Under the program, participants may receive reoccurring payments for a minimum of four months from May to August 2026. The bill defines homeless children and youth in accordance with the definition provided in the federal McKinney-Vento Act for supporting homeless students in schools, as outlined in the background section of this analysis. Dwelling types may include temporary shelters, hotels/motels, unsheltered, or a situation where the youth is temporarily doubled-up. The bill specifies that a county agreeing to participate in the program may receive funds. Presumably, only eligible youth who are in a participating county receive payments. Funds are allocated to the county according to the number of eligible participants in that county.
- 4) **Role of LEA liaisons.** The federal McKinney-Vento Act requires every LEA, including school districts, county offices of education, and charter schools to designate an appropriate person as liaison for children and youth experiencing homelessness. In addition to this district level position, many LEAs in California designate a staff person at each school site to identify and assist students experiencing homelessness. State law requires a LEA to ensure that each school within the LEA identifies all homeless children and youths and unaccompanied youths enrolled at the school. This bill would further require the LEA liaison in a participating county to provide all known eligible participants with SOAR program information and a county enrollment form during routine communications that are required by federal law, as well as ensure that the enrollment forms are distributed to eligible participants and their parents or guardians.
- 5) **Students experiencing homelessness.** According to CDE, there were over 210,907 (roughly 24,000 in grade 12) California public school students in the 2023-24 school year who, at one point during that school year met the federal definition of homelessness, representing about 3 percent of the total student population. This is an increase from the 2022-23 school year, when there were 187,298 students identified on census day.
- 6) **Similar program grants priority to foster youth.** The Budget Act of 2021 provided \$35 million for the California Guaranteed Income Pilot Program administered by CDSS. Under this program, cities and counties may apply for funds from CDSS to support local pilot programs that prioritize foster youth who have exited the foster care system. The pilot program is currently underway and scheduled to end on July 1, 2026. According to information provided on the CDSS website, evaluation findings are expected by summer 2028. This bill establishes a separate program for youth experiencing homelessness.
- 7) **Prior and related legislation.**

SB 333 (Cortese, 2023), similar to this bill and subject to an appropriation, would have established the SAOR program, administered by the CDSS, to provide \$1,000 monthly payments for four months to homeless youth in grade 12 at a public high school. SB 333 died in the Assembly Appropriations Committee.

SB 739 (Cortese, 2021) would have created a universal basic income pilot project for foster youth who exited foster care at 21 years of age to be administered by the CDSS. Similar provisions found in SB 739 were adopted in the budget. SB 739 was subsequently amended to relate to housing.

AB 65 (Low, 2021) would have created a universal basic income program administered by the Franchise Tax Board. AB 65 died in the Assembly Appropriations Committee.

AB 153 (Committee on Budget, Chapter 86, Statutes of 2021), the public social services trailer budget bill, established a guaranteed income pilot program and required the CDSS to administer the program to provide grants to an eligible city or county to provide income payments to participants. AB 153 required CDSS to prioritize funding for pilots that serve residents exiting the extended foster care program and pregnant individuals. As mentioned, the Budget Act of 2021 provided funds for this purpose.

SUPPORT

County of Santa Clara (Co-Sponsor)
Economic Security California Action (Co-Sponsor)
End Poverty in California Action (Co-Sponsor)
United for a Guaranteed Income Action (Co-Sponsor)
United Way California Capital Region (Co-Sponsor)
What We All Deserve (Co-Sponsor)
Aids Healthcare Foundation
Alliance for Children's Rights
California Alliance of Child and Family Services
California Faculty Association
Coalition of California Welfare Rights Organizations
Courage California
Destination: Home
Disability Rights California
Five Keys
Fresno Unified School District
Friends Committee on Legislation of California
GLIDE
Golden State Opportunity
John Burton Advocates for Youth
Michelson Center for Public Policy
MyPath
Orange County United Way
Pacific Juvenile Defender Center
United Ways of California
Western Center on Law & Poverty

OPPOSITION

1 individual

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 316 **Hearing Date:** March 19, 2025
Author: Reyes
Version: February 11, 2025
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: High school pupils: voter registration.

NOTE: This bill has been referred to the Committees on *Education and Elections and Constitutional Amendments*. A “do pass” motion should include referral to the Committee on *Elections and Constitutional Amendments*.

SUMMARY

This bill requires, beginning with the 2026-27 school year, the governing board or body of school districts, county offices of education, the state special schools, and charter schools to ensure that each student receives, at least once before the student completes 11th grade, information on how to properly pre-register to vote.

