

Vice-Chair
Ochoa Bogh, Rosilicie

Members
Cabaldon, Christopher
Choi, Steven S.
Cortese, Dave
Gonzalez, Lena A.
Laird, John

California State Senate

EDUCATION



SASHA RENÉE PÉREZ
CHAIR

Staff Director
Lynn Lorber

Principal Consultant
Olgalilia Ramirez
Ian Johnson

Consultant
Therresa Austin

Committee Assistant
Maria Velez
Irma Kam

1021 O Street, Room 6740
(916) 651-4105
FAX: (916) 324-0917

AGENDA

Wednesday, April 23, 2025
9 a.m. -- 1021 O Street, Room 2100

MEASURES HEARD IN FILE ORDER

- | | | | |
|-----|--------|-----------|--|
| 1. | SB 307 | Cervantes | Public postsecondary education: immigration enforcement. |
| 2. | SB 670 | Cervantes | Adult Education Program: immigrant integration. |
| 3. | SB 414 | Ashby | School accountability: school financial and performance audits: chartering authorities: tort liability: educational enrichment activities: flex-based instruction. |
| 4. | SB 226 | Cabaldon | Community colleges: territory transfers between districts. |
| 5. | SB 305 | Reyes | Seymour-Campbell Student Success Act of 2012: Free Application for Federal Student Aid and California Dream Act application. |
| 6. | SB 494 | Cortese | Classified school and community college employees: disciplinary hearings: appeals: contracted administrative law judges. |
| 7. | SB 550 | Cortese | California State University, San Jose: law school. |
| 8. | SB 323 | Pérez | Student Aid Commission: California Dream Act application. |
| *9. | SB 416 | Pérez | Student financial aid: Cal Grants: qualifying institutions: financial aid offer letter template. |
| 10. | SB 848 | Pérez | Pupil safety: school employee misconduct: child abuse prevention: criminal communications with a minor. |

***Consent Item**

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 307	Hearing Date:	April 23, 2025
Author:	Cervantes		
Version:	April 10, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: immigration enforcement.

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 California State University (CSU) Trustees and requests the University of California (UC) Regents to implement additional precautionary measures if an undocumented student is subject to a federal immigration order, including, among other things, requiring adoption of a systemwide policy on course grades, administrative withdrawal, and reenrollment for undocumented students who are detained, deported, or unable to attend courses due to the actions of immigration enforcement related to a federal immigration order.

BACKGROUND

Existing law:

- 1) Establishes the CSU, under the administration of the Trustees of the CSU, and the UC, under the administration of the Regents of the UC. (Education Code (EC) § 66600 and California Constitution, Article IX, Section 9)
- 2) Requires the Trustees of the CSU, the governing boards of community college districts, 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.)
- 3) Requires in the event that an undocumented student is subject to a federal immigration order, ensure that both of the following occur:
 - a) In the event that an undocumented student is detained, deported, or is unable to attend to their academic requirements due to the actions of an

immigration officer in relation to a federal immigration order, the college or university is to make all reasonable efforts to assist the student in retaining any eligibility for financial aid, fellowship stipends, exemption from nonresident tuition fees, funding for research or other educational projects, housing stipends or services, or other benefits they have been awarded or received, and permit the student to be reenrolled if and when the student is able to return to the college or university. It is the intent of the Legislature that, in implementing this paragraph, California colleges and universities make reasonable and good-faith efforts to provide for a seamless transition in a student's reenrollment and reacquisition of campus services and supports.

- b) That staff is available to assist, in a sensitive manner, undocumented students and other students, faculty, and staff who may be subject to a federal immigration order or inquiry or who may face similar issues and whose education or employment is at risk because of federal immigration actions. (EC § 66093.3 (j))
- 4) Requires the California Community Colleges (CCC) and the CSU, and requests the UC, to designate a Dreamer Resource Liaison who is knowledgeable in available financial aid and other support services and academic opportunities for all students meeting the requirements for the exemption from paying nonresident tuition established by AB 540 (Firebaugh, Chapter 814, Statutes of 2001), including undocumented students. (EC § 66021.8.)
- 5) Exempts specified California nonresidents from paying nonresident tuition at UC, CSU, and CCC, also known as the AB 540 nonresident tuition waiver, if they graduated from a California high school and either 1) attended a California high school for three years or 2) earned the equivalent of three years of high school credit at a California high school and attended three years at some combination of California elementary or secondary schools are exempt from paying nonresident tuition. Students may also qualify if they meet a combination of specified time and coursework requirements and degree or unit requirements at a community college or adult school. (EC § 68130.5)

ANALYSIS

This bill:

- 1) Requires the CSU Trustees and requests the UC Regents, in the event that an undocumented student is subject to a federal immigration order, in addition to complying with existing law, do both of the following:
 - a) Ensure that both of the following occur:
 - i) That staff and the designated Dreamer Resource Liaison at the institution assist undocumented students in accessing all financial aid and academic resources available to undocumented students.

- ii) That the undocumented student's detainment, deportation, or inability to satisfy the student's academic requirements at the institution due to the actions of immigration authorities in relation to a federal immigration order does not affect the student's qualification for in-state tuition, provided the student meets the requirements described in state law for the exemption from paying nonresident tuition.
- b) Adopt a systemwide policy for addressing course grades, administrative withdrawal, and reenrollment for undocumented students who are unable to attend their courses by the final drop date due to the student's detainment, deportation, or inability to attend their courses due to the actions of immigration authorities in relation to a federal immigration order. The systemwide policy is to include a timeframe during which a student withdrawn for nonattendance is reenrolled and retains the same academic status they held before their withdrawal upon submitting written confirmation of their intent to return to the institution.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "in California, a significant number of undocumented college students face formidable obstacles due to their ineligibility for DACA, creating a complex web of challenges for both the students themselves and the institutions they attend. These challenges encompass not only employment and access to financial aid but also the constant threat of deportation, which looms over their educational aspirations. It is estimated that around 17,000 individuals in California are excluded from DACA because of decisions made during the Trump administration and various court rulings. Furthermore, nearly 100,000 Californians are ineligible for other reasons, adding to the complexity of their situation.

"With approximately 83,000 undocumented college students, California is home to the largest population of its kind in the United States. This demographic represents a vibrant and diverse cohort of young individuals eager to pursue their dreams yet hindered by their status. Recognizing their potential, our higher education systems must go beyond merely designating specific spaces and personnel to support undocumented youth. It is imperative that they establish comprehensive policies that not only facilitate support but also provide tangible resources for Dreamer Resource Liaisons. These resources should encompass well-structured plans and navigational tools aimed at empowering students to chart a successful course for their futures, ensuring that they receive the guidance and assistance necessary to thrive despite the obstacles they face.

"SB 307 seeks to empower our universities to implement comprehensive support systems for undocumented students, ensuring they receive not only legal assistance but also proactive measures that prioritize their educational journey. This legislation encourages institutions to develop tailored strategies and policies that facilitate the continuation of higher education for these students, safeguarding against potential disruptions.

“In an environment where the current federal administration has committed to mass deportations, undocumented students face an urgent threat to their stability and safety. While all undocumented individuals are at risk, those without DACA face an even greater vulnerability. Therefore, it is imperative that we take definitive and preemptive actions to shield undocumented students from the fluctuating immigration policies that may jeopardize their academic pursuits and the relentless efforts they have invested in their education. By fostering a supportive and secure educational environment, we can help ensure that these students can thrive and achieve their dreams despite the challenges they encounter.”

- 2) **Attempts to fill in gaps in existing policies.** Current law requires UC and CSU to designate a Dreamer Resource Liaison who is knowledgeable in available financial aid resources, legal services, and academic opportunities to assist students, including undocumented students. Current law already mandates CSU and UC to provide assistance to undocumented students facing detention, deportation, or inability to fulfill academic requirements as a result of immigration actions. Institutions must make reasonable efforts to help these students retain their benefits and allow them to re-enroll when they return. This bill requires the CSU Trustees and requests UC to *make sure* that the Dreamer Resource Liaison position offers similar services. It explicitly prohibits immigration actions from affecting a student’s nonresident tuition exemption rather than making a reasonable effort to maintain that benefit. This bill further calls on CSU and UC to adopt a systemwide policy to address course grades, withdrawal, and reenrollment for undocumented students who are impacted by immigration enforcement activity. This bill seems to align with existing efforts aimed at supporting students continuing their college education with minimal disruption after being impacted by immigration enforcement actions. As the bill moves forward, the author may wish to consider evaluating whether the bill’s provisions align with campus policies established to meet existing statutory requirements, which have similar objectives, to ensure effective implementation.
- 3) **The right to education is fundamental right.** As cited in the Attorney General’s (AG) *Guidance and Model Policies to Assist California Colleges and Universities in Responding to Immigration Issues*, “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 immigrant students cannot be denied equal access to a public education on the basis of their immigration status. Under the California Constitution, all students and staff—regardless of immigration status— have a right to privacy and ‘the inalienable right to attend campuses which are safe, secure and peaceful.’ The California Supreme Court has affirmed that an immigrant student’s right to an equal educational opportunity is ‘a vitally important right in our society.’ Protections are expressly codified in California law to assure educational access for all, regardless of a student’s immigration status, ‘in any [educational] program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state financial aid.’” Notably, this state, as well as its colleges and universities, has invested in undocumented students by creating an affordable path for degree attainment

with academic support. This bill attempts to secure continuity of education for these students.

4) **Related legislation.**

SB 98 (Perez, 2025) requires the governing boards of local educational agencies, the CSU, each CCC District, and each Cal Grant qualifying independent institution of higher education and requests the UC Regents to issue a notification to specified individuals when the presence of immigration enforcement is confirmed on their respective campuses or schoolsites. SB 98 is pending in the Senate Appropriations Committee.

SB 48 (Gonzalez, 2025), an urgency measure, prohibits a local educational agency 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 set for hearing in the Senate Judiciary Committee on April 29.

AB 49 (Muratsuchi, 2025) 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 is pending in the Assembly Judiciary Committee.

SUPPORT

California State Council of Service Employees International Union
California Undocumented Higher Education Coalition

OPPOSITION

1 Individual

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 670	Hearing Date:	April 23, 2025
Author:	Cervantes		
Version:	April 10, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Lynn Lorber		

Subject: Adult Education Program: immigrant integration.

SUMMARY

This bill defines “immigrant integration” for the purposes of the Adult Education Program.

BACKGROUND

Existing law:

- 1) Establishes the Adult Education Program under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction (SPI). (Education Code (EC) § 84900)
- 2) Requires the chancellor and the SPI, with the advice of the executive director of the State Board of Education (SBE), to divide the state into adult education regions and, with the advice of the executive director, approve one adult education consortium in each adult education region. (EC § 84903 and § 84904)
- 3) Requires the chancellor and the SPI to determine the amount to be allocated to each consortium based on specified criteria. (EC § 84909)
- 4) Requires the chancellor and the SPI, to determine the need for adult education, to consider, at a minimum, measures related to adult population, employment, immigration, educational attainment, and adult literacy. (EC § 84911)
- 5) Requires that funds apportioned for the Adult Education Program to be used only for support of the following:
 - a) Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate.
 - b) Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation.
 - c) Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce.

- d) Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary school children to succeed academically in school.
 - e) Programs for adults with disabilities.
 - f) Programs in career technical education that are short term in nature and have high employment potential.
 - g) Programs offering pre-apprenticeship training activities conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.
 - h) Indirect costs of the program's consortium members, as specified. (EC § 83913)
- 6) Requires the chancellor and the SPI, to inform actions taken by the Governor and the Legislature related to adult education, to report to the Director of Finance, the Statewide Director of Immigrant Integration, the SBE, and the Legislature about:
- a) The use of the funds available to the members of the consortium, entities that provide education and workforce services to adults in the region, and entities that are impacted by, or that have a fundamental interest in, the provision of those services.
 - b) Outcomes for adults statewide and in each adult education region. (EC § 84917)
- 7) Requires each report to be based on all data available at the time of its submission, and include among other things, any recommendations related to delivery of education, immigrant integration, and workforce services for adults, including recommendations related to improved alignment of state programs. (EC § 84917)
- 8) Requires the chancellor and the SPI, with input from the Statewide Director of Immigrant Integration and adult education program providers, to identify common measures consistent with, but not limited to, the English literacy and civics education program's Civic Objectives and Additional Assessment Plans under Title II of the federal Workforce Innovation and Opportunity Act for meeting the needs of immigrant and refugee adults seeking integration. (EC § 84920)
- 9) Requires the chancellor and the SPI, with input from the Statewide Director of Immigrant Integration, to accomplish both of the following:
- a) Define the specific data each consortium may collect.
 - b) Establish a menu of common assessments and policies regarding placement of adults seeking immigrant integration into adult education

programs to be used by each consortium to measure educational needs of adults and the effectiveness of providers in addressing those needs. (EC § 84920)

ANALYSIS

This bill defines “immigrant integration,” for the purposes of the Adult Education Program, as a two-way process in which immigrants and the receiving society work together to build secure, thriving, cohesive, and inclusive communities. In the process, immigrants are embraced and welcomed by the receiving society with effective, culturally relevant, and linguistically accessible programs and services that facilitate their linguistic, economic, civic, and social integration and provide upward social and economic mobility, increased civic participation, and multigenerational integration, and service providers encourage immigrants to maximize their contributions to the economic and civic life of their communities.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “California is home to a vibrant and diverse population of over 10.6 million immigrants, representing 22% of the nation’s foreign-born residents. Despite their significant presence, many immigrant adults encounter a range of complex and interrelated challenges that hinder their economic advancement and integration into the fabric of our state and country.

“These challenges often include limited proficiency in English, which can restrict job opportunities and social interactions. Many find themselves trapped in low-wage employment, struggling to make ends meet, while others lack permanent legal status, leaving them vulnerable and without access to certain benefits and protections. Additionally, low levels of formal education can further impede their ability to secure higher-paying jobs, and a lack of familiarity with American culture, societal norms, and institutions can create barriers to navigating everyday life.

