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# California State Senate

## EDUCATION



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### AGENDA

Wednesday, March 24, 2021  
9 a.m. -- John L. Burton Hearing Room (4203)

### MEASURES HEARD IN FILE ORDER

- |     |        |            |   |
|-----|--------|------------|---|
| 1.  | SJR-1  | Allen      | Student loan debt.  |
| 2.  | SB 785 | Glazer     | Public postsecondary education: California Promise program: California State University students. |
| 3.  | SB 50  | Limón      | Early learning and care.  |
| 4.  | SB 737 | Limón      | California Student Opportunity and Access Program.  |
| *5. | SB 722 | Melendez   | Interscholastic athletics: adult supervisors: cardiopulmonary resuscitation training.             |
| *6. | SB 673 | Portantino | Adult Education Block Grant Program: reporting requirements.                                      |
| 7.  | SB 34  | Umberg     | Libraries: student success cards.(Urgency)  |

\*Proposed consent





This measure:

- 1) Resolves that the Senate and the Assembly of the State of California, jointly, urge the President of the U.S. to protect student loan borrowers by taking executive action to cancel \$50,000 of student loan debt per borrower.
- 2) Makes a number of findings related to student loan debt including:
  - a) The U.S. is facing historic public health and economic crises caused by the COVID-19 pandemic.
  - b) Student loan debt in the U.S. has increase more than 100 percent over the last 10 years.
  - c) The Federal Reserve estimates that in 2020, over 45 million people owed more than \$1.7 trillion in student loans, up from \$845 billion 2010.
  - d) The USDE reports that as of June 2020, roughly one in five borrowers with federal student loans were in default.
  - e) More than 3 million California borrowers owe \$147 billion in student loan debt.
  - f) The average California borrower owes \$38,530 in student loans, and over 500,000 California borrowers are behind on their student loan payments.
  - g) The increasing cost of higher education has created an unprecedented financial burden that represents a major drag on the economy, and has caused a generation to postpone traditional life milestones.
  - h) In 2019, the Assembly announced a new Select Committee on Student Debt, making California the first state in the nation to create a legislative committee focused on the problems facing millions of borrowers struggling under historic student debt.
  - i) In March 2020, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act put into place a pause on federal student loan payments and interest, which has since been extended through September 2021.
  - j) Democrats in the U.S. House of Representative and U.S. Senate have introduced resolutions urging President Biden to broadly forgive up to \$50,000 of federal student debt per borrower through executive action.

## STAFF COMMENTS

- 1) **Need for this measure.** According to the author, "In California alone, over more than 3 million California borrowers owe \$147 billion in student loan debt, and the average California borrower owes \$38,530 in student loans. Over 500,000 California borrowers are behind on their student loan payments. These debts not

only limit people's ability to participate in the economy, but they also set folks behind on investing in their future. This kind of debt has been shown to lead to increased stress and has a toll on mental health.

"Though there is currently a federal tax deduction for interest paid on student loan debt, there is little relief for those struggling with high student loan debt. While California mirrors this federal deduction, there are no forms of relief for those with high student loan debt in the state."

- 2) **Student loan debt.** According to The Institute for College Access and Success (TICAS) and its Project on Student Debt, 62 percent of seniors who graduated from *public* and *private nonprofit colleges* in 2019 had student loan debt, with an average nationally of \$28,950 per borrower. TICAS reports that the share of graduates with debt declined very slightly (less than 1%) from the 2018 average of 29,200. TICAS also reports that average debt in California is \$21,485 at public and private non-profit colleges and that about 47 percent of students graduate with debt, ranking California fourth lowest nationally. For-profit colleges are not included in the state averages because few of these colleges report relevant debt data. The report notes, although student loan debt is slowing, the public health crisis has already reshaped the higher education landscape in important ways and has placed profound financial pressures on states, colleges, and students that could already be making college less affordable and increase reliance on student debt.
- 3) **Existing loan forgiveness programs.** The USDE provides a variety of student loan forgiveness programs. These include the following:
  - a) The Public Service Loan Forgiveness (PSLF) Program forgives the remaining balance on Direct Loans after a student makes 120 qualifying monthly payments under a qualifying repayment plan while working full-time for a qualifying employer. A qualifying employer can include Government organizations at any level (federal, state, local, or tribal), tax-exempt Section 501(c)(3) not-for-profit organizations and other types of not-for-profit organizations that provide certain types of qualifying public services. Serving in a full-time AmeriCorps or Peace Corps position also counts as qualifying employment for the PSLF Program.
  - b) Temporary Expanded Public Service Loan Forgiveness. The program allows a borrower to seek reconsideration for loan forgiveness, if a PSLF application was denied due to some or all of the payments not made on a qualifying repayment plan for PSLF.
  - c) Teacher Loan Forgiveness. A loan recipient can qualify for as much as \$17,500 of subsidized or unsubsidized loan forgiveness for teaching full-time in a low-income elementary or secondary school or educational service agency for five consecutive years.
  - d) Closed School Discharge: Discharges federal student loans for students whose school closes while enrolled or soon after withdrawing from the