BACKGROUND

Existing law:

Pre-register to vote

- 1) Authorizes a person who is at least 16 years of age and otherwise meets all eligibility requirements to vote to submit his or her affidavit of registration. A properly executed affidavit of registration shall be deemed effective as of the date the affiant will be 18 years of age, if the information in the affidavit of registration is still current at that time. If the information provided by the affiant in the affidavit of registration is not current at the time that the affidavit of registration would otherwise become effective, for his or her registration to become effective, the affiant shall provide the current information to the proper county elections official, as specified. (Elections Code § 2102)
- 2) Requires that a program adopted by a county that is designed to encourage the registration of electors contain the following statement in printed literature or media announcements made in connection with the program: “A person entitled to register to vote must be a United States citizen, a resident of California, not currently imprisoned in a state or federal prison for the conviction of a felony, and at least 18 years of age at the time of the election. A person may preregister to vote if that person is a United States citizen, a resident of California, not currently imprisoned in a state or federal prison for the conviction of a felony, and at least 16 years of age.” (Elections Code § 2106)

Student Voter Registration Act

- 3) Requires the Secretary of State (SOS) to annually provide every high school, community college, and California State University (CSU) and University of California (UC) campus with voter registration forms, and provide additional forms to a school, free of charge, if so requested by a school. (Elections Code § 2146)
- 4) Requires every high school, community college, and CSU campus to designate a contact person and provide his or her address, telephone number, and e-mail address, when possible, to the SOS for the SOS to contact in order to facilitate the distribution of voter registration cards. (Elections Code § 2148)
- 5) States legislative intent that every eligible high school and college student receive a meaningful opportunity to apply to register to vote. Further states intent that every school do all in its power to ensure that students are provided the opportunity and means to apply to register to vote. This may include providing voter registration forms at the start of the school year, including voter registration forms with orientation materials; placing voter registration forms at central locations, including voter registration forms with graduation materials; or providing hyperlinks to, and the Internet Web site address of, the SOS's electronic voter registration system in notices sent by electronic mail to students and placed on the Internet Web site of the high school, college, or university. (Elections Code § 2146)

High school voter education weeks

- 6) Designates the last two full weeks in April and the last two full weeks in September as "high school voter education weeks," during which time persons authorized by the county elections official shall be allowed to register students and school personnel on any high school campus in areas designated by the administrator of the high school, or his or her designee, which are reasonably accessible to all students. (Education Code (EC) § 49040)

Voter outreach coordinators

- 7) Authorizes the administrator of a high school, or his or her designee, to appoint one or more students who are enrolled at that high school to be voter outreach coordinators. (EC § 49041)
- 8) Authorizes a voter outreach coordinator to coordinate voter registration activities on his or her high school campus that encourage people who are eligible to register to vote, or other people who may submit an affidavit of registration (those who are 16 years or older), to apply to register to vote by submitting an affidavit of registration on paper or electronically on the SOS's website. (EC § 49041)
- 9) Authorizes a voter outreach coordinator, with the approval of the administrator of the high school, or his or her designee, coordinate election-related activities on

his or her high school campus, including voter registration drives, mock elections, debates, and other election-related pupil outreach activities. (EC § 49041)

ANALYSIS

This bill:

Information to students about how to pre-register to vote

- 1) Requires, beginning with the 2026-27 school year, the governing board or body of school districts, county offices of education, the state special schools, and charter schools to ensure that each student receives, at least once before the student completes 11th grade, information on how to properly pre-register to vote.
- 2) Gives discretion to the governing board or body to determine the manner in which information is provided, and authorizes the manner to include the information to be provided through in-class instruction, an existing program, family information sessions, or group or individual sessions with school counselors.
- 3) Requires the information provided to students to include, but not be limited to, material related to all of the following:
 - a) Voting eligibility and guidance published by the SOS.
 - b) Services provided and materials published by the county elections office.
 - c) The opportunity to register to vote, which is optional and may be completed at any time, including by visiting the SOS's online voter registration tool at <https://registertovote.ca.gov/>.
 - d) The Student Poll Worker program.
- 4) Requires the governing board or body, upon request of the student or parent, to ensure the student receives information about how to acquire a paper copy of the voter registration form, such as directing the student to the SOS's website.
- 5) Encourage the governing board or body to consider providing this information during the high school voter education weeks (the last two full weeks in April and the last two full weeks in September).

Third-party

- 6) Authorizes the governing board or body to contract with a third-party non-profit organization with demonstrated experience providing non-partisan youth civic engagement to implement the requirements of this bill.

Privacy

- 7) Requires the governing board or body to ensure that any information shared with students and parents pursuant to this bill is handled according to applicable state and federal student privacy laws and regulations.

Miscellaneous

- 8) Expands the existing authority for the administrator of a high school, to specifically include private as well as public schools, to appoint one or more students who are enrolled at that high school to be voter outreach coordinators.
- 9) Names the provisions of this bill as the High School Voter Registration Act.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “SB 316 would provide high school students in California the opportunity and resources needed to pre-register to vote by the end of their eleventh grade. Sixteen- and seventeen-year-olds in California have the ability to pre-register to vote and subsequently become registered to vote upon their 18th birthday. However, currently only 11% of sixteen and seventeen-year-olds in California are actually pre-registered to vote. This bill would address the low voter pre-registration rate in California by presenting high school students the opportunity and resources needed to pre-register to vote at their schools.”
- 2) ***Pre-registration to vote.*** This bill requires that the information provided to students include voting eligibility and guidance published by the SOS, and services provided and materials published by the county elections office. The SOS’s website and county elections offices’ websites contain information about registering to vote, timelines/deadlines, upcoming elections, and specific information about candidates and initiatives.