“To combat these issues, adult skills programs operating within workforce development and adult education systems strive to provide essential services aimed at reducing these barriers and facilitating integration. However, the policies and program designs that underpin these initiatives frequently fail to recognize the distinct needs and characteristics of immigrant populations compared to their U.S.-born counterparts. This oversight can lead to a mismatch between available resources and the actual needs of immigrant adults, resulting in programming that is neither effective nor equitable in helping them achieve their goals.

“SB 670 seeks to establish a clear definition of immigrant integration in order to enhance both the effectiveness and equity of adult skills programs. The legislation recognizes that successful integration depends not only on English proficiency but also on civic participation and economic inclusion. These elements are vital for the success of immigrants, their families, and the

communities they choose to call home.”

- 2) ***Immigrant integration.*** In 2015, SB 84 (Committee on Budget and Fiscal Review, Chapter 25, Statutes of 2015) established the position of Statewide Director of Immigrant Integration to serve as the statewide lead for the planning and coordination of immigrant services and policies. In 2018, AB 2098 (McCarty, Chapter 751, Statutes of 2018) required the chancellor and the SPI, with input from the Statewide Director of Immigration Integration and adult education program providers, to identify common measures for meeting the needs of immigrant and refugee adults seeking integration, and to identify measures for assessing the effectiveness of adult education consortia providing immigrant integration.

A workgroup resulting from AB 2098 issued recommendations in 2019 to “... promote California’s civic and economic health by developing coordinated statewide immigrant integration policies and initiatives.” The workgroup offered a definition of immigrant integration that is similar to the definition in this bill. However, as noted by the California Council for Adult Education and California Adult Education Administrators Association, the Networks for Integrating New Americans (NINA) released a framework regarding adult education and immigration integration that includes a definition of “immigrant integration” that addresses the engagement, contributions, expectations and responsibilities of immigrants. Further, that definition is carried forward into the Alliance for Language Learners’ Integration, Education and Success (ALLIES) “Immigrant Integration Framework from English Learning to Full Participation.”

The definition of “immigrant integration” contained in this bill blends the definitions from the AB 2098 workgroup and the NINA framework.

- 3) ***Related legislation.***

SB 12 (Gonzalez, 2025) would establish the Office of Immigrant and Refugee Affairs (Office) within a newly created Immigrant and Refugee Affairs Agency (Agency). The bill would establish the duties and responsibilities of the Agency and the Office, which includes, among other duties, establishing a permanent structure within the state to serve immigrants and refugees, and assisting other state agencies in evaluating programs for accessibility and effectiveness in providing services to immigrants and refugees. SB 12 is pending in the Senate Appropriations Committee.

SUPPORT

California Adult Education Administrators Association
California Council for Adult Education

OPPOSITION

None received

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 414

Hearing Date: April 23, 2025

Author: Ashby

Version: March 26, 2025

Urgency: No

Fiscal: Yes

Consultant: Ian Johnson

Subject: School accountability: school financial and performance audits: chartering authorities: tort liability: educational enrichment activities: flex-based instruction.

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 makes a broad set of changes to charter school law related to audit procedures, financial oversight, governance, and funding determinations. Specifically, it adds new audit standards and training requirements for certified public accountants (CPAs), expands charter authorizer oversight duties, and requires charter school governing boards to publicly review annual audit findings. It also establishes vendor contracting rules, directs the State Board of Education (SBE) to revise its funding determination process for flex-based charter schools, and initiates a statewide study of charter oversight models. Additionally, the bill replaces references to “nonclassroom-based” charter schools with “flex-based” charter schools throughout the Education Code and defines charter schools as public entities under the Government Claims Act.

BACKGROUND

Existing law:

- 1) Requires each local educational agency (LEA), including charter schools, to conduct an annual independent audit by a CPA in accordance with regulations established by the State Controller. Specifies that audits must examine financial statements and compliance with applicable laws. (Education Code (EC) § 41020)
- 2) Authorizes the Controller to review LEA audit reports, conduct quality control reviews of CPA firms, and disqualify auditors who fail to meet professional standards. (EC § 41020.5)
- 3) Requires the Controller to develop and update an annual audit guide for K-12 LEAs in consultation with stakeholders. (EC § 14502.1)
- 4) Declares that charter schools are part of the public school system and subject to applicable oversight by the state, including laws relating to financial accountability. (EC § 47604.1)

- 5) Authorizes a chartering authority to monitor the fiscal and academic performance of a charter school and take appropriate corrective action. (EC § 47604.32)
- 6) Grants the SBE authority to take corrective action against a charter school, including revocation of the charter, in cases involving gross financial mismanagement or failure to meet performance expectations. (EC § 47604.5)
- 7) Requires nonclassroom-based (NCB) charter schools (defined as schools where less than 80% of instruction occurs in person) to obtain a funding determination from the SBE to receive state apportionment. (EC § 47612.5)
- 8) Authorizes chartering authorities to charge charter schools for actual costs of supervisorial oversight, not exceeding 1% (or 3% in some cases) of revenues. (EC § 47613)
- 9) Requires LEAs offering independent study to comply with teacher-pupil ratio requirements, which differ based on instructional model. (EC § 51745.6)
- 10) Authorizes the Controller to conduct periodic quality control reviews of audit firms that perform K-12 LEA audits and make recommendations for improvement or enforcement action. (EC § 14504.2)

ANALYSIS

This bill:

- 1) Renames “nonclassroom-based” charter schools as “flex-based” charter schools and makes corresponding terminology updates in provisions relating to public meeting requirements and audit procedures.
- 2) Adds the Charter Schools Development Center and the California Charter Schools Association to the list of stakeholders consulted in the audit guide development process.
- 3) Requires CPAs conducting audits of LEAs, including charter schools, to complete 24 hours of initial training and 16 hours biennially in areas such as charter school finance, audit standards, and flex-based instructional models.
- 4) Requires a charter school’s governing board to annually review its independent audit report and any related management letter during a public meeting.
- 5) Prohibits a CPA or firm from conducting school audits for three fiscal years if they receive two consecutive audit reports with significant audit findings.
- 6) Adds charter school-specific procedures that must be included in annual audits, including:
 - a) Review of credit, debit, and electronic payment transactions.

- b) Review of any single transaction or fund transfer that exceeds \$1 million or 10% of the school's budget.
 - c) Identification of the top 25 payments made to individuals or entities.
 - d) Review of teacher-to-student ratios in flex-based charter schools.
- 7) Clarifies that a charter school's governing board and an entity managing a charter school are obligated to respond to oversight inquiries from the chartering authority, the Superintendent of Public Instruction, or the SBE. Specifies that no person or entity shall be held liable under confidentiality or privacy laws for providing information to those entities as required under this section.
- 8) Requires chartering authorities to:
 - a) Review charter school enrollment and attendance data.
 - b) Review a sample of credit/debit card transactions.
 - c) Notify the California Department of Education (CDE) and county superintendent of schools if they suspect fraud, misappropriation of funds, or other illegal fiscal practices.
- 9) Expands the grounds on which the SBE may revoke a charter to include gross financial mismanagement, improper use of public funds, or persistent failure to improve pupil outcomes. Requires the SBE or its designee to promptly investigate allegations of false claims or misappropriation of public funds if there is probable cause.
- 10) Requires the Legislative Analyst's Office, by October 1, 2027, to study charter authorization and oversight practices in other states, and to convene an advisory group to recommend amendments to California law to:
 - a) Reduce conflicts of interest;
 - b) Improve authorizing processes;
 - c) Ensure cost-effective oversight funding;
 - d) Avoid overly burdensome practices;
 - e) Prevent fraud and misappropriation.
- 11) Limits the SBE's authority to reduce or revoke funding for flex-based charter schools to only those cases where it makes a formal finding of demonstrable financial abuse, profiteering, or grossly excessive administrative expenses, and requires the SBE, by May 31, 2027, to revise its funding determination regulations to:

- a) Require cross-checking data submitted by charter schools with independent audits.
 - b) Avoid duplicate reporting when data is already available from audits.
 - c) Allow exclusion of unspent one-time funds from instructional spending calculations.
 - d) Count spending on physical school sites as instructional-related expenditures.
 - e) Require disclosure of reserves by accounting category.
 - f) Allow exclusion of reserve increases from revenue if reserves are below 10%.
 - g) Require explanations for reserves over 10% and notify authorizers when under 5%.
 - h) Limit funding reductions to cases of demonstrable financial abuse, profiteering, or grossly excessive administrative costs.
- 12) Clarifies that when a flex-based charter school elects to meet teacher-pupil ratio requirements by comparison to the largest unified school district in its county, the applicable ratio shall be based on the district's average daily attendance (ADA) at the second principal apportionment in the prior year and requires the largest unified school district in each county to make its ratio data available upon request.
- 13) Establishes new audit requirements that the Controller must incorporate into the annual audit guide, beginning in the 2027–28 fiscal year, including:
- a) Requiring auditors to apply materiality thresholds to ADA compliance testing in accordance with Generally Accepted Auditing Standards.
 - b) Requiring procedures to identify whether an LEA has material financial relationships with related parties and to ensure compliance with Financial Accounting Standards Board (FASB) disclosure rules.
 - c) Requiring audits of school districts or county office of education (COEs) that consolidate multiple charter schools to separately track and report financial data for each charter school.
 - d) Requiring LEAs to report monthly pupil enrollment and attendance, disaggregated by track if applicable.
- 14) Establishes the following rules for contracting with educational enrichment vendors:

- a) Requires LEAs (including charter schools) to vet vendors through policies ensuring safety, value, and qualification.
 - b) Requires criminal background checks only for unsupervised vendor personnel.
 - c) Prohibits advance payment.
 - d) Requires board approval for vendor contracts exceeding \$100,000.
 - e) Requires that enrichment activities be approved by a teacher and deemed educationally appropriate.
 - f) Requires the audit guide to include review of LEA compliance with these policies.
- 15) Defines charter schools as “public entities” for purposes of the Government Claims Act, which extends certain liability protections typically afforded to public agencies.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Charter schools are a part of many communities and often provide alternative educational flexibility for families with a myriad of situations; including medical conditions, special needs, and other unique circumstances. They serve as a resource for families and deliver vital educational programs to our students.

“Several fiscal audits conducted by various agencies’ have identified opportunities for improvement for various charter schools and charter school authorizers across the state. Most of the negative audit findings point back to a greater need for oversight, transparency, and accountability.

“SB 414 addresses these issues specifically by holding charter schools responsible for internal accounting and for educational outcomes for all students. This bill incorporates recommendations from several reports, strengthening oversight and ensuring academic success. It is vital to implement strong accountability measures and establish proper oversight to ensure that students receive quality education in appropriate, safe, and stable learning environments regardless of whether a school is traditional, chartered, or a hybrid model. SB 414 puts students first and puts into law the important recommendations made through audits from several entities including the Legislative Analyst’s Office (LAO) and State Controller.”

- 2) ***Background on Charter Schools.*** Charter schools are public schools that operate under the terms of a charter agreement approved by a school district, county office of education, or the SBE. Established by the Charter Schools Act of 1992, they were intended to increase learning opportunities for all students, especially those who are academically low-achieving, and to promote innovation, site-based decision-making, and performance-based accountability.

Today, charter schools serve over 700,000 students in California. They are publicly funded and tuition-free but operate with greater flexibility in exchange for accountability for results. Charter schools may be operated by nonprofit organizations or, in some cases, by charter management organizations (CMOs) that oversee multiple schools. While most charter schools operate classroom-based programs similar to traditional schools, a significant share operate in a NCB model.

- 3) ***What Are NCB Charter Schools?*** A charter school is considered NCB if less than 80% of its instructional time occurs under the immediate supervision of a credentialed teacher in a classroom setting. NCB charter schools may offer instruction through virtual, blended, or home-based learning models. These schools often serve high proportions of students with unique learning needs, such as students who are medically fragile, pursuing athletic or artistic careers, or seeking alternatives to traditional settings.

Because NCB schools are not funded automatically based on attendance like classroom-based schools, they must obtain a funding determination from the SBE. This process is based on an evaluation of audited expenditures and is intended to ensure public funds are being used for instructional purposes. However, the process has been widely criticized for its lack of rigor, real-time accountability, and effectiveness in preventing misuse of funds. The integrity of financial reporting in NCB schools plays a critical role in funding eligibility, and, when abused, can be exploited to inflate apportionments and divert public resources.

- 4) ***The Moratorium on NCB Charter Schools and Broader 2019 Charter School Reforms.*** In 2019, the Legislature passed AB 1505 (O'Donnell, Chapter 486, Statutes of 2019) and AB 1507 (Smith, Chapter 487, Statutes of 2019), which significantly restructured charter school law. Among other changes, AB 1505 strengthened the criteria for charter authorization and renewal by:

- a) Allowing authorizers to consider academic and fiscal impact on the district when reviewing petitions.
- b) Tying renewal decisions to a school's performance on the California School Dashboard, streamlining renewal for high performers and requiring greater scrutiny for low performers.
- c) Expanding credentialing requirements to all charter school teachers and applying conflict-of-interest laws to charter boards.

AB 1507 restricted charter schools from operating sites outside their authorizing district's boundaries.

Together, these bills also enacted a moratorium on new NCB charter schools through January 1, 2026. The pause was intended to give the state time to re-evaluate oversight, funding, and academic accountability in the NCB sector, following concerns about weak controls and inconsistent performance.

This bill builds on this reformed oversight landscape by proposing additional audit, fiscal, and governance tools specific to charter school accountability.

- 5) ***The A3 Charter Schools Fraud Case.*** The most significant charter school fraud case in California’s history, the A3 Education scandal, came to light in 2019. Prosecutors alleged that two individuals created a network of 19 NCB charter schools and enrolled tens of thousands of students, many without their knowledge or participation, to fraudulently claim public funding. The scheme involved:

- a) Inflated and duplicated enrollment using a manipulated “multi-track” calendar.
- b) Unauthorized use of public funds through related-party contracts.
- c) A total fraud estimate of over \$400 million in misappropriated state funds.

The case revealed multiple breakdowns in the oversight chain—from charter authorizers to external auditors to state agencies—prompting calls for systemic reform.