school. Eligible borrowers are eligible for a 100 percent discharge of subsidized and unsubsidized federal loans.

This measure additionally urges the cancelation of \$50,000 of student loan debt per borrower.

**SUPPORT**

California Faculty Association

**OPPOSITION**

None received.

**-- END --**



of the Legislature, by March 15, 2017, regarding potential financial incentives that could benefit students who participate in the California Promise program.

- 3) Requires support provided by a CSU campus for a California Promise program student to include, but not necessarily be limited to, both of the following:
  - a) Priority registration in coursework provided that a student does not qualify for priority registration under another policy or program, as specified.
  - b) Academic advisement that includes monitoring academic progress.
- 4) Requires a student, in order to qualify for the program to:
  - a) Be a California resident for purposes of in-state tuition eligibility.
  - b) Commit to completing at least 30 semester units or the quarter equivalent per academic year, including summer term units, as specified.
- 5) Requires a campus to guarantee participation in the program to, at a minimum, any student who is a low-income student, as defined, a student who has graduated from a high school located in a community that is underrepresented in college attendance, a first-generation college student or a transfer student who successfully completes his or her associate degree for transfer at a community college.
- 6) Establishes that, as a condition of continued participation in a California Promise program, a student may be required to demonstrate both of the following:
  - a) Completion of at least 30 semester units, or the quarter equivalent, in each prior academic year.
  - b) Attainment of a grade point average in excess of a standard established by the campus.
- 7) Sunsets the program on January 1, 2026. (Education Code § 67430 et. seq.)

## ANALYSIS

This bill:

- 1) Commencing with the 2022-23 academic year, requires at least 5% of each incoming class at each participating campus of the CSU to participate in the California Promise program. The bill also requires that at least 70% of those participants be either low-income students, first-generation students, or students from communities that are underrepresented in postsecondary education.
- 2) Makes other technical changes.



**STAFF COMMENTS**

- 1) **Need for the bill.** According to the author, "The CSU awards nearly half of California's bachelor's degrees, with more than half of CSU students being students of color. While system-wide graduation rates are improving, more can be done to increase rates of California students receiving their bachelor's degrees within four years. The system continues to struggle with graduation gaps for underrepresented students, and the system's graduation rates still lag behind those of similar universities nationwide." The author further asserts, "Currently, 13 CSUs have the four-year pledge (Promise) program and 21 campuses have the two-year pledge (Promise) program. However, only CSU, Sacramento, Long Beach, and Humboldt have robust enrollment of students. In a review of campus home pages, there is little attention paid to the California Promise Program. On average, it takes six clicks from the campus home page to get the California Promise program. This lack of publicity impedes students from taking advantage of graduating in a timely manner."
- 2) **California Promise programs at CSU.** Existing law, established by Senate Bill 412 (Glazer, Ch. 436, Stats. 2016), required the Trustees of the CSU to develop and implement a California Promise program at a minimum of eight campuses for non-transfer students and a minimum of 20 campuses for qualifying transfer students. These campuses enter into a pledge with a first-time freshman or with a qualifying transfer student to support the student in obtaining a baccalaureate degree within four academic years or within two for transfer students. Students who commit to enter either the four-year or two-year pledge are given priority registration and are provided with routine and thorough academic advisement. It appears that 20 of the 23 CSU campuses have a promise program with 11,306 undergraduates enrolled from fall 2017 to spring 2019. The number of new undergraduates enrolled in programs varies by campus. For example, in fall 2019 CSU, San Luis Obispo enrolled five new students whereas CSU, Sacramento enrolled 2,842 new participants into the program. This bill calls upon each campus to direct a portion of its incoming class into the program each year. The bill also sets a new threshold for enrolling students into the program who are low-income, underrepresented or first in their families to attend college.
- 3) **Other systemwide efforts to promote timely degree completion at CSU.** To address its low graduation rates, CSU launched the "Graduation Initiative 2025," in 2015. Through this initiative, CSU has set a goal to increase six- and four-year graduation rates for first-time freshmen to 70 percent and 40 percent, respectively, by 2025. The Graduation Initiative also seeks to increase graduation rates for transfer students. It also aims to address the achievement gap by eliminating differences in graduation rates for several groups of students, including those who are low-income and first-generation. The strategies employed by the campuses to achieve these goals include hiring faculty, offering of additional course sections, hiring academic advisors, and investing in student support programs and services. Staff notes that state funding for the CSU Graduation Initiative has increased over time. The budget act of 2019 provided \$45 million ongoing General Fund and \$30 million one-time funding to support the Graduation Initiative. The California Promise Program is independent of the