The SOS’s website also contains a High School and Youth Programs portal that contains information about initiatives to educate and engage youth. This portal includes a pre-registration toolkit with links to pre-register to vote, guidance for school administrators and teachers, and information about High School Voter Education Weeks, student mock elections, and becoming a student poll worker. <https://www.sos.ca.gov/elections/high-school-programs/>

- 3) ***How might schools provide information to students?*** This bill requires, beginning with the 2026-27 school year, schools to ensure that each student receives, at least once before the student completes 11th grade, information on how to properly pre-register to vote. This bill gives discretion to school governing boards to determine the manner in which information is provided, and authorizes the manner to include the information to be provided through in-class instruction, an existing program, family information sessions, or group or individual sessions with school counselors. Some high schools currently participate in “high school voter education weeks,” engage in mock elections, and hold events where students can register or pre-register to vote. It is likely that some schools also provide information about the voter registration process as part of the one-semester civics course required for high school graduation. *This bill does not*

require information about pre-registering to vote to be provided in any particular course, program, or event.

- 4) **Student Voter Registration Act.** Existing law requires the SOS to annually provide voter registration forms to every high school, community college, and campuses of the CSU and UC. The SOS is required to provide a written notice with each registration form describing eligibility requirements and informing each student that the student may return the completed form in person or by mail to the elections official of the county in which the student resides or to the SOS.

Existing law requires the SOS to submit to the Legislature, by January 1 of each year, a report on its student voter registration efforts, including estimates as to how many voter registration forms were sent to high schools, community colleges, and CSU and UC campuses; how many voter registration forms were submitted; and how many electronic affidavits of voter registration were submitted by students.

Each year, the SOS mails an informational letter to all high schools, community colleges, and campuses of the CSU and the UC. This letter reminds the schools of their responsibilities under the Elections Code, requests information, and provides a link to an online form that schools may use to submit their responses to the SOS. The 2024 letter also included QR code flyers to encourage students to register online and highlighted key election and voter registration dates, as well as voter outreach and engagement opportunities. Schools are asked to submit a response which includes:

- Contact information for the voter registration coordinator on campus.
- The website address where the school posts a hyperlink to the online voter registration application on their webpage.
- An order form if they would like to receive paper voter registration applications in any of the 10 languages available.

According to the 2024 report from the SOS, “an increase in the number of pre-registrations is expected during a presidential election year, due to the publicity and excitement surrounding such an election. As anticipated, 2024 pre-registrations were higher than 2021-2023, showing a 21% increase over 2023. They were also 12% higher than in the previous presidential election cycle in 2020 when students were enrolled in distance learning due to the COVID pandemic. Distance learning did not allow for the usual on-campus events that schools hold to promote civic engagement and voter registration.”

In 2024, the SOS mailed letters to 3,878 high schools and 154 colleges and universities through the Student Voter Registration project. The response rate was about 13 percent. The report also revealed that “there were 338,681 total trackable student voter registrations during 2024. This number is consistent with the number of registrations reported during the previous presidential election cycle in 2020 and is substantially higher than in the years when there was not a presidential election.” <https://admin.cdn.sos.ca.gov/reports/2024/student-voter-registration-annual-report.pdf>

5) **Prior legislation.**

AB 2724 (Reyes, 2024) was identical to this bill. AB 2724 was vetoed by the Governor, whose veto message read:

While I support the author's goal of encouraging young people to pre-register to vote and applaud the work of the bill's sponsors, I have concerns about creating an additional school mandate for this purpose at this time. Schools already have the ability to fulfill the requirements of this bill without creating a new mandate. In California, we strive to make registering and pre-registering to vote as streamlined as possible for all citizens.

AB 773 (Gonzalez, 2019) recognized the months of January and September as “Voter Education Months” and required the SOS, in coordination with the Superintendent of Public Instruction, to develop voter educational programming for local educational agencies to implement as a presentation to students in grade 12. AB 773 was vetoed by the Governor, whose veto message read:

The State has already made a significant investment to increase turnout among young voters, and there is evidence that these efforts are working. The Secretary of State's Office reported that in 2018 there was a significant increase in turnout for voters ages 18-22. Rather than imposing a prescriptive requirement that imposes a one-size-fits-all requirement on each high school, I would prefer that the Secretary of State and the Superintendent of Public Instruction continue their coordination to help register and preregister young people to vote.

SUPPORT

Inland Congregations United for Change (Sponsor)
California Chamber of Commerce
California Environmental Voters
Californians for Justice
Inland Coalition for Immigrant Justice
Inland Empire United
Northern California Youth Policy Coalition
PowerCA Action
Public Advocates
3 Individuals

OPPOSITION

None received

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 98	Hearing Date:	March 19, 2025
Author:	Pérez		
Version:	March 11, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Elementary, secondary, and postsecondary education: immigration enforcement: notification.

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 requires the governing boards of local educational agencies, the California State University (CSU), each California Community College District (CCD), and each Cal Grant qualifying independent institution of higher education and requests the University of California (UC) Regents to issue a notification to specified individuals when the presence of immigration enforcement is confirmed on their respective campuses or schoolsites.