- 6) ***Oversight Reports Prompting Legislative Action.*** In response to the A3 scandal and other fraud incidents, state and independent agencies released three major reports:
- a) *State Controller’s Office (SCO) Charter School Audit Task Force Report (2024):* Focused on improving the quality of school audits by increasing auditor training, revising the audit guide, establishing CPA review and rotation policies, and ensuring follow-up on audit findings.
 - b) *California Charter Authorizing Professionals (CCAP) Fraud Prevention Report (2024/25):* Called for a broader anti-fraud framework, including adoption of Fraud Risk Management Programs, regulation of back-office providers and CMOs, enhanced board training, and the creation of a centralized Office of the Inspector General for K-12 education.
 - c) *LAO/Fiscal Crisis and Management Assistance Team (FCMAT) Joint Report on Nonclassroom-Based Charter Schools (2024):* Analyzed the NCB funding determination process and recommended major changes to better align funding with instructional delivery. Recommendations included real-time enrollment tracking, clearer definitions of instruction, and changes to charter oversight authority.
- 7) ***Makes Improvements, But Not the Full Reform Package.*** This bill addresses some of the procedural weaknesses exposed in the A3 scandal—such as insufficient audit visibility and inconsistent follow-up by authorizers. Requiring charter boards to review audits, expanding audit procedures, and clarifying authorizer responsibilities are all meaningful improvements.

However, the bill does not implement core structural reforms recommended in recent oversight reports. For example, it does not adopt the LAO/FCMAT recommendations related to instructional time definitions, real-time enrollment tracking, or more stringent funding eligibility criteria. It also does not create a centralized enforcement body or statewide fraud reporting mechanism, as proposed in the CCAP report.

With the statutory moratorium on new NCB charter schools set to expire in 2026, it is imperative that the Legislature do more than reinforce downstream controls. A more comprehensive oversight framework—spanning governance, funding eligibility, and fraud prevention—will be necessary to ensure the state is prepared for a potential resurgence in growth in this sector.

- 8) ***Where the Bill Diverges from Oversight Report Recommendations.*** In addition to omitting several key reforms, some provisions in this bill may run counter to the intent of recommendations from the oversight reports. For example:
- a) ***Funding determinations:*** The bill limits the SBE’s authority to reduce funding for flex-based charter schools only when it finds demonstrable financial abuse, profiteering, or grossly excessive administrative costs. This language narrows current SBE discretion and could undercut the LAO/FCMAT recommendation to apply stricter fiscal thresholds and more proactive oversight tools.
 - b) ***Investigatory authority:*** The bill assigns investigatory responsibilities for false claims or fund misappropriation to the SBE, which is not an enforcement or compliance agency. This deviates from the CCAP recommendation to establish a dedicated K-12 inspector general or similar centralized investigative authority.
 - c) ***Charter oversight study:*** The bill directs the LAO to study charter authorization and oversight systems in other states and recommend amendments to California law. However, the state already enacted major charter reforms through AB 1505 (O’Donnell, 2019), which restructured authorization, renewal, and teacher credentialing. It is unclear whether a new study is needed at this time, especially when the more pressing oversight challenges involve financial controls, fraud prevention, and audit standards. This provision may divert attention from implementing the recent recommendations already issued by state oversight agencies.

These provisions may create implementation confusion, reduce the impact of future reforms, or unintentionally weaken existing accountability frameworks.

- 9) ***Insufficient Reform to Justify Renaming as “Flex-Based”.*** This bill replaces the term “nonclassroom-based” with “flex-based” throughout the Education Code. While the change may be intended to reflect evolving instructional models or reduce negative associations with the term “nonclassroom-based,” it does not alter the underlying instructional model, funding structure, or eligibility requirements for these schools.

In effect, the bill rebrands a model that remains substantively unchanged. This name change carries several risks:

- a) *Terminology Confusion*: “Nonclassroom-based” is a well-established statutory term that is deeply embedded across state law, regulations, funding formulas, and administrative processes, including independent study statutes, funding determination protocols, and the audit guide.
- b) *Disruption of Oversight and Implementation*: State-level reports (including the LAO/FCMAT Joint Report) use the NCB designation to identify issues with funding accountability and instructional quality. Changing terminology midstream, without redefining the instructional model or aligning agency guidance, may complicate the implementation of those oversight recommendations.
- c) *False Signaling*: The new term could give the appearance of reform where none has occurred, potentially undermining stakeholder trust or legislative intent. A rebrand without corresponding policy change could also create ambiguity for parents, authorizers, auditors, and oversight agencies.

- 10) ***Related Senate Bill – SB 719 (Cabaldon, 2025): Addresses Similar Audit Oversight Issues.*** This bill includes several audit-related provisions—such as auditor disqualification rules, continuing education requirements for CPAs, and specific audit procedures for charter schools. These same subject areas are also addressed in SB 719, a bill sponsored by the SCO and developed in response to that office’s Multi-Agency Charter School Audit Task Force Report (2024).

Both bills aim to strengthen audit quality and financial oversight, but they approach those goals differently. This bill focuses on charter school-specific reforms, while SB 719 proposes a systemwide framework that applies to all LEAs. As currently drafted, the bills include overlapping and in some cases conflicting provisions, including:

- a) *Auditor disqualification*. This bill amends EC § 41020.5 to disqualify auditors after two nonconforming charter school audits (including under new Section 41020.6). SB 719 sets out a broader disqualification process through peer review failures and SCO determinations, with referral authority to the California Board of Accountancy.
- b) *CPA Training Requirements*. This bill adds a charter-specific CPA training mandate to EC § 41020(f)(4). SB 719 imposes general training and experience requirements for all LEA auditors, including topics like charter schools, independent study, and instructional time.
- c) *Audit Procedures and Reporting*. This bill adds a new Section 41020.6 with specific audit procedures—such as disclosure of the top 25 vendor payments, review of large transfers, sampling of card transactions, and teacher-pupil ratio checks in flex-based charters. SB 719 requires detailed auditor reporting, including audit exceptions, fiscal solvency

concerns, and management responses, and leaves further procedural detail to be implemented through quality control and audit standards.

These overlapping provisions may result in duplicative or inconsistent requirements for auditors, LEAs, and oversight agencies if both bills are enacted without coordination. At the time of this analysis, the authors have not coordinated to resolve these issues. The Committee may wish to flag the potential for conflict and encourage alignment between the two measures to avoid implementation and compliance challenges down the line.

- 11) ***Tort Liability and the Government Claims Act.*** This bill proposes to amend Government Code § 811.2 to define charter schools as “public entities” for purposes of the Government Claims Act (also known as the Tort Claims Act). This statute governs how and when claims may be brought against public agencies for damages, including tort claims such as personal injury, property damage, and certain employment-related harms.

This change could potentially extend certain immunities and procedural protections typically afforded to public agencies to charter schools, which are operated by nonprofit corporations and are not directly accountable to elected governing boards. Stakeholders have raised concerns that this could limit access to legal redress in cases involving injury, financial loss, or wage violations involving charter schools.

Because the bill is double-referred and will next be heard in the Senate Judiciary Committee, these provisions will likely be subject to additional legal and policy scrutiny in that venue.

- 12) ***Committee Amendments to Align with Oversight Reports and Support Student Safety.*** In order to ensure this bill does not conflict with the findings and recommendations of recent charter school oversight reports—and to promote consistent safety standards for students—the Committee recommends the following amendments:

- a) *Strike the proposed rebranding of “nonclassroom-based” charter schools to “flex-based.”* This terminology change is not accompanied by a substantive policy shift and may create confusion across statute, implementation frameworks, and oversight protocols.
- b) *Strike the provisions revising the funding determination process.* These changes would restrict the State Board of Education’s discretion to adjust funding based on spending patterns and reserve levels, in direct contrast to LAO/FCMAT recommendations calling for stronger fiscal accountability and tighter spending thresholds.
- c) *Strike the requirement for the LAO to conduct a study of charter oversight models in other states.* This provision revisits areas already addressed by AB 1505 (2019) and may distract from more immediate priorities identified in the triad of oversight reports—such as audit quality, fraud prevention, and enforcement.

- d) *Amend the vendor contracting provisions to require background checks for all vendor personnel who interact with students, regardless of supervision status.* This amendment would close a potential safety gap and ensure consistent protections for all students participating in enrichment activities.

These amendments are intended to refine the bill's approach, preserve alignment with state oversight efforts, and enhance its overall contribution to financial transparency and student protection in the charter sector.

SUPPORT

REAL Journey Academies (sponsor)
Achieve Charter School of Paradise
Alder Grove Charter School 2
Allegiance Steam Academy
Alma Fuerte Public School
Alpha Public Schools
Altus Schools
America's Finest Charter School
American Heritage Charter Schools
Antioch Charter Academy
Antioch Charter Academy II
APLUS+
Aspen Public Schools
Aspire Public Schools
Association of Personalized Learning Schools & Services
Aveson Schools
Big Picture Educational Academy - Adult High School
Bridges Charter School
Bridges Preparatory Academy
Bright STAR Schools
Brookfield Engineering Science Technology
California Asian Chamber of Commerce
California Creative Learning Academy
California Online Public School
California Pacific Charter Schools
California Virtual Academies
Camino Nuevo Charter Academy
Capital College & Career Academy
Charter Schools Development Center
Children's Community Charter School
Chime Institute
Circle of Independent Learning Charter School
Clarksville Charter School
Community Montessori
Compass Charter Schools of San Diego
Connecting Waters Charter Schools
Core Butte Charter School
Core Charter School

Crossroads Charter Academy
Desert Trails Preparatory Academy
Dimensions Collaborative School
Dixon Montessori Charter School
Dr. Lewis Dolphin Stallworth Charter School
Edison Bethune Charter Academy
Eel River Charter School
El Sol Science and Arts Academy
Element Education
Environmental Charter Schools
Epic California Academy
Equitas Academy Charter Schools
Excel Academy Charter School
Extera Public Schools
Family Partnership Charter School
Feaster (Mae L.) Charter School
Feather River Charter School
Forest Charter School
Forest Ranch Charter
Gabriella Charter Schools
Gateway College and Career Academy
Gateway Community Charters
Glacier High School Charter
Global Education Academy
Golden Eagle Charter School
Gorman Learning Center Charter School
Gorman Learning Charter Network
Granada Hills Charter High School
Great Valley Academy
Greater San Diego Academy Charter School
Green DOT Public Schools
Griffin Technology Academies
Guajome Schools
Heritage Peak Charter School
Hightech LA
Howard Gardner Community School
Ingenium Schools
Innovations Academy
Invictus Leadership Academy
Irvine International Academy
Isana Academies
Iva High
Ivy Academia Entrepreneurial Charter School
JCS Family Charter Schools
JCS, Inc.
John Muir Charter Schools
Julia Lee Performing Arts Academy
Kairos Public Schools
Kavod Charter School
Kepler Neighborhood School

Kidinnu Academy
KIPP Public Schools Northern California
Lake View Charter School
Liberty Charter High School
Literacy First Charter Schools
Live Oak Charter School
Magnolia Public Schools
Mayacamas Countywide Middle School
Meadows Arts and Technology Elementary School
Method Schools
Mountain Home School Charter
Natomas Charter School
Navigator Schools
New LA
New Pacific School Roseville
New Village Girls Academy
New West Charter
Nord Country School
Northwest Prep Charter School
NOVA Academy Early College High School
NOVA Academy-Coachella
Ocean Charter School
Odyssey Charter Schools
Olive Grove Charter School
Opportunities for Learning
Options for Youth
Orange County Academy of Sciences and Arts
Orange County School of the Arts / California School of the Arts Foundation
Pacific Charter Institute
Para Los Ninos
PCA College View
Redwood Coast Montessori
River Montessori Charter School
River Oaks Academy Charter School
Rocklin Academy Family of Schools
Rocky Point Charter School
Sage Oak Charter Schools
San Diego Virtual School
Santa Rosa French-American Charter School
Scholarship Prep Charter School
Sebastopol Independent Charter
Shasta Charter Academy
Sherman Thomas Charter School
Sherwood Montessori
Springs Charter School
Stem Preparatory Schools
Success One! Charter
Summit Public Schools
Sutter Peak Charter Academy
Sycamore Creek Community Charter School

Tehama eLearning Academy
Temecula Valley Charter School
The Cottonwood School
The Foundation for Hispanic Education
The Grove School
The Language Academy of Sacramento
The Learning Choice Academy
The O'Farrell Charter Schools
Trillium Charter School
Urban Charter Schools Collective
Valley Charter School
Valley International Preparatory High School
Vaughn Next Century Learning Center
Vibrant Minds Charter School
Virtual Learning Academy
Vista Charter Public Schools
Voices College Bound Language Academies
Vox Collegiate
Western Sierra Charter Schools
Westlake Charter School
William Finch Charter School
YPI Charter Schools
Yuba County Career Preparatory Charter School
6 Individuals

OPPOSITION

California Federation of Teachers
California School Employees Association
1 Individual

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 226	Hearing Date:	April 23, 2025
Author:	Cabaldon		
Version:	January 28, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Community colleges: territory transfers between districts.

SUMMARY

This bill establishes an alternative process for California Community College (CCC) districts that meet the specified conditions for the initiation and approval of a petition to reorganize CCC districts through the transfer of territory between CCC districts.

BACKGROUND

Existing law:

- 1) Establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in the state. The segment comprises 73 CCC districts and a total of 116 community colleges throughout the state. (Education Code (EC) § 70900)
- 2) Establishes requirements and procedures for the initiation and approval of proposals to reorganize CCC districts through the transfer of territory between existing districts. Existing law specifically stipulates that the process be initiated through the filing of a petition with the county superintendent of schools having jurisdiction. The petition is to be signed by either at least 25 percent of registered voters residing in the territory proposed for transfer or a majority of the members of each governing board of the affected districts. (EC § 74100)
- 3) Requires, at least 10 days before the public hearing on the petition, the county committee make available to the public, the governing boards affected by the petition, and the Board of Governors a description of the petition and a report that includes a description or analysis of all the following:
 - a) The rights of the employees in the affected districts to continued employment.
 - b) The financial impact of the proposed change on each affected district.
 - c) Whether the districts involved will be governed, in part, by provisions of a city charter and, if so, in what way.