Graduation Initiative 2025, although presumably some activities overlap. It is not clear, however, whether directing campus resources toward increasing participation into a single program such as the California Promise Program could have an impact on the ability of a campus to deploy campus-specific strategies or promote the state supported Graduation Initiative and its specific goals.

4) **Prior and related legislation.**

SB 1211 (Glazer, 2020), identical to this bill, was not heard by this committee due to the shortened 2020 Legislative Calendar.

SB 148 (Glazer, 2019) would have established the Student Success and On-time Completion Fund in the State Treasury, and authorized the Trustees of the CSU to use money in the fund to incentivize participation in a California Promise program through the offering of grants or tuition freeze, as specified. SB 148 also required CSU to waive systemwide tuition or fees for a participating student unable to complete their degree due to limited space or no course offerings, as specified. SB 148 was held in the Assembly Appropriations Committee.

SB 346 (Glazer, 2018) was nearly identical to SB 148 in its final form, and failed passage on the Assembly floor. SB 346 was not heard by this committee.

SB 803 (Glazer, 2017) was nearly identical to SB 346 bill, was approved by this committee by a vote of 5-2 and was subsequently held on the Senate Appropriations Committee Suspense file.

**SUPPORT**

None received.

**OPPOSITION**

None received.

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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<b>Bill No:</b>	SB 50	<b>Hearing Date:</b>	March 24, 2021
<b>Author:</b>	Limón		
<b>Version:</b>	March 16, 2020		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Lynn Lorber		

**Subject:** Early learning and care: California Early Learning and Care Program.

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

### SUMMARY

This bill expands the range of types of child care and early learning services that a State Preschool contracting agency may provide.

### BACKGROUND

Existing law:

*California state preschool*

- 1) Requires the Superintendent of Public Instruction (SPI) to administer all California state preschool programs. Existing law requires state preschool programs to include, but not be limited to, part-day age and developmentally appropriate programs designed to facilitate the transition to kindergarten for three- and four-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development. (Education Code § 8235)
- 2) Establishes that three- and four-year-old children are eligible for the part-day state preschool program if the family meets at least one of the criteria described in # 6 (a) below (a current aid recipient, income eligible, homeless, or one whose children are recipients of protective services). (EC § 8235)
- 3) Requires state preschool providers to give first priority to three- or four-year-old neglected or abused children who are recipients of child protective services; second priority is for eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program; third priority is for eligible three-year-old children. (EC § 8236)
- 4) Defines "three-year-old children" as children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a California state preschool program. Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a California state preschool program on or after their third birthday. (EC § 8208)

*Preschool family fees*

- 5) Requires that families in full-year care be assessed a flat monthly fee based on income, certified family need for full-time or part-time care services, and enrollment. The family fee is determined by a schedule that is developed by the SPI. The family fee shall *not* be based on actual attendance. (EC § 8273)

*Subsidized child care eligibility*

- 6) Provides that families must meet at least one requirement in *each* of the following areas to be eligibility for federal and state subsidized child development services:
  - a) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, or (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.
  - b) A family needs the childcare services (i) because the child is identified as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated. (Education Code § 8263)
- 7) Establishes priority for federal and state subsidized child development services is as follows:
  - a) First priority shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused.
  - b) Second priority shall be given equally to eligible families, regardless of the number of parents in the home, who are income eligible. Within this priority, families with the lowest gross monthly income in relation to family size shall be admitted first. For purposes of determining order of admission, grants of public assistance recipients shall be counted as income. (EC § 8263)

*Intra- and inter-agency adjustments*

- 8) Requires the California Department of Education (CDE) to promote full utilization of child care and development funds and match available unused funds with identified service needs. In doing so, the CDE is required to arrange intra-agency adjustments between California state preschool contracts and general child care contracts (for the same agency and funding allocation). (EC § 8236.2)