BACKGROUND

Existing law:

- 1) Prohibits, except as required by state or federal law, or as required to administer a state- or federally supported educational program, school officials and employees of a school district, county office of education, or charter school from collecting information or documents regarding citizenship or immigration status of students or their family members. (Education Code (EC) § 234.7 et seq.)
- 2) Requires the superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, to report to the respective governing board or body of the local educational agency (LEA) in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. (EC § 234.7 (b))
- 3) Requires the Attorney General (AG), by April 1, 2018, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensure that public schools remain safe and accessible to all California residents, regardless of immigration status. Existing law requires that the AG, in developing the model policies, consider all of the following:

- a) Procedures related to requests for access to school grounds for purposes related to immigration enforcement.
 - b) Procedures for LEA employees to notify the superintendent of the school district or their designee, the superintendent of the county office of education or their designee, or the principal of the charter school or their designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.
 - c) Procedures for responding to requests for personal information about students or their family members for purposes of immigration enforcement. (EC § 234.7 (f)(1)(A-C inclusive))
- 4) Requires all school districts, county offices of education, and charter schools to adopt the AG's model policies or equivalent policies limiting assistance with immigration enforcement. (EC § 234.7 (g) and Government Code § 7284.8 (a))
 - 5) Establishes the CSU, under the administration of the Trustees of the CSU, the UC, under the administration of the Regents of the UC, the California Community Colleges (CCC), under the administration of the Board of Governors of the California Community Colleges, and independent institutions of higher education as four segments of postsecondary education in the state. (EC § 66010, § 70900, § 66600 and California Constitution, Article IX, Section 9)
 - 6) Requires the Trustees of the CSU, the governing boards of CCDs, and independent institutions of higher education that are qualifying institutions for purposes of the Cal Grant Program, and requests the Regents of the UC, to the fullest extent consistent with state and federal law, to implement various precautionary measures when federal immigration enforcement activities are undertaken on campuses of those segments, as specified, including, among others, that those postsecondary entities advise all students, faculty, and staff to notify the office of the chancellor or president, or their designee, as soon as possible, if they are advised that an immigration officer is expected to enter, will enter, or has entered the campus to execute a federal immigration order. (EC § 66093.3 et seq.)

ANALYSIS

This bill:

- 1) Requires the governing board or body of an LEA to notify all teachers, staff, and other school community members that work on the schoolsite, as well as parents and guardians when the presence of immigration enforcement at a schoolsite is confirmed.
- 2) Requires the CSU Trustees, each CCD governing board, and an independent institution of higher education that is a Cal Grant qualifying institution to immediately notify all students, faculty, and other campus community members when the presence of immigration enforcement at a campus is confirmed.

- 3) Requires that in the event that an undocumented student is subject to a federal immigration order that, all students, faculty, staff, and campus community members are immediately notified of the presence of immigration officers on campus.
- 4) Defines, “immigration enforcement” to include any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States.
- 5) Makes the following Legislature findings and declarations:
 - a) California is responsible for ensuring access to a quality education.
 - b) Ensuring access to a quality education includes creating a safe and an inclusive campus environment for all students, regardless of their backgrounds or origins.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “Ensuring access to education in a safe space for all students is largely a state responsibility. Unfortunately, school campuses have begun to see an increased presence of immigration enforcement entities on campuses. The presence of immigration enforcement officers can have detrimental effects on the student body and staff – especially for those who may be undocumented or otherwise without permanent status. A 2018 study from the American Psychological Association found that immigrant youth, especially those in mixed-status families, experience higher levels of anxiety and depression due to fears of deportation and family separation.

“Although schools and higher education institutions in California have guidelines for individuals on their rights and how to engage with immigration enforcement agents when they are present on campus, there are no requirements for school or campus administration to inform the campus community of their presence on campus.

“SB 98 addresses the aforementioned gap by requiring that students and the school are notified of immigration enforcement agents on campus. These timely notifications are imperative for schools to be able to prevent panic, promote a sense of security, and maintain an environment where all students—regardless of immigration status—feel safe and supported. This bill will give students and educators peace of mind in the classroom while also maintaining the state’s commitment that educational institutions are safe places where students can learn, teachers can educate, and schools can be a place exclusively dedicated to teaching and uplifting the next generation.”

- 2) **AG model policies instruct schools and colleges how to respond to immigration enforcement activity.** AB 699 (O'Donnell and Chiu, Chapter 493, Statutes of 2017) required that by April 2018, the California AG issue and publish model policies that limit assistance with immigration enforcement at public schools, for purposes of ensuring that educational settings remain safe and accessible to all California residents regardless of their immigration status. It further mandated that all LEA governing boards adopt these model policies or equivalent policies by July 2018. AB 21 (Karla, Chapter 488, Statutes of 2017) similarly required public higher educational institutions and each Cal Grant eligible independent institution of higher education to adopt the AG's model policies for higher education institutions. The AG's guidance and model policies were initially issued in 2018 and subsequently updated in December 2024. Recent concerns and news regarding potential mass arrests, detention, and deportations under the Trump administration prompted the update. The updated policies provide educational governing boards with guidance on managing and responding to various situations, including instances when immigration officials request access to school or college grounds for enforcement purposes. Instructions on who to notify and when identify procedures for informing an administrator qualified to respond to requests for access and for notifying parents when there is enforcement activity involving their child. This measure additionally seeks to ensure that the broader school and campus community receive prompt communication when immigration enforcement activities are physically present. Notifications are to be issued for confirmed cases.
- 3) **Communication to school and campus community.** The presence of immigration officials or enforcement activities can create significant distress, especially for families who experience anxiety or worry about the potential for family separation due to deportation risks. Many families may find it reassuring to know that news of any enforcement effort on school grounds will be widely reported. This bill requires that individuals receive notification upon confirmation of that news, which may be during or after school hours. It does not specify methods for communicating information, giving educational institutions flexibility to choose.
- 4) **Right to education.** As cited in the AG's "Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues," although California cannot control the actions of federal immigration-enforcement agencies, federal and California laws empower schools to welcome all students and to reassure them of their educational rights and opportunities. Further, under the U.S. Constitution, all students have a right to receive an education without discrimination based on immigration status. In *Plyler v. Doe*, the U.S. Supreme Court recognized that undocumented immigrants are guaranteed due-process and equal-protection rights under the U.S. Constitution and that children cannot be denied equal access to a public education on the basis of their immigration status. Therefore, K-12 schools must provide free public education to all students regardless of their immigration status and regardless of the citizenship status of the students' parents or guardians. Similarly, the California law affirms the equal educational rights of immigrant students. It further affirms that all students and staff, regardless of immigration status, have the right to attend campuses that are