- d) A description of the territory affected.
 - e) A description of how the property, obligations, and bonded indebtedness of existing districts will be divided.
 - f) Whether the reorganization will significantly affect racial or ethnic composition of districts.
 - g) Determination of impact of proposed change upon boards of trustees.
 - h) A draft statement of the terms of the agreement regarding all conditions of the transfer, when applicable, for consideration by governing boards of affected districts.
 - i) Whether the change is compatible with the district master plan of the county. (EC § 74106 (b))
- 4) Authorizes the county committee to approve a petition only if either of the following conditions are met:
- a) The petition is to transfer uninhabited territory from one district to another and the owner of the territory or a majority of the owners of the territory, and the governing board of the receiving district involved in the transfer consent to the transfer.
 - b) The petition is to transfer inhabited territory, and all the following conditions are satisfied.
 - i) The governing board of the receiving district has consented to all conditions of transfer by an agreement signed by a majority of the members of the board.
 - ii) The county committee finds that:
 - 1) The transfer will not result in any increased cost to the state.
 - 2) The transfer will not result in a reduction in state aid to CCC districts not party to the petition.
 - 3) The reallocation of local property tax revenues has been accurately determined and will be appropriately transferred.
 - 4) The transfer will not significantly affect the racial or ethnic composition of the districts affected.
 - 5) The transfer will not decrease educational opportunities for residents of all districts involved. (EC § 74108)
- 5) Requires that when an action to reorganize or form districts would affect territory that is located in more than one county, or that is under the jurisdiction of more

than one county superintendent of schools, the proceedings to be conducted or the actions to be taken by county officers or agencies be conducted or actions be taken according to state law related to reorganization of districts under the jurisdiction of different counties. (EC § 74180 and 35520)

- 6) Requires when any action to reorganize school districts, which are located in more than one county and are under the jurisdiction of different county superintendents of schools, the proceedings to be conducted or the actions to be taken by county officers or agencies be conducted or taken in each of the counties involved, with some exceptions. (EC § 35520)
- 7) Requires the Board of Governors to give notice of approval or disapproval, after affording interested persons an opportunity to present their views on the proposal, to the county committee and county superintendents of schools having jurisdiction over any of the districts whose boundaries would be affected by the reorganization. It further requires, whenever a proposal is disapproved, the Board of Governors to provide in writing the basis for rejection. (EC § 74205)
- 8) Requires that an election be called if approval is given by the Board of Governors to a reorganization proposal that results in an increase in taxes levied on behalf of the districts involved or that requires changes in district governing boards, such as a change that results in the reapportionment of trustee areas or a change in the number of trustee areas, the county superintendent of schools, within 30 days after receiving notification from the Board of Governors (74205). It requires that the election be called in the manner prescribed, and be conducted at the next available regular election scheduled in the territory of districts defined in the approved proposal according to the prescribed procedures. (EC § 74230)

ANALYSIS

This bill:

- 1) Provides that the provisions of the bill only apply to the transfer of territory from a CCC district that meets both of the following criteria:
 - a) The CCC district is located in a county whose territory is divided among three or more CCC districts, and a majority of the population residing in the territory of each of those districts is located in one or more other counties.
 - b) The CCC district territory is being transferred, in whole or in part, to one of the districts described in a) above of this analysis.
- 2) Notwithstanding existing law related to district transfer procedures, to authorize the transfer of territory to another CCC district as prescribed in the bill to be approved by the Board of Governors upon its own initiative or upon the filing of a petition by the governing board of a district or the county committee on school district organizations for the county where territory would be transferred.

- 3) Requires, in approving a transfer of territory, the Board of Governors to ensure that the transfer of territory and any necessary agreements between the CCC districts comply with and meet the requirements of existing law related to classification and rights of employees and the disposition of records, funds, property and obligations during district reorganization.
- 4) Requires that an action to transfer territory that is approved by the Board of Governors be deemed approved for purposes of existing district reorganization law without election.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “When community college districts span multiple counties and K-12 school districts, the resulting fragmentation inhibits access to higher education. Students residing in these fractured areas often must enroll in multiple community college districts.

“With a population of 220,000 spread across three community college districts, Yolo County offers a clear example of how these divisions impact access to education. This model creates barriers for students, including:

- Accessing district-specific transfer guarantee agreements with the principal university destinations of Yolo students: UC Davis and Sacramento State University.
- Navigating career pathways directed at dramatically different job markets, and coordination with local and regional economic and workforce development.
- Difficulty accessing dual enrollment prior to community college because K-12 districts must coordinate with multiple districts.
- Translating course selection for credit transfers.

“Consolidating fragmented community college districts creates an integrated environment thus fostering greater alignment, equity, and access to education. However, the process of transferring territory is often too onerous to be implemented.

“Although current policy allows for the reorganization of community college districts, the statutory criteria and procedure normally required can be overly restrictive. In districts spanning three or more counties, it would be in the best interest of students to grant the authority to approve reorganization more efficiently.”

- 2) **Existing transfer process is multifaceted.** Current law prescribes the procedures for initiating and processing petitions to reorganize CCC districts, including the transfer of territory. The process is initiated through the filing of a petition with the county superintendent of schools with jurisdiction, signed by at

least 25 percent of registered voters residing in the territory proposed for transfer or a majority of the members of each governing board of the affected districts. The process proceeds with public hearings in each of the affected districts and opportunities for analysis regarding the rights of employees, fiscal impact, and district governance. It culminates in a review and subsequent action by the county committee with consent from the receiving district, followed by the board of governors. Prior to approval, the county committee must ensure that certain conditions are met, including determinations of fiscal impact, and the transfer will not decrease educational opportunities for residents of all districts. Finally, if the board of governors approves a reorganization petition that increases taxes or changes the district governing boards, such as changing the areas that trustees represent or the number of those areas, existing law requires an election to confirm the transfer of territory. This bill notwithstanding those provisions to create an alternative process around these existing requirements, giving the board of governors the authority to initiate a petition and sole authority to approve territory transfers for a CCC district that has territory located in a multi-district county. Information provided by the author's office indicates that these parameters effectively impact two of the 73 CCC districts--Los Rios Community College and Yuba Community College Districts.

- 3) **What is the impact on affected districts?** Committee staff understands that it is the intent of the author to streamline the process for the transfer of Woodland College from the Yuba Community College District to the Los Rios Community College District in Sacramento. The Yuba Community College District is composed of two campuses, Yuba College and Woodland College, which together serve 13,000 students in the Yolo, Yuba, Lake, Colusa, and Sutter counties. The district's governing board is composed of seven elected members, one of whom represents an area that encompasses Woodland Community College. The transfers would reduce Yuba Community College District from two to one college and expand Los Rios Community College District from four to five colleges. Under existing law, such a change prior to approval would require a report with a description or analysis of the impact of reorganization on affected districts. This information seems essential for decision-making regarding district reorganization. This bill does not require any reporting, analysis, or verification of impact on the affected districts. The bill does retain provisions related the preservation of the rights of employees and guidance used for determining the disposition of records, funds, property and obligations. However, the Committee may wish to consider whether an action for reorganization should include some type of impact assessment before approval can be confirmed.
- 4) **Transfer of territory successfully attempted in 2016.** In 2016, the CCC Board of Governors approved a petition to transfer territory from the Redwood Community College District to the Mendocino-Lake Community College District. Such a transfer of territory had not taken place in over 25 years. The districts mutually agreed to the territory transfer and completed the steps necessary, leading to the Board of Governors approval. The district endured the multi-layered process of acquiring support from the county office of education, county board of education, the County Committee on School District Organization, the Redwoods Community College District, and the Board of Governors. However, the Mendocino County Board of Education submitted a request to waive the

election requirement for transferring territory. The waiver request was submitted on behalf of the Mendocino-Lake Community College District, as existing law does not permit CCC districts to submit such waivers directly to the state board of education. The rationale for the request to waive election requirements stated that the waiver is necessary to avoid the expense of an election to confirm the transfer of territory.

- 5) **Is this the appropriate remedy?** An argument can be made for streamlining procedures for transferring territory between districts. Existing procedures can present challenges such as delays that prolong results and financial and administrative burdens because of their complexity. The current process, albeit burdensome, is designed for transparency, vetting potential fiscal and educational impacts, and securing community input. By authorizing the Board of Governors upon its own initiative to approve territory transfers, if only for a limited number of districts, this bill appears to reduce the discretion of local governing boards to initiate, vet, and agree to changes concerning district boundaries. For the purposes of maintaining local decision-making authority regarding the transfer of territory between districts and preserving educational opportunities for students **committee staff recommends that the bill be amended to include the following:**
- a) *If the transfer of territory pursuant to the bill is initiated by the Board of Governors, the transfer shall not be approved unless a majority of the members of each governing board of the affected districts consent to the transfer.*
 - b) *In reviewing a petition for transfer of territory, the Board of Governors shall ensure that the transfer of territory will not decrease educational opportunities for residents of the affected districts.*
- 6) **Arguments in opposition.** The Community College League of California, an association representing the 73 community college districts, argues, in part, in their opposition letter, “As outlined in the Education Code, local control is vital to the success of our system and is centered in all the work we do. With 116 colleges and 73 districts, it is imperative to preserve the ability of the locally elected community college governing board to make decisions on what best serves their institution, their students, and their communities. SB 226 further circumvents this local process by not providing a seat at the table for the district receiving the proposed territory transfer. This legislation establishes a concerning precedent by permitting the reorganization of districts without their approval, which is especially concerning as we enter hard budget years.”
- 7) **Arguments in support.** According to the letter of support submitted to the committee from the Yolo County Superintendent of Schools, in part, “The Yolo County Office of Education is closely aligned with the three community college districts that serve our county. However, it is challenging and creates unnecessary barriers for students and our school districts to coordinate and manage relationships with three separate community college districts. Senate Bill 226 offers a thoughtful and practical solution by granting the Board of Governors of the California Community Colleges the authority to approve transfers of

territory—either on its own initiative or through a petition by a local governing board or county community.”

SUPPORT

City of West Sacramento
City of Woodland
County of Yolo
Esparto Unified School District
La Cooperativa Campesina de California
Washington Unified School District
Winters Joint Unified School District
Woodland Joint Unified School District
Yolo County Office of Education
5 Individuals

OPPOSITION

Cabrillo Community College District
CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO
Community College League of California

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 305	Hearing Date:	April 23, 2025
Author:	Reyes		
Version:	April 10, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Seymour-Campbell Student Success Act of 2012: Free Application for Federal Student Aid and California Dream Act application.

SUMMARY

This bill requires the California Community Colleges (CCC), under the Student Success Act, to provide, commencing with the 2026–27 academic year, students with specified information related to completing and submitting the Free Application for Federal Student Aid (FAFSA) and the California Dream Act application (CADAA), and to confirm, commencing with the 2027–28 academic year, that students who have not opted out have completed and submitted the FAFSA or the CADAA, as specified. It also requires community college districts to ensure that students are directed to services to assist students in complying with the bill's requirement, and that the information shared by students is handled in compliance with state and federal privacy laws. Lastly, the bill requires the California Student Aid Commission (CSAC) to adopt regulations that include model opt-out forms and acceptable use policies, as specified.

BACKGROUND

Existing law:

- 1) Establishes CSAC as the state agency charged with administering state financial aid programs to qualifying students enrolled in qualifying institutions of higher education throughout the state. (Education Code (EC) § 69510 et seq.)
- 2) Requires CSAC to prescribe the use of standardized student financial aid applications for California. (EC § 69433)
- 3) Expands the eligibility of student financial aid programs offered by California to students who meet the requirement of Section 68130.5 (AB 540 student) or who meet the equivalent requirements adopted by the University of California (UC), notwithstanding any other law. It requires CSAC to create an application for students to apply for aid, as specified, and provides that it is the intent of the legislature that all forms of state-based aid in California be made equally available to all students, as specified. (EC § 69508.5)
- 4) Requires a school district, county office of education, or charter school to ensure that a grade 12 pupil who has not opted out, as specified, completes and submits a FAFSA or, if the student is exempt from paying nonresident tuition under existing law, completes and submits a form for purposes of the CA Dream Act.

- 5) Requires CSAC, on or before July 1, 2022, to adopt regulations that include, but are not limited to, model opt-out forms and acceptable use policies for the purpose of providing guidance with applicable state laws.
- 6) Provides that information shared by parents, legal guardians, and pupils under application completion provisions be handled in compliance with the federal Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) and applicable state laws, regardless of any person's immigration status or other personal information, to protect all pupil and parent data to the fullest extent possible so that schools and all personal data remain safe.
- 7) Requires the school district, county office of education, or charter school to exempt a pupil or the pupil's parent or legal guardian from completing a form if the local educational agency (LEA) determines the pupil is unable to complete the form, and prohibits a pupil's ability to graduate from being affected by a pupil's failure to fill out a form. (EC § 51225.7.)

ANALYSIS

This bill:

- 1) Requires, commencing with the 2026-27 academic year, each community college to provide, as specified, continuing students with information related to completing and submitting the FAFSA and the CADAA, including all of the following:
 - a) The purposes and benefits of the FAFSA or CADAA, which includes consideration for financial aid.
 - b) The consequences of not completing and submitting a FAFSA or CADAA.
 - c) The option to complete a FAFSA or CADAA after opting out of submitting either form.
- 2) Requires, commencing with the 2027-28 academic year, except for a student who has opted out from completing a FAFSA or CADAA or has been exempted as specified, each community college to confirm that each student complies with either or both of the following:
 - a) The student completes and submits to the United States Department of Education a FAFSA.
 - b) If the student is exempt from paying nonresident tuition under the provisions established by AB 540, the student completes and submits to CSAC a form established for purposes of the California Dream Act.
- 3) Allows a student to opt out of completing and submitting the FAFSA and CADAA by completing and submitting an opt-out form to their community college that is made available by CSAC to all community colleges.