- 9) To further full utilization and match fund with needs, requires the CDE to arrange interagency adjustments between different contractors with the same type of contract when both agencies mutually agree to a temporary transfer of funds for the balance of the fiscal year. (EC § 8275.5)

## ANALYSIS

This bill expands the range of types of child care and early learning services that a State Preschool contracting agency may provide. Specifically, this bill:

### *Expands State Preschool contracts*

- 1) Expands the age of children that State Preschool contracting agencies may serve, from three- and four-year olds, to children age birth through five years.
- 2) Authorizes a state preschool program contracting agency to provide services to any child in a family who meets the eligibility requirements for subsidized child care, and who has not yet turned six years of age by September 1 of the fiscal year in which they are being served.
- 3) Allows children who turn six years of age by September 1 of the fiscal year in which they are being served to remain in a state preschool program until they start first grade, but no later than September 30.
- 4) Provides that a state preschool program serving infants and toddlers is to be reimbursed at the same rate as if operating as a general child care program.
- 5) Requires state preschool programs to meet the existing Title 5 minimum ratios required for each age group.
- 6) Specifically authorizes a family childcare home education network to be eligible to provide preschool services for children from birth to five years of age.

### *Contract based on enrollment vs attendance*

- 7) Requires the SPI, by July 1, 2023, to develop and implement a plan to award contracts as three-year grants, with annual budget periods, based on child enrollment, using existing adjustment factors.
- 8) Requires the plan to aim to do all of the following:
  - a) Streamline and improve the application and contracting process for contracting agencies, including the application and contracting process for family childcare home education networks.
  - b) Focus contract goals and reporting requirements on positive outcomes for children, families, and providers, and reduce unnecessary reporting requirements.

- c) Reimburse programs based on child days of enrollment.
  - d) Support programs to promote child enrollment, including family engagement and support.
  - e) Establish goals to ensure the program's average enrollment remains above 95 percent of child enrollment.
- 9) Prohibits CDE from using actual program attendance as a factor to determine reimbursement rates.

*Priority for enrollment*

- 10) Strikes references to three- and four-year olds in regards to having priority for enrollment in state preschool.

*Community eligibility*

- 11) Extends the existing authority to enroll *all four-year old* children in a state preschool within the attendance boundary of a traditional public school where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals (community eligibility), to also include *all three-year-olds*.
- 12) Provides that all families enrolled pursuant to community eligibility to be assessed the maximum applicable monthly fee listed in the fee schedule established under existing law.
- 13) Requires a contracting agency to inform families at enrollment of their option to voluntarily disclose income to reduce the family's fees.

*Direct certification*

- 14) Expands priority for eligibility, enrollment, and services to include a family who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Assistance Program for Women, Infants, and Children, the Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by CDE.
- 15) Provides that eligibility "as determined by CDE" means either:
- a) The family provides documentation of current enrollment in the program, unless the contracting agency has, and elects to use, other means of obtaining verification of that enrollment.
  - b) A contracting agency has determined a member of the household is eligible for Head Start or Early Head Start services.
- 16) Prohibits further proof of income from being required for determining eligibility.

*Twenty four-month eligibility and eligibility based on employment or homelessness*

- 17) Expands, from 12 months to 24 months, the period of a family's eligibility for ongoing services after establishing initial eligibility.
- 18) Requires the contracting agency to use simplifying assumptions to authorize the maximum certified hours of care based on need for care if a family is eligible for services on the basis that the parent is employed, and the parent's employment has a variable schedule.
- 19) Prohibits the family from being required to report a change in employment schedule for at least 24 months after establishing eligibility; however, a family may, at any time, voluntarily report a change in schedule.
- 20) Provides that preschool/child care services may only occur for up to five days per week and for less than 40 hours per week if a family is eligible for services on the basis that the family is homeless, or that the parents are seeking employment or seeking permanent housing for family stability.

*Part- vs full-day*

- 21) Deletes references to part-day State Preschool programs.

*Wraparound*

- 22) Requires the SPI to authorize state preschool program contracting agencies to offer wraparound childcare services for eligible children enrolled in transitional kindergarten or kindergarten if their families are current aid recipients or are otherwise income-eligible.