safe, secure, and peaceful. Further, the education code prohibits discrimination on the basis of a student's immigration status.

The Migration Policy Institute estimates that 133,000 undocumented children between the ages of 3 and 17 years are enrolled in California public schools, and 750,000 K-12 undocumented students have an undocumented parent. In addition to affirming immigrant student's educational rights to free public education in K-12 schools, the state has demonstrated its commitment to supporting these Californians through higher education by creating a path for student aid eligibility and resident tuition at California public postsecondary institutions.

- 5) **Amendments.** The bill was recently amended to remove references to immigration officers, and provide greater clarity on the timing and conditions of the notice, including having confirmation. However, provisions related to instances when an undocumented student is subject to a federal immigration order remain unchanged. To maintain consistency within the bill, **staff recommends that the bill be amended** to stipulate that notification under these provisions also occur when the presence of immigration enforcement is confirmed.
- 66093.3 (a)(11)(C) All students, faculty, staff, and campus community members are ~~immediately~~ notified *when* ~~of~~ the presence of immigration ~~officers enforcement on campus is confirmed.~~

6) **Related legislation.**

AB 49 (Muratsuchi, 2024) prohibits, except as required by state or federal law or as required to administer a state- or federally supported educational program or childcare program, school officials and employees of a school district, county office of education, charter school or daycare center from allowing an officer or employee of the US Immigration and Customs Enforcement to enter a schoolsite or daycare center for any purpose without providing valid identification, a written statement of purposes, and a valid judicial warrant, and receiving approval from the specified school or daycare center official. AB 49 has been referred to the Assembly Education Committee.

SB 48 (Gonzalez, 2025), an urgency measure, prohibits a LEA and its personnel from granting US immigration officials access to campus without a judicial warrant and from providing information about a student, their family and household, school employees, or teacher without a judicial warrant, including providing the student's records or information without the written consent of their parent or legal guardian. It further prohibits law enforcement from collaborating with or providing any information about a student, their family and household, school staff, or teacher to US immigration officials in any way regarding planned or ongoing immigration enforcement actions that could happen or are happening within a mile of a school. SB 48 is pending hearing in this committee.

SUPPORT

California Faculty Association (Co-Sponsor)

California State Student Association (Co-Sponsor)
Generation Up (Co-Sponsor)
Student Senate for California Community Colleges (Co-Sponsor)
University of California Student Association (Co-Sponsor)
Alianza
California Alliance of Child and Family Services
California Association for Bilingual Education
California Catholic Conference
California Charter Schools Association
California Labor Federation, AFL-CIO
California School Employees Association
California State PTA
California Undocumented Higher Education Coalition
Californians Together
Coalition for Humane Immigrant Rights
Friends Committee on Legislation of California
Pacific Juvenile Defender Center
Sacramento Immigration Coalition
Teach Plus
The Gathering for Justice
Western Center on Law & Poverty
2 Individuals

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 341 **Hearing Date:** March 19, 2025
Author: Pérez
Version: February 12, 2025
Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: Instructional School Gardens Program: reestablishment: Department of Food and Agriculture.

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

SUMMARY

This bill re-establishes the Instructional School Gardens Program as a competitive grant program, and shifts its administration from the California Department of Education (CDE) to the California Department of Food and Agriculture.

BACKGROUND

Existing law:

- 1) Establishes the Instructional School Gardens Program, under the administration of CDE, for the promotion, creation, and support of instructional school gardens through the allocation of grants, and through technical assistance provided, to school districts, charter schools, or county offices of education (local educational agencies (LEAs)). (Education Code (EC) § 51796)
- 2) Authorizes the Superintendent of Public Instruction (SPI) to convene an interagency working group on instructional school gardens that may include, but not be limited to, representatives of CDE, the Department of Food and Agriculture, the State Department of Public Health, and the California Integrated Waste Management Board. The working group may advise the SPI on the following:
 - a) Effective and efficient means of encouraging LEAs to develop and maintain a quality instructional school garden program.
 - b) The availability of state and non-state resources and technical assistance to help LEAs in establishing and maintaining instructional school gardens.
 - c) Public and private partnerships available to assist LEAs in using instructional school gardens to complement the academic program of participating schools. (EC § 51796)