- 4) Requires a community college to exempt a student if it determines that the student is unable to complete and submit either the FAFSA or CADAA, or an opt-out form. The bill requires, before exempting a student, a community college to comply with both of the following:
 - a) Provide the information related to completing and submitting the FAFSA or CADAA to the student through a meeting between a community college financial aid advisor, counselor, other campus staff, or a campus-based organization and the student, either through written material or by other means of communication.
 - b) Provide the information related to completing and submitting the FAFSA or CADAA and notify the student of the date by which the student will be opted out by the community college if no action is taken. The notice is to be provided with sufficient time for the student to act before the community college opts out the student.
- 5) Requires if the community college, after complying with requirements, exempts a student from having to complete the requirements of the bill, the community college to complete and submit the opt-out form on the student's behalf.
- 6) Requires that each community college district ensure that both of the following occur:
 - a) Each student is directed by their community college to any support or assistance services necessary to comply with the requirements of the bill that may be available through the specified outreach programs.
 - b) Information shared by students is handled in compliance with federal privacy law related to student records and applicable state laws regardless of any person's immigration status or other personal information, to protect all student data to the fullest extent possible so that schools and all personal data remain safe.
- 7) Requires CSAC, by July 1, 2026, to adopt regulations that include, but are not limited to, model opt-out forms and acceptable use policies for the purposes of providing guidance on complying with the federal and state privacy requirements.
- 8) Requires CSAC to post any model opt-out forms and the adopted acceptable use policies on its website.
- 9) Prohibits a student from being penalized or punished for not fulfilling the requirements of the bill or from affecting their ability to enroll.
- 10) Defines all of the following terms for purposes of the bill:
 - a) Opt-out form to mean a form developed by CSAC that enables a student, or a community college on a student's behalf, to opt out of completing the FAFSA or CADAA.

- b) Outreach program to mean a nonprofit or a public entity with experience in either or both of the following:
 - i) Assisting students with completing a financial aid application.
 - ii) Serving students who are eligible to submit a CADAA.
- c) Student to mean a student who is enrolled in a community college and has declared their educational goal to obtain a degree, certificate, or transfer to another institution.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “Building on the success of AB 469 (Reyes, 2021), which made financial aid completion a priority for high school seniors, SB 305 takes the next step by ensuring that all community college students, whether first-time enrollees or continuing learners, are provided with clear guidance and support to apply for federal and state financial aid. SB 305 will ensure that every student with a declared educational goal receives information about the importance of completing a FAFSA or CADAA, and will require students to either submit a financial aid application or opt out formally.

“In the 2023-2024 academic year, only 900,000 community college students submitted a FAFSA or CADAA despite the Community College Chancellor’s Office (CCCCO) reporting that more than 1.4 million students were enrolled in the segment. This showcases that many students are unable to fully cover the expenses of pursuing their education, including Pell Grants and Cal Grants, which could help them cover essential costs like housing, food, transportation, and other necessities.

“By taking this approach, SB 305 will foster an equitable and inclusive method to help students maximize their financial aid opportunities.”

- 2) **FAFSA.** The FAFSA is the core document used to determine eligibility for all major federal and state financial aid programs, including Cal Grant, Pell Grant, institutional aid at the UC and the California State University (CSU), work-study awards, scholarships, and federal student loans. Because financial aid for college considers the cost of attendance and a family’s ability to pay in determining eligibility for financial aid, the FAFSA completion requires personal information such as income and tax information and social security number. Although steps have been taken to simplify the application, it can be a cumbersome process for many families and may rely on knowledgeable education staff for assistance in its completion.
- 3) **CADAA applicants.** Not all students qualify for federal aid programs and, therefore cannot access student aid through the FAFSA. State law authorizes CSAC to create an alternative standardized form for students not eligible for federal aid to apply for state and institutional aid programs or scholarships made

available under the terms of the California Dream Act of 2011. The CADAA is used to determine their eligibility.

- 4) **Choosing the right form.** A student should only complete one application according to their citizenship status. The CADAA caters to a unique population of California students. However, the vast majority of high school and college students qualify for FAFSA application completion and can access both federal and state financial aid programs. Completion of the FAFSA/CADAA makes college attendance possible for many students pursuing a degree or certificate or on a transfer pathway, but it can be a complex process, and errors can have a significant impact on aid eligibility. Receiving accurate advice is essential.
- 5) **Community college FAFSA/CADAA submission.** In 2023-2024 academic year, 900,000 community college students submitted a FAFSA or CADAA, even though the CCC Chancellor's Office reported that more than 1.4 million students were enrolled in the segment, according to information provided by the author's office. The Institute for College Access and Success notes in their 2020 report on *The Prices Paid for Insufficient Aid* reports that in 2019-2020, just over half (51 percent) of community college students applied for federal financial aid, and 49 percent did not apply.
- 6) **Related K-12 activity.** This bill seeks to expand upon requirements related to FAFSA or CADAA completion for high school seniors. State statute requires a LEA to ensure a student in grade 12 completes and submits a FAFSA or CADAA, unless a determination is made that the student is unable to complete the form. It further prohibits a student's failure to complete a form from affecting their ability to graduate. This bill similarly requires each CCC to confirm that every student, except for a community college student who has opted out from completing a FAFSA or CADAA or has been exempted, completes and submits either a FAFSA or CADAA. It also prohibits penalizing or punishing a student for not meeting the bill's requirements, nor does it interfere with their enrollment.
- 7) **Related legislation.**

SB 323 (Perez, 2025) requires CSAC, commencing with the 2026–27 financial aid cycle, to amend the CADAA and any of its grant processing systems to clarify and ensure that the CADAA can be used by any student eligible for state financial aid programs, regardless of their eligibility for federal financial aid. It also requires CSAC to consult with the segments of postsecondary education in promoting the CADAA in a manner that maximizes the amount of federal aid that students may access while apprising students of the choices available regarding which application they and their families may use. SB 323 is scheduled to be heard by this committee on April 23.

SUPPORT

California Student Aid Commission (co-sponsor)

EdTrust-West (co-sponsor)

Student Senate for California Community Colleges (co-sponsor)

African American Male Education Network & Development

Alliance for a Better Community
Faculty Association of California Community Colleges
Financial Aid for All Coalition
Immigrants Rising
Institutional Solutions
NextGen California
Parent Institute for Quality Education
The Institute for College Access & Success
uAspire

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 494
Author: Cortese
Version: April 10, 2025
Urgency: No
Consultant: Ian Johnson

Hearing Date: April 23, 2025

Fiscal: Yes

Subject: Classified school and community college employees: disciplinary hearings: appeals: contracted administrative law judges.

SUMMARY

This bill expands due process rights for permanent classified employees of non-merit K-12 and California Community College (CCC) districts by establishing a right to appeal specified disciplinary actions to a neutral administrative law judge (ALJ), jointly selected and funded by the employer and the employee or their representative, unless otherwise specified in a collective bargaining agreement.

BACKGROUND

Existing law:

- 1) Authorizes K-12 and CCC district classified employees to elect a merit system, in which a personnel commission independently oversees employment matters. (Education Code (EC) §§ 45220 et seq., 88050 et seq.)
- 2) Requires non-merit districts to adopt rules for disciplining classified employees that include:
 - a) A defined probationary period (6 months or 130 days, or 1 year for peace officers),
 - b) Disciplinary action only for cause, with the board's determination generally conclusive,
 - c) Due process protections including written notice, the right to a hearing, and the district bearing the burden of proof,
 - d) Prohibition on discipline for pre-permanent or stale incidents unless concealed.
- 3) Permits governing boards to delegate hearing authority to third parties through collective bargaining but retain final decision-making authority (except in cases involving egregious misconduct with minors, where an ALJ decision is binding).
- 4) Establishes Skelly protections: an employee cannot be disciplined before a final decision unless misconduct poses specific risks or if 30 days have passed since a hearing request and an ALJ or third-party hearing officer has been assigned.

- 5) Applies different systems for certificated employees, merit system employees, and employees of joint powers authorities.
- 6) Authorizes the Office of Administrative Hearings (OAH) to provide ALJs for local government adjudications. (Government Code § 27727)

ANALYSIS

This bill:

For K-12 districts:

- 1) Extends the time to request a disciplinary hearing from 5 to 30 days.
- 2) Allows permanent classified employees (excluding peace officers) to appeal disciplinary action—limited to dismissal, suspension, or demotion—to an ALJ from the OAH, jointly selected and funded by the district and the employee/union.
- 3) Allows a memorandum of understanding (MOU) to supersede this ALJ process if the parties have bargained a different method.
- 4) States that judicial review of the ALJ decision is limited to Code of Civil Procedure (CCP) § 1286.2(a)—the same standard used in reviewing arbitration awards.
- 5) Applies these provisions to joint powers entities that include school districts.
- 6) Clarifies that this applies only to non-merit districts.
- 7) Defines “disciplinary action” to exclude reprimands and warnings.
- 8) Delays application of new provisions that conflict with a collective bargaining agreement (CBA) until that agreement expires or is renewed.

For community college districts:

- 9) Applies all of the above provisions in similar form.
- 10) Adds that courts must exercise independent judgment in judicial review of ALJ decisions.
- 11) Requires these cases to be set for priority hearing in court.
- 12) Applies these provisions to CCC joint powers entities.
- 13) Delays conflicting CBA impacts until January 1, 2026, or expiration of the CBA.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Classified employees are the lifeblood of a school — these employees drive our school buses, prepare and serve meals to children, and carry out essential office functions. They deserve the same due process rights as teachers. SB 494 promotes a more fair and equitable discipline system. Having administrative law judges arbitrate over disciplinary actions will protect the rights and liberties of classified school staff.”
- 2) ***A response to inconsistent procedural protections across the education system.*** This bill attempts to address what proponents characterize as an imbalance in how disciplinary appeals are handled for classified employees in non-merit districts. In these districts, governing boards generally serve both as the body that initiates discipline and the body that adjudicates appeals. This stands in contrast to the systems in place for certificated employees—such as teachers—and for classified employees in merit districts, who typically have access to neutral third-party decision makers. The bill would provide similar protections to classified employees in non-merit districts by defaulting to the use of an ALJ in cases involving dismissal, suspension, or demotion. Whether this structural shift is necessary or whether current law—when paired with collective bargaining—provides sufficient procedural fairness is an open policy question.
- 3) ***Narrow in scope but significant in effect.*** The bill limits its reach in ways that reduce immediate disruption. It applies only to non-merit school and community college districts and only to permanent, non-supervisory employees. It excludes verbal and written warnings from the definition of “disciplinary action,” and it defers to existing CBAs until they expire or are renegotiated. Despite this narrow scope, the policy change is significant. The bill replaces the governing board’s role as final decision-maker in many districts with an ALJ, shifting decision-making authority away from locally elected education officials. For some, this may offer necessary neutrality; for others, it raises concerns about the role of state-level adjudicators in local employment matters.
- 4) ***Implications for education governance and local practice.*** This bill raises a longstanding tension in education policy between ensuring fairness and preserving local discretion. Governing boards are accountable to voters and charged with managing district operations—including employee discipline. Shifting that authority to an ALJ reduces the risk of bias but also distances the decision from the community. While the bill allows for collectively bargained alternatives, it makes the ALJ route the presumptive standard in the absence of local agreement. The Committee may wish to consider whether this default strikes the right balance between uniform procedural rights and respect for local governance models.
- 5) ***Judicial review framework may merit clarification.*** The bill applies the arbitration-based judicial review standard in CCP § 1286.2 to ALJ decisions in K-12 cases, while requiring courts to exercise independent judgment in CCC cases. These diverging standards reflect different traditions in the K-12 and higher education codes, but may create confusion or invite litigation. While legal

interpretation ultimately falls outside this committee's jurisdiction, the difference is notable from a policy standpoint, as it could result in inconsistent legal treatment of otherwise similar disputes depending on the employer's education segment.

- 6) ***Still rooted in a widely shared equity goal.*** Despite these concerns, the underlying intent of the bill is one that many stakeholders support: ensuring that classified employees are afforded a level of procedural protection comparable to that available to certificated staff and other public employees. The question before the Committee is not whether greater fairness is a worthy goal, but whether the particular model offered by the bill is the most appropriate, efficient, and balanced way to achieve it in the context of school and community college governance.
- 7) ***Prior version vetoed due to fiscal concerns.*** This bill is substantially similar to SB 433 (Cortese, 2023), which was vetoed by Governor Newsom. In his veto message, the Governor stated:

“This bill requires an impartial third-party hearing officer to hear disciplinary appeals of permanent classified personnel at school or community college nonmerit districts. This bill also requires the district to pay for the third-party hearing officer, and for the third-party hearing officer to be jointly selected by the district and the classified employee from a list of arbitrators, unless the parties agree otherwise.

“Under the status quo for certificated employees, the district absorbs the full cost of appeals hearings if the employee prevails. If it is determined that the certificated employee should be dismissed or suspended, the cost is shared equally with the State and the district. This bill for classified employees requires districts to bear the full costs of a disciplinary hearing before an arbitrator, no matter the outcome. This could increase the number of appeals and would create significant costs for the State and must be considered in the annual budget in the context of all state funding priorities.

“With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure.”

While this bill substitutes an ALJ for an arbitrator and adds delayed implementation for conflicting MOUs, it retains the core framework that led to the veto: a mandatory third-party hearing process, jointly selected and fully funded by the district, without a corresponding cost-sharing mechanism. Whether these provisions will continue to raise fiscal and implementation concerns for the Administration is an open question.

SUPPORT

American Federation of State, County, and Municipal Employees (co-sponsor)
California School Employees Association (co-sponsor)
California Federation of Labor Unions

California Federation of Teachers
California State Council of Service Employees International Union

OPPOSITION

Alameda County Superintendent of Schools
Alameda Unified School District
Association of California School Administrators
California Association of School Business Officials
California County Superintendents
California School Boards Association
Community College League of California
Dublin Unified School District
Office of the Riverside County Superintendent of Schools
Orange County Department of Education
Pleasanton Unified School District
School Employers Association of California
Small School Districts' Association

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 550	Hearing Date:	April 23, 2025
Author:	Cortese		
Version:	March 26, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: California State University, San Jose: law school.