*Inter-agency and intra-agency adjustments*

- 23) Expands the authority of the SPI to intra-agency adjustments between state preschool contracts and general childcare contracts to also include family childcare home education network contracts, and migrant childcare and development contracts for the same agency.
- 24) Further expands the authority of the SPI by also allowing inter-agency adjustments between different agencies and the same funding allocation.

*Desired Results Developmental Profile*

- 25) Expands the child assessment tool options by authorizing public or private provider to use any valid and reliable instrument to meet the requirement to maintain a developmental profile, including, but not limited to, the Desired Results Developmental Profile.

*Miscellaneous*

- 26) Makes technical changes to reflect the transfer of many early learning programs from CDE to DSS.
- 27) States findings and declarations relative to the benefits of a coherent and integrated mixed delivery early learning and care system and continuum.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "There is a large unmet need when it comes to childcare in California, especially for infants and toddlers. According to the Early Learning and Care Master Plan, only 1 in 5 children who are eligible are enrolled in a state subsidized program. Furthermore, the current system of subsidized early learning and care is overly complex and uncoordinated, with a patchwork of different programs and funding streams. The uncoordinated ECE system creates barriers for families to access needed child care and early learning providers lack the flexibility needed to meet the needs of children and families in their communities. This bill builds toward a more streamlined, integrated, mixed-delivery ECE system.

"Specifically, this bill addresses the complicated nature of contracting in early childhood education spaces. Currently, one early learning contractor could have a California State Preschool Program (CSSP) contract to serve 3- and 4-year-olds, a General Child Care (CCTR) contract to serve infants and toddlers or school-age children, and a Family Child Care Home Education Network (CFCC) to partner with home-based providers to serve children. In addition to administrative inefficiencies from multiple contracts, the age limits of the contract create challenges to providing continuity of care. This bill will enable CSSP to serve children 0-5, remove the existing barriers between Full-Day and Part-Day CSPP, CCTR and CFCC contracts. It will also shift to a multi-year contract that reimburses based on the number of children enrolled instead of attendance. Increasing this flexibility allows providers to transfer funds between contracts and adjust their services to better meet the needs of families and keeps those funds from being returned to the state. As the state expands Transitional Kindergarten to more 4-year-olds – as proposed in the Governor's budget, ECE Master Plan, and AB 22 (McCarty) – the bill will allow CSPP funds currently being used to be served those 4-year-olds to be shifted to serve more infants, toddlers, and 3-year-olds."

- 2) ***Practical effect.*** This bill is essentially related to contracts and blending funding between programs served under the same contract.

This bill allows general child care and development program that may currently be contracting directly with CDE (must meet standards in Title 5 of the California Code of Regulations) to instead contract with a state preschool program. Title 5 providers currently contract directly with CDE for licensed early learning and care through centers, Family Child Care Home Education Networks, and state preschool. In addition to Title 22 licensing requirements, these providers must also adhere to the requirements of Title 5 (additional education, training, and health and safety standards).



This bill also enables one type of Title 22 family child care provider to participate in the state preschool program, the family home networks (networks of family/home-based child care providers that receive support from staff of a contracted agency). Currently, family home networks typically only serve subsidized children through the Alternative Payment Program or CalWORKs voucher systems (rather than through a contract directly with CDE).

Existing program standards and requirements must be maintained – infants will *not* be served alongside preschool-age children. This bill should enable contractors to use more of their contract funds (rather than be forced to return unspent funds to the state) by basing contracts on enrollment rather than attendance, allowing for “direct certification” of eligibility based on enrollment in a social services program (such as Medi-Cal or Head Start), expanding eligibility from 12 to 24 months, and allowing contractors to blend preschool and general child care funds.

The inability of preschool and child care programs to fully “earn” their contract funding by not meeting attendance estimates, and therefore requiring programs to return unspent funds to the state, is a long-standing problem. Programs are forced to return unspent funds while many eligible children go without care. Further, as younger four-year olds shift to into transitional kindergarten, state preschool programs have fewer children to serve, and are unable to “earn” their full contracts and must return unused funds to the state. This bill addresses these issues by allowing additional children to be served under a single state preschool contract, presumably keeping allocated early learning and child care funds local to serve more children and families in a community.

This bill is meant to expand early education and care options for families by filling “unused slots” by enrolling more eligible children. This bill does not diminish the existing general child care and development structure; it does not take slots or funding from existing providers. This bill also allows the transfer of funds between types of programs under a state preschool contract.

This bill does not force current general child care providers to move under a state preschool contract. This bill does not eliminate the existing direct-contract general child care structure.