- 3) Authorizes the SPI to establish an advisory group involving other agencies and groups with expertise in instructional school gardens, including but not limited to, the California Environmental Education Interagency Network, for the purpose of supporting program efforts through technical assistance, resources, in-kind support, site visits, and other related efforts. (EC § 51796)
- 4) Requires the SPI, the Department of Food and Agriculture, the State Department of Public Health, and the California Integrated Waste Management Board to use existing resources. (EC § 51796)
- 5) Authorizes a LEA to apply to the SPI for funding for a three-year grant to develop and maintain an instructional school garden. The SPI is required to distribute the grants to LEAs of up to \$2,500 per schoolsite, except that a LEA that applies on behalf of at least one schoolsite with an enrollment of 1,000 or more students may receive a grant of up to \$5,000 per schoolsite with an enrollment of 1,000 or more students. (EC § 51796.2)

ANALYSIS

This bill:

- 1) This bill re-establishes the Instructional School Gardens Program and shifts its administration from the CDE to the California Department of Food and Agriculture.

Working group

- 2) Requires the Department of Food and Agriculture, rather than the SPI, to convene a working group on instructional school gardens that must include, but is not limited to, representatives of:
 - a) CDE.
 - b) Department of Food and Agriculture.
 - c) CalRecycle.
 - d) Department of Public Health.
 - e) Instructional school garden community-based organizations.
- 3) Requires the working group to advise and assist the Department of Food and Agriculture on all of the following:
 - a) Identifying effective and efficient means of encouraging LEAs to develop and maintain a quality instructional school garden program.
 - b) Identifying the availability of state and non-state recourses and technical assistance to help LEAs in establishing and maintaining instructional

school gardens.

- c) Identifying public and private partnerships available to assist LEAs in using instructional school gardens to complement the academic program of participating schools.
 - d) Supporting program efforts through technical assistance, resources, in-kind support, site visits, and other related efforts.
- 4) Requires the departments to use existing resources for the working group.

Competitive grant

- 5) Requires the Department of Food and Agriculture, in consultation with the working group, by July 1, 2026, to develop a competitive grant process, including selection criteria, goals, prioritizations, and guidelines, to support school garden instructional programs and maintenance in LEAs, consistent with all of the following:
- a) Eligible applicants shall include LEAs and community-based organizations or other private individuals or entities that are partnering with at least one LEA.
 - i) For purposes of a community-based organization or other private individual or entity, the LEA partnership shall be confirmed by a memorandum of understanding, services agreement, or letter of support, and the community-based organization or other private individual or entity shall have an established track record of operating outdoor, experiential learning programs in schools.
 - b) Applicant shall submit a plan and measurable outcomes for a program of experiential, outdoor instruction that includes all of the following:
 - i) The designation of an instructional school garden or outdoor learning space at each proposed schoolsite of adequate size and with the necessary infrastructure, including water, class seating, and planting areas, to provide regular learning and stewardship opportunities for all students.
 - (1) If an instructional school garden or outdoor learning space needs to be developed, or exists but needs improvements in infrastructure, applicants shall indicate that in their application and request an in-development grant (see #c) below).
 - ii) A commitment to use academic standards-aligned curriculum if programming occurs during the instructional day. This requirement shall not extend to programming offered as part of an expanded learning opportunity program. Applicants shall be encouraged to

use free, publicly available curriculum as appropriate.

- iii) Instruction consisting of experiential learning opportunities where students are in direct connection with living ecosystems, including their food system.
 - iv) Integration of outdoor, experiential learning into their planning documents, including their single plan for student achievement or their local control and accountability plans, as applicable.
- c) Applicants shall designate one of the two following grant categories for each proposed schoolsite:
- i) An “operational grant” for schoolsites that have adequate outdoor learning facilities and experiential learning programs that offer regular opportunities to all students.
 - ii) An “in-development grant” for schoolsites whose facilities need improvements or whose programs are not regularly involving all students. Schoolsites receiving an in-development grant shall be eligible for additional short-term funding to support infrastructure and program development, and shall be required to partner with a technical assistance provider approved by the Department of Food and Agriculture, in consultation with the working group.
- d) Authorizes grant funds to be used for personnel that provide direct instructional support to certificated teachers and eligible projects.
- e) Requires grant funds to be provided in proportion to the scope of work, using a formula that includes the number of experiential lessons or hands-on activities offered to each classroom, the number of participating classrooms, and the prevailing wages for instructional support providers with related, specialized experience. The formula shall include personnel time for activities beyond direct instruction or instructional support that are necessary for program operations, including preparation of lessons, facility upkeep, communications with stakeholders, and community engagement.
- f) Requires that grant funding only be disbursed to an applicant in subsequent years based upon the results of the grant report (see #9-11). Grant recipients shall qualify for a renewal of grant funding for the following school year if the deliverables outlined in the plan are adequately met, as determined by the Department of Food and Agriculture, in consultation with the working group. The Department of Food and Agriculture, in consultation with the working group, may review grant recipient expenditures in order to determine that all grant funding was used for intended purposes.
- 6) Requires the Department of Food and Agriculture, before developing the competitive grant process, to hold at least two public meetings to gather public

input on the development of the competitive grant process.