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

SUMMARY

This bill authorizes the California State University (CSU), San Jose, to absorb an independent nonprofit law school that is accredited by the California State Bar.

BACKGROUND

Existing law:

- 1) Establishes the CSU, under the administration of the Trustees of the CSU, the University of California (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 CCC, and independent institutions of higher education as four segments of postsecondary education in the state. (Education Code (EC) § 66010, § 70900, § 66600, and California Constitution, Article IX, Section 9)
- 2) Differentiates the missions and functions of public and independent institutions of higher education. Under these provisions:
 - a) The primary mission of the CSU is to offer undergraduate and graduate instruction through the master’s degree in the liberal arts and sciences and professional education, including teacher education. The CSU is authorized to establish two-year programs only when mutually agreed upon by the Trustees and the CCC Board of Governors. The CSU is also authorized to jointly award the doctoral degree with the UC and with one or more independent institutions of higher education.
 - b) The UC is authorized to provide undergraduate and graduate instruction and has exclusive jurisdiction in public higher education over graduate instruction in the professions of law, medicine, dentistry, and veterinary medicine. The UC is also the primary state-supported academic agency for research.

- c) The independent institutions of higher education are required to provide undergraduate and graduate instruction and research in accordance with their respective missions.
 - d) The mission and function of the CCC is the offering of academic and vocational instruction at the lower division level, and the CCC is authorized to grant the Associate in Arts and the Associate in Science degrees. The community colleges are also required to offer learning supports to close learning gaps, English as a Second Language instruction, adult noncredit instruction, and support services which help students succeed at the postsecondary level. (EC § 66010.4)
- 3) Authorizes the CCC Board of Governors, in consultation with the CSU and the UC, to establish baccalaureate degree programs that do not duplicate a baccalaureate degree program offered by the CSU or UC. Allows for the approval of 30 community college baccalaureate degree programs per academic year. Current law further requires the CCC Chancellor to consult and seek feedback from the CSU Chancellor, the UC President, and the President of the Association of Independent California Colleges and Universities on proposed baccalaureate degree programs, as specified, and establishes a mechanism for the assessment, consultation, and approval of programs where duplication is identified, as specified. (EC § 78040 et seq.)
- 4) Authorizes the CSU, in consultation with the UC President, to award professional or applied doctoral degrees statewide that *do not duplicate* UC doctoral degrees and satisfy certain requirements. It further requires a CSU campus seeking authorization to offer a professional or applied doctoral degree to submit specified information on the proposed doctoral degree for review by the CSU Chancellor's office and approval by the CSU Trustees, as provided. It requires that the CSU Chancellor ensure, among other things, that a proposed doctoral program that receives written objections from the UC President's Office not be approved for implementation by the trustees unless and until a letter indicating a resolution of the written objections and a mutual agreement, signed by both the CSU Chancellor and the UC President, in support of the CSU offering the proposed doctoral program is submitted to the Assembly Committee on Higher Education and the Senate Committee on Education. (EC § 66046.1 (b) and § 66046.2 (b)(3))

ANALYSIS

This bill:

- 1) Notwithstanding provisions that establish the mission of California's public and independent segments of higher education in order to authorize a law school accredited by the Committee of Bar Examiners of the State Bar of California that has operated continuously as an independent nonprofit institution to be incorporated into CSU, San Jose, as a constituent academic unit, if both of the following conditions are met:

- a) The law school maintains its accreditation by the Committee of Bar Examiners of the State Bar of California at the time of incorporation.
- b) The governing boards of both institutions approve a merger agreement.
- 2) Requires, upon information into CSU, San Jose, the law school be recognized as an academic unit within California State University, San Jose, and operate under the university's policies and governance structure.
- 3) Requires the CSU, San Jose to work with the Chancellor of the CSU to coordinate with the appropriate regulatory bodies to ensure compliance with all legal and accreditation requirements applicable to the law school.
- 4) Makes various legislative findings and declarations related to the special circumstances in the Silicon Valley region that condition a special law, including expanding affordable pathways to legal education.
- 5) States various findings and declarations related to state accredited law schools.

STAFF COMMENTS

- 1) **Rationale for the bill.** According to the author, “California is facing a crisis in affordable legal education. Law school remains out of reach for many due to cost, limited public options, and geographic disparities. Despite serving nearly half a million students, the California State University (CSU) system currently has no law school, leaving communities—especially in Silicon Valley—without a public pathway to legal careers. Meanwhile, state-accredited nonprofit law schools are providing valuable, accessible education to diverse student populations, often with deep community ties and public service missions. Merging one into a CSU campus provides a rare opportunity to expand public legal education quickly and affordably.

“SB 550 authorizes the incorporation of an independent, state-accredited nonprofit law school into California State University, San José —establishing the first public law school in the California State University system. This transformative step will enhance educational opportunity, promote equity in the legal profession, and fill a major gap in California’s public higher education infrastructure.”

- 2) **Imposes on UC’s jurisdiction.** The state has four segments of higher education: three public and one private. Each plays a vital and unique role for the state. Their mission statements are outlined in the Master Plan for Higher Education and by state statute. The CSU is to select its freshmen from the top one-third of high school graduates and maintain a student body comprised of 40 percent lower division students and 60 percent upper division students. State statute directs CSU to bear the most extensive responsibility for undergraduate and graduate instruction leading to bachelor and master’s degrees in the liberal arts and sciences, the applied fields, and teacher education, including the authority to award doctoral degrees jointly with UC and independent colleges. UC is to be responsible for being the state’s primary academic research institution. In

addition to providing undergraduate and graduate instruction, UC has exclusive jurisdiction over instruction in the profession of law and graduate instruction in the professions of medicine, dentistry, and veterinary medicine, and doctoral degrees. Despite the differentiation of mission, the Legislature has authorized the CSU to offer applied doctoral degrees beyond its original mission, so long as programs do not duplicate those offered by UC, which holds primary jurisdiction. *The assignment of distinct missions is important as it helps to justify allocation of state resources for two separate public university systems, impede mission-creep among institutions, contain growth in costs, and facilitate college access for all eligible California students. Further expansion of CSU through law profession instruction as proposed in this bill would signal the legislature's willingness to allow CSU to deviate further from their institutional mission and duplicate programs offered by the other segment with primary jurisdiction.*

- 3) **Accredited law schools in California.** A professional law school offers specialized graduate degrees for careers in the legal profession. The UC is composed of 10 campuses, four of which have professional law schools: Berkeley, Davis, Los Angeles, and Irvine. UC College of the Law San Francisco is a public law school that is affiliated with UC but has its own governing board. The American Bar Association has accredited all five public law schools. Additionally, among California's independent nonprofit institutions of higher education, there are roughly 13 American Bar Association-accredited schools, including at the University of San Francisco, Stanford, and Santa Clara University. There are 20 non-public schools accredited by the State Bar, including Lincoln Law School of San Jose. In total, California is home to 38 accredited law schools, 18 accredited by the American Bar Association and 20 by the State Bar. This bill authorizes CSU, San Jose to absorb a State Bar-accredited law school.
- 4) **Is this the appropriate solution?** Tuition costs at a private university can be considerably higher than at a public university. If it is the desire of the Legislature to expand public law degree programs in the state, arguably there are more effective and efficient alternatives that do not require a departure from CSU's institutional mission. Targeted state support for UC as the segment with primary jurisdiction can increase the number of graduates prepared for the legal profession or facilitate greater proliferation of professional law degree programs. Additionally, improving alignment between CSU, San Jose undergraduate programs and a UC professional law school program such as Berkeley, Davis, or UC College of the Law San Francisco can help achieve regional increases or diversification goals. *Should existing avenues for partnership with other institutions be exhausted or determined that they are not possible or viable before seeking authorization for CSU professional law degrees?*
- 5) **Tuition Costs.** *Tuition cost at a private university are considerable higher e* Current law allows through existing CSU doctoral degree approval process CSU to raise tuition for their applied doctoral degree programs to the same amount as UC doctoral degree programs. This bill, however, is silent on tuition costs. It is unclear if CSU would charge higher rates for the more advanced degree.

- 6) **Capacity at CSU.** CSU is made up of 23 campuses, none of which are authorized to offer professional law instruction. The Governor's 2025-2026 budget proposal maintains reductions to CSU's base budget of \$375 million in 2025-26 and ongoing. In the meantime, the Board of Trustees has pursued proposals to consolidate two of its campuses and consolidate administrative functions of three of its Bay Area campuses. Additionally, Sonoma State University proposed significant cuts in its 2025-26 instructional budget reduction plan, which includes the elimination of 23 degree programs. Absorbing a new professional school, such as a school of law, comes with multiple types of specialized degree programs. Each segment of state's public higher education segments has internal procedures for reviewing and authorizing new programs and schools within their institutional missions. Since each new program or school creates additional budget obligations, the proposals are evaluated to ensure they address student needs, avoid duplication, and serve state interests. *This bill authorizes CSU to absorb a new law school, potentially its faculty, staff, facilities and programs, given CSU's fiscal challenges, is an expansion of its function as proposed in this bill appropriate at this time? Is it prudent to grant authorization without an evaluation to assess alignment with workforce needs, state or regional priorities or student demand?*
- 7) **Program duplication indicates that California needs better higher education coordination.** All of California's public education institutions share a commitment to work together to ensure that parts of the system work for all Californians. Since the defunding of the California Postsecondary Education Commission in 2011, California has not had a statewide coordinating entity for higher education. The absence of a higher education coordinating entity has hindered the state's ability to review degree programs or schools to align with state and workforce needs. In its place, changes to higher education's blueprint are being made one legislative proposal at a time in a piecemeal way, which could result in an uncoordinated and fragmented system. Although this bill is limited to one CSU, it establishes a precedent for permitting duplication of degree program. The committee may wish to consider all of the following:
- *What relationship is there among the different missions of California's higher education segments and their differential ways in which they offer education?*
 - *Is it appropriate to rely solely on the legislative process to implement significant programmatic changes to higher education without any coordination or long-range plan to guide the conversation? Does the legislative process allow for consideration of priority relative to other demands in higher education?*
 - *How should the Legislature leverage the strength of each segment to address regional or statewide workforce needs? What is the expectation for collaboration among the segments?*
 - *The delineation of missions serves as a guide for how and where to allocate state resources. If there is a lack of clarity about institutional missions, what will guide the future of higher education?*

- 8) **Arguments in opposition.** The UC argues, in part, in their opposition letter submitted to the committee, “While UC appreciates the author’s intent of offering a public law degree program in San Jose, UC has law schools in San Francisco, Berkeley, Davis, Los Angeles, and Irvine. Two of these locations are about an hour away from San Jose and are accessible through public transit.”
- 9) **Arguments in support.** According to their letter of support, Lincoln Law School states, in part, “As the oldest independent, state-accredited nonprofit law school in the state of California, we have a strong interest in seeing the legislation proposed by SBS0 approved. Lincoln Law School is located only a few miles from the San Jose State University campus. Also, there is a history of full-time San Jose State University professors serving as part-time professors at Lincoln.

“The law school has impacted government, the judiciary, education, law enforcement and business in northern California and elsewhere. Among the thousands of Lincoln graduates in this area are Senators, Assembly Members, Judges, City Council members and County Supervisors. Many other alumni have improved their professional effectiveness by way of four years of part time study to obtain a JD degree.

“Becoming a law school as part of San Jose State University would enable Lincoln to divert a major portion of significant resources currently expended on recruitment to other priorities. The school would be able to expand its capacity to serve diverse under-served communities. Further, it would be able to increase its course offerings and improve the content of its curriculum.”

SUPPORT

Dependency Advocacy Center
Latinos United for a New America
Law Foundation of Silicon Valley
Lincoln Law School
Services, Immigrant Rights and Education Network

OPPOSITION

Association of Independent California Colleges and Universities
University of California

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 323	Hearing Date:	April 23, 2025
Author:	Pérez		
Version:	March 25, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Student Aid Commission: California Dream Act application

SUMMARY

This bill requires the California Student Aid Commission (CSAC), commencing with the 2026–27 financial aid cycle, to amend the California Dream Act application (CADAA) and any of its grant processing systems to clarify and ensure that the CADAA can be used by any student eligible for state financial aid programs, regardless of their eligibility for federal financial aid. It also requires CSAC to consult the segments of postsecondary education in promoting the CADAA in a manner that maximizes the amount of federal aid that students may access while apprising students of the choices available regarding which application they and their families may use.

BACKGROUND

Existing law:

- 1) Establishes CSAC as the state agency charged with administering state financial aid programs to qualifying students enrolled in qualifying institutions of higher education throughout the state. It requires CSAC to prescribe the use of standardized student financial aid applications for California. (Education Code (EC) § 69510 et seq. and EC § 69433)
- 2) Expands the eligibility of student financial aid programs administered by the state to students who meet the requirement of EC § 68130.5 (AB 540 student) or who meet the equivalent requirements adopted by the University of California (UC), notwithstanding any other law. It further requires CSAC to establish procedures and forms that enable these students to apply for and participate in all student financial aid programs administered by the state to the full extent permitted by federal law. (EC § 69508.5)
- 3) Established by AB 540 (Firebaugh, Chapter 814, Statutes of 2001) and later modified it exempts the specified students from paying nonresident tuition at the California State University (CSU) and the California Community Colleges (CCC) if the student meets all of the following requirements:
 - a) Satisfaction of the requirements of either (i.) or (ii.):

- i) A total attendance of, or attainment of credits earned while in California equivalent to, three or more years of full-time attendance or attainment of credits at any of the following:
 - (1) California high schools.
 - (2) California high schools, established by the State Board of Education.
 - (3) California adult schools as specified.
 - (4) CCCs.
 - (5) A combination of those schools.
 - ii) Three or more years of full-time high school coursework in California and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.
 - iii) Specifies attendance and credit requirements when satisfied at a CCC and California Adult School.
- b) Satisfaction of any of the following:
- i) Graduation from a California high school or attainment of the equivalent thereof.
 - ii) Attainment of an associate degree from a CCC.
 - iii) Fulfillment of the minimum transfer requirements established for the UC or CSU for students transferring from a campus of the CCC.
- c) Registration as an entering student at, or current enrollment at, an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year.
- d) In the case of a person without lawful immigration status, the filing of an affidavit with the institution of higher education stating that the student has filed an application to legalize the student's immigration status or will file an application as soon as the student is eligible to do so. (EC § 68130.5 (a))

ANALYSIS

This bill:

- 1) Requires CSAC, commencing with the 2026-27 financial aid cycle, to amend the CADAA and its grant processing systems to clarify and ensure that any student

who qualifies for state financial aid programs can use the application, regardless of their eligibility for federal financial aid.

- 2) Requires CSAC to consult with segments of postsecondary education promoting the CADAA in a manner that maximizes the amount of federal aid that students may access while also apprising students of the choices available regarding which application they and their families may use.

STAFF COMMENTS

- 1) **Need for the bill.** The 2020 FAFSA Simplification Act modernized, streamlined, and expanded access to the Free Application for Federal Student Aid (FAFSA) application. However, despite these efforts, the 2024-25 application cycle introduced barriers for students from mixed-[immigration] status families, requiring substantial proof to submit their applications. Additionally, CSAC administers the state's financial aid application for nonresident "AB 540 students," who are exempt from paying nonresident tuition. In response to the challenges faced by mixed-status families during the 2024-25 financial aid cycle, CSAC took administrative action to make the CADAA available to even FAFSA-eligible students. This bill seeks to codify that action.

According to the author, "SB 323 will ensure that California takes proactive steps to address growing concerns of college-eligible students to apply for federal financial aid by providing alternative financial aid options. SB 323 will require the California Student Aid Commission to make the California Dream Act Application available to all students in California who qualify for financial aid. This will protect students from vulnerable socioeconomic backgrounds and encourage them to seek the financial aid they qualify for without compromising their privacy."

- 2) **FAFSA.** The United States Department of Education (USDE) administers the FAFSA. It is the core document used to determine eligibility for all major federal and state financial aid programs, including Cal Grant, Pell Grant, institutional aid at the UC and the CSU, work-study awards, scholarships, and federal student loans. Because financial aid for college considers the cost of attendance and a family's ability to pay in determining eligibility for financial aid, the FAFSA completion requires personal information such as income and tax information and social security number. The FAFSA Simplification Act came into effect in 2020. According to CSAC, "The new FAFSA for the 2024-25 academic year introduced significant changes to the way students and families apply for and submit a FAFSA, which introduced barriers for many students, but especially for those in mixed-status families who are now required to undergo a substantial burden of proof compared to their peers. A key change to the FAFSA includes a direct data exchange of federal tax information with the Internal Revenue Service (IRS) intended to simplify and shorten the historically lengthy application. For such direct data exchange to occur, federal law requires that individuals (referred to as "contributors") whose information is required to determine students' eligibility (the applicant themselves, as well as their parent(s) or spouse) consent to the disclosure of their individual IRS data. The U.S. Department of Education's Office of Federal Student Aid (FSA) now requires all contributors to create their own StudentAid.gov account for purposes of providing individual consent to such

data sharing. The process for non-Social Security Number contributors to create a StudentAid.gov account requires such individuals to manually verify their identity with FSA by providing copies of documentation with their name and/or address.” CSAC has seen a 32 percent decrease in FAFSA submissions among California high school seniors from mixed-status families compared to 2023-24.”

- 3) **CADAA applicants.** Not all students qualify for federal aid programs due to their immigration status and therefore cannot access student aid through the FAFSA. State law authorizes CSAC to create an alternative form for students not eligible for federal aid to apply for state and institutional aid programs or scholarships made available under the terms of the California Dream Act of 2011. The CADAA is used to determine their eligibility.
- 4) **Mixed-status families.** The vast majority of high school and college students qualify for FAFSA application completion and can access both federal and state financial aid programs, including US citizen students with undocumented contributors such as parents or spouses. With the new FAFSA application changes, concerns regarding arrests, detention, and deportations of undocumented individuals under the Trump administration have been raised about data collected for the FAFSA and whether it may be used for purposes other than determining financial aid. Mixed-status families may face a difficult decision regarding the FAFSA application. They may have to choose between disclosing personal information to USDE about vulnerable contributors and forgoing federal student aid opportunities, which may potentially affect their ability to finance their student’s college education. It is vital for students and families to be well informed about each option and to have choices regarding those options. The CADAA traditionally caters to a unique population of California students. This bill seeks to ensure the availability of the CADAA for students choosing to solely apply for state-administered aid programs. Making the application available does not necessarily guarantee that award payments will be disbursed. Rather, it would allow applicants to be considered for applicable aid programs.
- 5) **CSAC and California higher education institutions have issued a joint message.** On March 20, 2025, CSAC, UC, CSU, CCC, and the Association of Independent California Colleges and Universities issued a joint message to students and families that read in part, “While submitting a CADAA does not allow students to be considered for federal financial aid, students that submit a CADAA now may still complete a FAFSA later should they choose, with the benefit of earlier confirmation of eligibility for state and college and university aid. We want all students to receive the most possible financial support to access and succeed in the college or university program that best supports their life and career goals. Together, we encourage impacted students and families to access resources designed specifically for students applying for aid with a non-SSN contributor or to join an upcoming Cash for College event where families can receive assistance applying for aid. We also seek to ensure that students and their families have all the information they need to make informed decisions about enrolling into a postsecondary education or training program.”

6) **Related legislation.**

SB 305 (Reyes, 2025) requires the CCC, under the Student Success Act, to provide, commencing with the 2026–27 academic year, students with specified information related to completing and submitting the FAFSA and CADAA, and to confirm, commencing with the 2027–28 academic year, that students who have not opted out have completed and submitted the FAFSA or the CADAA, as specified. SB 305 is scheduled to be heard by this committee on April 23.

SB 837 (Reyes, 2025) requires the CSCA, by July 1, 2027, to develop guidance as specified for LEA's and public libraries on how to use online technology platforms to assist low-income, foster youth, and undocumented families accessing student financial aid. It also requires CSAC to offer a training program on the developed guidance and implement a multimedia campaign to raise awareness of available online technology platforms relating to the developed guidance. SB 837 is set to be heard by this committee on April 30.

SUPPORT

California Student Aid Commission (co-sponsor)
 California Undocumented Higher Education Coalition (co-sponsor)
 Southern California College Attainment Network (co-sponsor)
 Student Senate for California Community Colleges (co-sponsor)
 University of California Student Association (co-sponsor)
 African American Male Education Network & Development
 Alliance for a Better Community
 Asian Americans Advancing Justice Southern California
 Breese Foundation
 C5LA Foundation
 California Community Foundation
 CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO
 Coalition for Humane Immigrant Rights
 College Access Plan
 College for All Coalition
 Consejo De Federaciones Mexicanas
 Determined to Succeed
 Dolores Huerta Foundation
 EdTrust-West
 Empowering Pacific Islander Communities
 Faculty Association of California Community Colleges
 Fulfillment Fund
 Hispanas Organized for Political Equality
 Immigrants Rising
 Institutional Solutions
 John Burton Advocates for Youth
 Kid City Hope Place
 Los Angeles Unified School District
 Los Angeles United Methodist Urban Foundation
 Los Angeles Urban Foundation
 Mexican-American Legal Defense and Ed Fund

Motivating Our Students Through Experience
NextGen California
Northern California College Promise Coalition
Operation Jump Start
Parent Institute for Quality Education
Public Advocates
San Bernardino Community College District
uAspire
Unite-LA
United Way of Greater Los Angeles
USC McMorro Neighborhood Academic Initiative
Vision y Compromiso
Western Association for College Admission Counseling

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 416	Hearing Date:	April 23, 2025
Author:	Pérez		
Version:	March 26, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Student financial aid: Cal Grants: qualifying institutions: financial aid offer letter template.

SUMMARY

This bill requires the California Student Aid Commission (CSAC) to convene a working group to standardize and create a template for financial aid offer letters sent by postsecondary educational institutions to students. It further requires, as a condition of being a qualifying Cal Grant user, the financial aid offer letter template created by the work group.

BACKGROUND

Existing law:

- 1) Establishes CSAC as the state agency charged with administering state financial aid programs to qualifying students enrolled in qualifying institutions of higher education throughout the state. It requires CSAC to prescribe the use of standardized student financial aid applications for California. (Education Code (EC) § 69510 et seq. and EC § 69433)
- 2) Establishes the California State University (CSU) under the administration of the Trustees of the CSU, the University of California (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 CCC, 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)
- 3) Requires each UC, CSU, CCC campus, each independent institution of higher education, and each private postsecondary education subject to the California Private Postsecondary Education Act of 2009 (Act) that participates in federal financial aid or veterans financial aid programs to provide students with the Financial Aid Shopping Sheet (Shopping Sheet) developed by the United States Department of Education (USDE) to inform admitted or potential students about financial aid award packages. (EC § 66021.3, § 69514 and § 94912.5)

ANALYSIS

This bill:

- 1) Requires CSAC, by April 1, 2026, to convene a workgroup that includes, but is not limited to, all segments of postsecondary education, student organizations, and experts.
- 2) Requires the workgroup to do all of the following:
 - a) Identify the common terms, definitions, and structure of financial aid offer letters sent by postsecondary educational institutions to students upon acceptance.
 - b) Create a template for financial aid offer letters by July 1, 2027.
 - c) By, July 2027, submit a report to the legislature that includes the financial aid offer letter template created.
- 3) Require all institutions, by the 2028-2029 academic year, as a condition of being a qualifying institution, to use the financial aid offer letter template created by the working group for all conditional offers of attendance at the institution.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “There are inconsistent formats, definitions and general presentation of financial aid award offer letters across California’s post-secondary institutions that create confusion among students and families.” The author further contends, “SB 416 will create a student financial aid uniformity working group that brings an array of partners to the table to ensure our students see consistent and clear provisions in all their financial aid offer when deciding on where to attend for college. Students and families have a right to clear information when it can affect their finances and future. This is imperative in supporting our students, especially our first generation students who don’t have the same support in this process and need to be able to read a financial aid offer and confidently accept the offer ensuring they understand the financial commitment.”
- 2) **Demand for award offer letter standardization.** Higher education institutions provide current and prospective students with financial aid offers that can include state, federal, and institutional aid. These offers help students and families understand the costs associated with colleges and the types and amounts of financial aid for which they are eligible. Students use the information in these offers to make important educational and financial decisions, such as whether to pursue higher education, which college to attend, and how to fund their education. Proponents of this measure contend that there is variability in financial aid offers provided to students, raising concerns about their effectiveness in communicating costs and financial aid information. A nationwide study conducted by New American and uAspire in 2018 found that award letters lack consistency and transparency. However, the degree to which California higher education institutions provide students standardized information in financial aid award offer letters is unclear, as current state law requires California private and public higher education institutions to provide students with the Shopping Sheet (now

known as the College Financing Plan), a standardized financial award letter template.

- 3) **Standardization is already required in California.** In 2012, the USDE partnered with the Consumer Financial Protection Bureau to develop the Financial Aid Shopping Sheet to promote transparency in student financial aid disclosures. Similar to the goals of this bill, the Shopping Sheet was designed with the goal of ensuring that families have an easy-to-read form that enables them to compare institutions in terms of grant and scholarship amounts, net costs, graduation rates, loan default rates, median borrowing, and estimated monthly loan payments after graduation. State statute, established by AB 1858 (Calderon, Chapter 671, Statutes of 2018), mandated its use by California public and private institutions. It is unclear if the workgroup outcomes coincide with existing requirements. Given that it appears there is interest in revisiting award offer standardization in California to promote greater uniformity and clarity for students, the author may wish to consider whether the bill's provisions should also require the workgroup to develop recommendations for periodically reviewing and revising the financial aid offer letter template, common terms, definitions, and overall format of these letters.
- 4) **Other efforts aimed to assist students.** The bill requires that the workgroup be composed of all segments of postsecondary education. Staff understands that within the past year, the CSU system signed on to the College Cost Transparency Initiative, as did all but two UC campuses. The initiative is led by a national taskforce made up of higher education leaders and financial aid experts who established a set of principles and standards to which institutions can commit. It includes the following principles:
 - a) The primary purpose of student financial aid offers is to provide clear, accurate, consumer-friendly information about college costs and financial aid eligibility.
 - b) Financial aid offers should be transparent, ensuring that costs are understandable for students and their families. Financial aid offers should include the most accurate estimate possible of a student's costs.
 - c) All types of aid offered should be described and explained using standardized, plain language.
 - d) Colleges and universities should strive to embrace the use of innovative technologies to create financial offers in formats that best serve the needs of their unique student populations, which may include dynamic and interactive components.

As a result, CSU has invested in new software and technology for each campus, including a new, revised award notice format. The author may wish to consider ensuring that the workgroup's efforts are guided by the College Cost Transparency Initiative's principles to avoid hindering CSU and other California institutions' progress in achieving similar goals.

5) Related legislation.

SB 305 (Reyes, 2025) requires the CCC, under the Student Success Act, to provide, commencing with the 2026–27 academic year, students with specified information related to completing and submitting the FAFSA and CADAA, and to confirm, commencing with the 2027–28 academic year, that students who have not opted out have completed and submitted the FAFSA or the CADAA, as specified. SB 305 is set to be heard by this committee on April 23.

SB 323 (Perez, 2025) requires CSAC, commencing with the 2026–27 financial aid cycle, to amend the California Dream Act application (CADAA) and any of its grant processing systems to clarify and ensure that the CADAA can be used by any student eligible for state financial aid programs, regardless of their eligibility for federal financial aid. It also requires CSAC to consult the segments of postsecondary education in promoting the CADAA in a manner that maximizes the amount of federal aid that students may access while apprising students of the choices available regarding which application they and their families may use. SB 323 is set to be heard by this committee on April 23.