- 7) Conditions the operation of the competitive grant upon an appropriation.

Instructional School Gardens and Maintenance Fund

- 8) Establishes the Instructional School Gardens and Maintenance Fund in the State Treasury, and requires moneys in the fund, including any federal or private funds, to be made available (upon appropriation) to the Department of Food and Agriculture.

Report

- 9) Requires LEAs, as a condition of receiving grant funds, to report at the end of the school year in which grant funds are received to the Department of Food and Agriculture (for consultation with the working group) regarding the use of funds and the manner in which the garden is used to complement the academic and other programs of the funded schoolsites.
- 10) Requires the grant report to include the number of experiential lessons or hands-on activities that each classroom participated in, the frequency and duration of each lesson, the main theme of each lesson or hands-on activity, and other non-teaching activities that are necessary for program operations.
- 11) Authorizes LEAs to submit one report for all of the schools that have received grants that are under its jurisdiction.

Miscellaneous provisions

- 12) Repeals existing provisions relative to applications for grant funding, and how the SPI was to disperse grant funds.
- 13) Repeals an existing provision that authorized the California Integrated Waste Management Board to give preferential consideration to providing an appropriate level of funding to this program.
- 14) Modifies provisions of the Instructional School Gardens Program to require rather than authorize the convening of the working group, and eliminate a role for the California Integrated Waste Management Board while adding a role for CalRecycle (as the name of the board was changed and is now CalRecycle), and make changes to reflect the shift in which department is to administer this program.
- 15) Expands and modifies legislative findings and declarations relative to the benefits of garden-based learning.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Understanding how food and plants grow can be read in a book, but the feel of soil and seeds, and seeing the time it

takes to nurture a garden is an experience like no other. 25 years ago, California created the popular Instructional School Garden Program which planted the seed by allowing schools to apply for grants to establish gardens. But without the expertise and funding for maintenance and instruction, many school garden programs have withered and died. SB 341 will restart and expand the unused, unfunded statewide ISGP for on-site school garden-based education by creating a pathway for future ISGP funding and programming.”

- 2) ***History of the Instructional School Gardens Program.*** The Legislature established the Instructional School Gardens Program in 1999 under the administration of CDE. The state provided funding for this program until 2002, when the Legislature created a competitive grant program and appropriated \$200,000 in federal funding for the school gardens program. In 2006, legislation shifted administration of the program from CDE to the California Integrated Waste Management Board (now called CalRecycle), and established the Instructional School Garden Account in the State Treasury. The 2006 Budget Act appropriated \$15 million from the Proposition 98 Reversion Account for school garden equipment and supplies. No state funding remains for the instructional school gardens program.

While the Instructional School Gardens Program technically still exists, the state does not fund or specifically support this program. In 2022, the Education Committee omnibus bill eliminated the requirement that the SPI convene an interagency working group, and instead only authorized the SPI to convene this working group.

This bill re-establishes the Instructional School Gardens Program as a competitive grant program, and shifts its administration from CDE to the California Department of Food and Agriculture. *Is it appropriate to shift the administration of a program that is housed in the Education Code from CDE to the Department of Food and Agriculture?*

- 3) ***Current status of school gardens.*** The state does not collect data about the operation of school gardens. However, anecdotal evidence reveals that many schools maintain school gardens and often partner with community-based organizations. Schools may be able to use small portions of their existing funding (from the Local Control Funding Formula or the non-profit school food service account) but generally rely on their partners and other donations.
- 4) ***Curriculum.*** This bill requires grant applicants to submit a plan and measurable outcomes for a program of experiential, outdoor instruction that includes, among other things, a commitment to use academic standards-aligned curriculum if programming occurs during the instructional day. This bill encourages applicants to use free, publicly available curriculum as appropriate.

In 2003, the Legislature required the Secretary for California Environmental Protection Agency to develop environmental principles and concepts for elementary and secondary school students, and use those principles and concepts to develop model environmental curriculum. The result is the Education and the Environment Initiative (EEI), which is designed to increase

environmental literacy. The EEI Curriculum is available to educators in print and online at no cost.

In 2013, the Budget Act shifted the EEI to CalRecycle. According to CalRecycle's website, "Throughout the K-12 EEI Curriculum students learn about the importance of agriculture in California. Starting in kindergarten, students learn that fruits and vegetables come from farms and gardens, not just the grocery store. Second graders read a story about a young girl's search for strawberries as the context for learning about producers and consumers. Compost is featured in fourth-grade EEI curriculum lessons as students learn about decomposition. In high school, students learn about genetic engineering and the pros and cons of this controversial technology."

<https://calrecycle.ca.gov/Education/>

This bill does not prescribe a specific curriculum be used, only that it be standards-aligned.

- 5) **Author's amendments.** The author wishes to amend the bill as follows:
- a) Add CAL FIRE to the working group.
 - b) Clarify that individuals are not eligible to receive grant awards.
 - c) Modify the requirement that applicants' plan include a commitment to use academic standards-aligned curriculum to strike reference to "academic" in order to allow career technical education (CTE) standards to be utilized.
 - d) Clarify that applicants' plan include integration of experiential learning into planning documents (such as the single plan for student achievement or the Local Control and Accountability Plan) only pertains to applicants that are LEAs.
 - e) Broaden the language that makes this bill contingent upon an appropriation to also allow for private funds.
- 6) **Reporting requirement.** SB 1315 (Archuleta, Chapter 468, Statutes of 2024) requires CDE to conduct a report on the number and types of reports that LEAs are required to submit on an annual basis. Committee analyses of that bill note that LEAs are overburdened with reports, as they are required to submit 170 reports on an annual basis.