SB 837 (Reyes, 2025) requires CSAC, by July 1, 2027, to develop guidance as specified for local educational agencies and public libraries on how to use online technology platforms to assist low-income, foster youth, and undocumented families accessing student financial aid. It also requires CSAC to offer a training program on the developed guidance and implement a multimedia campaign to raise awareness of available online technology platforms relating to the developed guidance. SB 837 is set to be heard by this committee on April 30.

SUPPORT

California Student Aid Commission (co-sponsor)
NextGen California (co-sponsor)
uAspire (co-sponsor)
California Chamber of Commerce
Los Angeles Urban Foundation
Northern California College Promise Coalition
Parent Institute for Quality Education
Southern California College Attainment Network

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	SB 848	Hearing Date:	April 23, 2025
Author:	Pérez		
Version:	March 26, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Pupil safety: school employee misconduct: child abuse prevention: criminal communications with a minor.

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

SUMMARY

This bill establishes new requirements to improve pupil safety by addressing school employee misconduct, clarifying professional boundaries, enhancing comprehensive school safety plans, expanding child abuse prevention training requirements, requiring instructional programming on abuse prevention, and creating a statewide system for tracking employee misconduct investigations. It also expands the definition and reporting responsibilities of mandated reporters.

BACKGROUND

Existing law:

Professional Boundaries, Misconduct, and Employee Discipline

- 1) Requires local educational agencies (LEAs) to adopt and annually review comprehensive school safety plans addressing crime, violence prevention, crisis response, and safe pupil conduct. (Education Code (EC) § 32280-32289)
- 2) Prohibits LEAs from entering into agreements that suppress mandatory reporting of egregious misconduct by school employees, including sexual misconduct. (EC § 44939.5)
- 3) Defines specific offenses as “sex offenses” triggering mandatory reporting and disciplinary action, including suspension and revocation of teaching credentials. (EC § 44010)
- 4) Prohibits employment of individuals convicted of sex offenses, requiring LEAs to conduct background checks through fingerprinting and criminal history records. (EC §§ 44237, 45125)
- 5) Establishes procedures for LEAs to dismiss certificated employees for immoral conduct, unprofessional conduct, or crimes involving moral turpitude. (EC §§ 44932, 44933)

- 6) Requires LEAs to maintain personnel records, including documentation of complaints, investigations, and discipline involving misconduct allegations. (EC § 44031)

Child Abuse and Mandatory Reporting

- 7) Defines mandated reporters as individuals whose professions involve regular contact with minors, including teachers, administrators, classified employees, and school district police officers. (Penal Code (PEN) § 11165.7)
- 8) Requires mandated reporters to immediately report suspected child abuse or neglect to appropriate authorities and follow up with a written report within 36 hours. (PEN§§ 11165.9, 11166)
- 9) Requires annual training for mandated reporters working in LEAs on recognizing and reporting child abuse and neglect. (EC § 44691)

Instructional Programs and Student Education on Abuse Prevention

- 10) Permits LEAs to offer instruction on sexual abuse and sexual assault prevention, including information on available resources for victims and methods of reporting such incidents. (EC § 51950)
- 11) Requires comprehensive sexual health education provided to pupils to include instruction on sexual harassment, sexual assault, adolescent relationship abuse, and human trafficking prevention. (EC §§ 51930-51939)

Communication and Interactions with Minors

- 12) Establishes that adults who contact or communicate with minors with the intent to commit specified sexual offenses face criminal penalties. (PEN§ 288.3)
- 13) Sets forth requirements regarding acceptable use policies for school district technology to restrict inappropriate communication between staff and students. (EC § 51871.5)

Liability and Fiscal Implications:

- 14) Eliminated the statute of limitations for civil actions related to childhood sexual assault occurring on or after January 1, 2024, and previously extended the limitations period for claims occurring before 2024 to 22 years after the victim reaches majority age (AB 218, Gonzalez, Chapter 861, Statutes of 2019; AB 452, Addis, Chapter 655, Statutes of 2023).
- 15) Permanently exempted childhood sexual assault claims from the Government Tort Claims Act's presentation requirement, allowing claims to go directly to litigation without prior administrative claims filing. (Government Code (GOV) §§ 905, 935)

- 16) Allows courts to order public agencies facing judgments causing unreasonable financial hardship to pay those judgments in annual installments over a maximum of 10 years. (GOV § 970.6)

State Oversight and Accountability

- 17) Requires the Commission on Teacher Credentialing (CTC) to suspend or revoke credentials of school employees for specified misconduct, including sexual misconduct involving pupils. (EC §§ 44421, 44425, 44426)
- 18) Requires LEAs to provide public access to reports of findings from investigations of employee misconduct resulting in discipline. (EC §§ 44932, 45113)

ANALYSIS

This bill:

- 1) Requires all schools (including public, charter, private, county offices of education, and state special schools) to adopt written policies on appropriate interactions and professional boundaries between school employees, volunteers, contractors, and pupils by July 1, 2026. Policies must clearly prohibit inappropriate electronic and social media communications.
- 2) Expands comprehensive school safety plans to include procedures for supervision to prevent child abuse, emergency response plans addressing earthquakes, fires, active shooter incidents, sudden cardiac arrest, and opioid overdoses, and requires training for employees and volunteers on these protocols.
- 3) Makes pupil instruction on sexual abuse and assault prevention mandatory beginning July 2027, covering recognition of inappropriate behaviors, reporting mechanisms, and accessing support services.
- 4) Broadens the definition of mandated reporters to explicitly include school volunteers, governing board members, and private school employees. Requires annual mandated reporter training covering child abuse reporting, grooming behavior identification, and maintaining professional boundaries.
- 5) Requires enhanced employment screening for certificated and classified employees, requiring LEAs to inquire specifically about prior credible allegations or substantiated misconduct investigations during hiring.
- 6) Establishes a statewide data system managed by the CTC by July 1, 2027, tracking substantiated investigations of employee misconduct accessible to all LEAs for employment screening.
- 7) Prohibits LEAs from entering agreements or practices designed to conceal or remove credible allegations of employee misconduct from personnel records.

- 8) Expands criminal penalties by clarifying that electronic communication with minors for the intent of committing sexual offenses explicitly includes communications through social networking platforms.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “More than 75% of states have enacted laws to prevent educator sexual misconduct. California has taken significant steps in this area by implementing policy changes to safeguard both students and employees, and enhance transparency. However, several high profile cases continue to highlight systemic failures and underscore the urgent need for stronger preventive measures and mandates to protect children.

“A series of articles published in 2023 and 2024, an investigative reporter uncovered a 40-year history of sexual misconduct at a single California high school, where dozens of educators engaged in behavior ranging from inappropriate comments to sexual relationships with students. This is not an isolated incident. According to the Fiscal Crisis and Management Assistance Team (FCMAT), a 2023 report found that claims originated in 48 of 58 California’s counties with the majority of offences (50%) occurred in classrooms, with 68% taking place during general education, 14% in athletics, and 6% in before- or after-school programs.

“While most school employees are dedicated professionals who nurture student growth, disciplinary statutes and post-incident reforms in California lacks a comprehensive approach to preventing abuse in K-12 schools. SB 848 aims to create a safer environment for students by strengthening policies on professional boundaries, school safety plans, and child protection.”

- 2) ***Legislative Background and the Fiscal Crisis and Management Assistance Team (FCMAT) AB 218 Report.*** Recent legislative changes have significantly reshaped California’s legal landscape around childhood sexual assault claims, profoundly affecting schools and public agencies. Assembly Bill 218 (Gonzalez, Chapter 861, Statutes of 2019) dramatically increased liability exposure for schools by extending and, in many cases, reviving expired statutes of limitation for childhood sexual assault claims against educational agencies. Subsequently, AB 452 (Addis, Chapter 655, Statutes of 2023) permanently eliminated these statutes of limitation for claims arising after January 1, 2024. In response to concerns about substantial fiscal impacts on public agencies—estimated by FCMAT to be between \$2–\$3 billion for California schools alone—the Legislature enacted SB 153 (Committee on Budget and Fiscal Review, Chapter 38 Statutes of 2024), mandating FCMAT to analyze the financial implications and provide recommendations to strengthen prevention, accountability, and fiscal management related to childhood sexual assault in public entities.

The resulting FCMAT AB 218 report underscores the urgent need for enhanced statewide measures, including clearer boundary policies, mandated comprehensive training, improved oversight, and more rigorous employment screening practices, all aimed explicitly at preventing misconduct and mitigating substantial legal and financial risks to California’s educational institutions. This

bill directly aligns with and implements these critical recommendations, offering a comprehensive legislative response to the concerns and gaps highlighted by FCMAT.

- 3) ***Persistent Risks of Adult-to-Student Misconduct and Need for Clear Boundaries.*** Despite existing mandated reporting laws and criminal penalties, adult-to-student misconduct remains alarmingly prevalent in schools. Research indicates approximately 10% of students in grades 8-11 experience sexual misconduct by educators. Of these cases, roughly 70% involved grooming, where offenders manipulate students gradually through inappropriate boundary crossing, especially through electronic communication (Shakeshaft, 2018, *Journal of Child Sexual Abuse*). This bill directly addresses these risks by requiring explicit, written professional boundary policies in all LEAs, significantly reducing ambiguity about acceptable adult behaviors toward students.
- 4) ***Effectiveness of Mandated Reporter Training in Reducing Abuse and Increasing Reporting.*** Effective mandated reporter training significantly improves identification and timely reporting of abuse. According to data from the U.S. Department of Health and Human Services, comprehensive mandated reporter training leads to a significant increase in reporting accuracy and frequency, thus enhancing child protection outcomes. Nonetheless, the U.S. Government Accountability Office (GAO) reports ongoing challenges, including inconsistent training quality and clarity around reporting responsibilities. This bill addresses these gaps explicitly, expanding mandated reporting responsibilities to volunteers, governing board members, and private school employees, while requiring detailed annual training to improve accuracy and consistency of abuse reporting.
- 5) ***The Necessity of a Centralized Statewide Misconduct Database.*** Currently, fragmented recordkeeping and inconsistent reporting practices allow individuals with substantiated misconduct histories to move between school employers—particularly in noncertificated positions—without detection. The FCMAT report identified this lack of a coordinated, statewide system as a major vulnerability in pupil protection efforts.

As currently drafted, this bill requires the creation of a statewide data system to track substantiated findings of egregious misconduct, but leaves key implementation details unresolved. To address these issues, ***staff recommends amending the bill*** as follows to establish clear statutory requirements for how the database will operate:

- a) Assign responsibility for system development to the California School Information Services (CSIS).
- b) Define the data elements to be collected for noncertificated employees, including job titles, employment dates, and investigation outcomes.
- c) Establish mandatory reporting timelines for school employers when hiring, reassigning, or separating employees, and during investigations of egregious misconduct.

- d) Require school districts, charter schools, county offices of education, and private schools to check the database before hiring individuals into noncertificated positions.

By codifying the operational framework, the database can avoid implementation delays and meaningfully enhance student safety more quickly.

- 6) ***Fiscal Impact of Preventing vs. Responding to Abuse Cases.*** Beyond human costs, ineffective abuse prevention measures impose severe financial consequences on educational agencies. According to the recent FCMAT AB 218 report, California's public schools face a liability exposure estimated between \$2–\$3 billion due to historical claims of sexual misconduct, highlighting the unsustainable financial implications of inadequate prevention and reporting structures. This bill's proactive measures—such as clear boundary policies, robust training, and mandatory abuse prevention instruction—represent cost-effective strategies that substantially reduce liability risks and mitigate potential fiscal impacts on LEAs.
- 7) ***Explicit Digital Communication Policies as an Essential Protection.*** Digital platforms have become prominent venues for grooming and exploitation. According to a recent national report, over 60% of online exploitation cases involving minors included initial contact through social media or other digital channels (National Center for Missing & Exploited Children). California's current statutes inadequately address specific digital communication platforms, complicating prosecution efforts. This bill explicitly expands criminal penalties related to inappropriate electronic communications, clearly defining digital interactions via social networking platforms as criminal misconduct, strengthening law enforcement capabilities to prosecute these offenses effectively.
- 8) ***Concerns Raised by Private School Organizations.*** Some private school organizations have raised concerns about the inclusion of private schools in this bill. The California Catholic Conference, representing Catholic dioceses operating K-12 schools across the state, submitted a letter emphasizing that Catholic schools already implement extensive child safety protocols aligned with the *Charter for the Protection of Children and Young People*, first adopted in 2002. These protocols include fingerprinting and background checks for all employees and volunteers, mandatory annual training on abuse prevention, and grade-level instruction for students on how to recognize and report misconduct. They argue that these practices meet or exceed the requirements proposed in SB 848 and request that private schools be removed from the bill's scope.

The California Association of Private School Organizations (CAPSO)—a statewide umbrella group representing over 1,400 schools and 370,000 students—expresses a different concern, grounded in legal and structural considerations. CAPSO points to California's longstanding treatment of private schools as legally distinct from public education and outside the regulatory authority of the California Department of Education. They argue that applying mandates intended for public schools to private institutions raises constitutional

questions related to governance, enforcement, religious freedom, and freedom of association. CAPSO maintains that such mandates are difficult to enforce and could establish a precedent for state overreach into independent education.

Both groups affirm their commitment to student safety and describe existing policies that reflect many of the practices required under the bill. However, they oppose the imposition of uniform requirements on private schools through legislation designed to govern public institutions.

9) ***Related Legislation.***

SB 832 (Allen, 2025) amends existing civil liability statutes related to childhood sexual assault and establishes that plaintiffs may recover treble damages in cases where childhood sexual assault is found to have been intentionally concealed by an entity responsible for the victim's care or oversight. The bill also introduces procedural safeguards requiring plaintiffs aged 40 or older at the time of filing to submit certificates of merit to ensure the credibility and factual basis of their claims. SB 832 is pending in the Senate Judiciary Committee.

SUPPORT

3Strands Global Foundation
Child Empowerment and Safety
Enough Abuse
Office of the Riverside County Superintendent of Schools

OPPOSITION

None received

-- END --