This bill requires LEAs, as a condition of receiving grant funds, to report at the end of the school year in which grant funds are received to the Department of Food and Agriculture (for consultation with the working group) regarding the use of funds and the manner in which the garden is used to complement the academic and other programs of the funded schoolsites. *Committee staff notes that this bill imposes reporting requirements only for LEAs that choose to apply for, and receive, this grant funding.*

7) ***Related legislation.***

AB 675 (Aguiar-Curry, 2025) codifies the California Farm to School Program, establishes the Office of Farm to Fork to administer the California Farm to School Incubator Grant Program under the California Farm to School Program, and establishes the Farm to School Account in the Department of Food and Agriculture Fund. AB 675 is pending referral.

SUPPORT

California School Garden Coalition (Sponsor)
American Canyon Middle School
Association for Environmental and Outdoor Education
Bayside Community Center
Beechwood School
Belle Air Elementary School
Berkeley Unified School District
Berkeley Unified School District Garden & Cooking Program
Big Picture Learning Windsor
Black Thumb Farm
Bliss Living Wellness
Blueblossom Consulting
Cadman Cooking and Garden Education Program
California Catholic Conference
California State PTA
Captain Cooper Elementary School
Center for Land-Based Learning
Central Coast State Parks Association
Channel Islands Restoration
Charlie Hong Kong
Children & Nature Network
Christine Land Tutoring
Coast Water Solutions
Coastal Community Preschool
Coastal Evergreen Inc.
Connolly Ranch Education Center
Craig Strang Consulting
Crop Swap LA
Darnall Charter School
Edible Garden Program, Pittsburg Unified School District
Edna Maguire Children's Garden
Environmental Protection Information Center
Exploring New Horizons Outdoor Schools
Fairwood Alliance
Families Advocating for Chemical and Toxics Safety
Food Ed
Food for Thought Ojai
FoodCorps
Friends of the Los Angeles River
Fuenta Nueva Charter School

Garden School Foundation
Gault School Garden
Get Hooked Seafood
Green Schoolyards America
Greg Ellis Consulting
Grow Together Gardens
Growing Healthy Kids
Growing Together
Health to Grow On
Healthy Family Project
Healthy Schools Project, Ventura Unified School District
Hueneme High School
Ideal Bay Area
Island Art Therapy
Jeden Bioscience, Inc.
Kimbark Elementary School
Knowledge Consulting
LA Honda-Pescadero Unified School District
LA Madera Elementary School Garden
Laguna Vista Elementary School
Latimer Garden & Outdoor Classroom
Life Lab
Living Classroom
Los Gatos Union School District
Lu Sutton Elementary School
Lunella Consulting
Marin Interfaith Climate Action
Master Gardener San Diego County
Master Gardeners of California
Mill Valley Children's Garden
Mill Valley School District
Mountain View Whisman School District
Napa School Garden Network
New Mettle Farms
North Bay Children's Center
Northern California Elders Climate Action
Oak Park Unified School District
Oakland Goes Outdoors
Oakland Nature Awareness Project
Ocean View School District
Ohlone Elementary School
Ojai Unified School District
Olivewood Gardens & Learning Center
On Common Ground
Once Upon a Watershed
One Cool Earth
One Green Step
Otay Ranch Academy for the Arts
Our Global Family Farm
Oxnard Union High School District Farm to School

Pacific Elementary School
Pajaro Valley Unified School District
Pajaro Valley Unified School District Expanded Learning Opportunity Program,
Career Technical Education, and Agriscience
Ponderosa Elementary PTSA
Poway Unified School District
Rainbow Valley Botanics
Rancho Carlsbad Children's Garden
Rio Real Middle School
Rio School District
River City High School Garden
Roots and Wings
Rucker Home and School Club
Sacramento Splash
San Diego Children and Nature
San Diego Unified School District
San Domenico School
San Francisco Climate Literacy Advocates
San Luis Coastal Unified School District
San Luis Obispo Beaver Brigade
Santa Cruz Education Foundation
School Garden Network
School Garden Network of Sonoma County
Serendipity Home Preschool
Smiling Roots
Starlight Elementary School
Strategic Energy Innovations
Sunlight Editing
Sustainable Mill Valley
Taft Library Garden
Ten Strands
The Center Environment, Food and Garden Team at Oakland Unified School District
The Edible Schoolyard Project
The Heal Project
The Posh Squash
The Sage Garden Project
The School Garden Doctor
Tropical Island
True Nature Yoga Therapy
Turning Point Foundation
University Elementary at La Fiesta School Garden
Urban Tilth
Veggielution
Ventura County Farm to School
Westside Farm and Feed
Wheelock Orchard Preschool
Winters High School Agriculture Department
Yolo Farm to Fork
Yuba River Charter School

OPPOSITION

None received

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