- 3) ***Will these changes increase reimbursement rates?*** No, other than for a state preschool program serving infants and toddlers. This bill requires a preschool program that is serving infants and toddlers to be reimbursed at the same rate as if operating as a general child care program (to account for situations where the infant/toddler rate is higher than the state preschool rate).
- 4) ***Changes priorities for which children are served.*** This bill strikes references to four-year olds, and then three-year olds, in regards to having priority for enrollment in state preschool: According to the author, this is necessary to reflect that this bill allows preschool programs to serve a broader age range of children. Further, the author notes that there is a significant demand for infant care and there is a desire to avoid discouraging or undercutting the addition of

more infants to the early learning and care system.

- 5) ***Twenty-four month eligibility.*** This bill expands, from 12 months to 24 months, the period of a family's eligibility for ongoing services after establishing initial eligibility, and prohibits the family from being required to report a change in employment schedule for at least 24 months after establishing eligibility. This is consistent with provisions of the existing Individualized County Child Care Subsidy Program, which provides counties specified in statute the flexibility to establish policies to address local needs and priorities. Currently, 11 counties are authorized to participate in the Individualized County Program on a pilot basis, and two counties have statutory authority to permanently participate in the program.
- 6) ***Automatic eligibility for subsidized child care and State preschool.*** This bill deems recipients of specified social services programs (Medi-Cal, CalFresh, etc) as eligible for subsidized child care or state preschool, essentially providing for the direct certification of these families.

Income thresholds for Medi-Cal and CalFresh, for example, are much lower than for subsidized child care and state preschool. Therefore, recipients of Medi-Cal, or CalFresh are income-eligible for subsidized child care and state preschool. This bill essentially provides for direct-certification, whereby a recipient of Medi-Cal or CalFresh is automatically income-eligible for subsidized child care and state preschool. A similar process is used to deem students in families who are recipients of CalFresh as eligible for free meals or milk without completing an application.

This bill does not modify the requirement that income-eligible families also demonstrate need for care to be eligible for subsidized child care. Further, this bill does not modify existing priorities for enrollment; therefore, a recipient of Medi-Cal or CalFresh with a lower income than another higher income eligible family would have priority for an available slot, but would not jump the line or bump another equally-eligible family from receiving care. However, the Budget Act of 2020 did not include additional funding to expand slots; this bill could enable additional families to be eligible for a static number of slots (some may be placed on a waiting list, for example).

- 7) ***Master Plan for Early Learning and Care.*** Several provisions of this bill are consistent with recommendations in the December 2020 *Master Plan for Early Learning and Care*, relative to direct certification, and streamlining eligibility and contracts. <https://www.chhs.ca.gov/home/master-plan-for-early-learning-and-care/>
- 8) ***Related legislation.*** AB 22 (McCarty), among other things, expands transitional kindergarten to younger four-year olds. AB 22 is pending in the Assembly Education Committee.

AB 321 (Valladares) among other things, authorizes a part-day California state preschool program, after all otherwise eligible children have been enrolled, to provide services to three- and four-year-old children in families whose income is

above the income eligibility threshold if those children come from a family in which the primary home language is a language other than English. AB 321 is pending in the Assembly Human Services Committee.

SB 246 (Leyva) requires the Department of Social Services to establish a single reimbursement rate for early learning and care programs, including variation for regional costs and quality adjustment factors. SB 246 is pending in the Senate Human Services Committee.

- 9) **Prior legislation.** AB 123 (McCarty, 2020) would have deemed recipients of Medi-Cal or CalFresh as eligible for subsidized child care, required the CDE to allow general child care providers to serve children age 0-12 in a commingled classroom, authorized state preschool providers and general child care providers to waive family fees if serving students only via distance learning, and required CDE to allow and arrange interagency adjustments between California state preschool contracts and general child care contracts. AB 123 was held in the Senate Appropriations Committee.

## SUPPORT

Early Edge California (sponsor)  
EveryChild California (sponsor)  
Community Child Care Council of Sonoma County  
Friends Committee on Legislation  
Mendocino County Office of Education  
Santa Barbara Women's Political Committee  
An individual

## OPPOSITION

None received

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 737 **Hearing Date:** March 24, 2021  
**Author:** Limón  
**Version:** February 19, 2021  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Olgalilia Ramirez

**Subject:** California Student Opportunity and Access Program

### SUMMARY

This bill modifies and expands criteria for which the California Student Aid Commission (Commission) may apportion funds to support projects under the California Student Opportunity and Access program (Cal-SOAP). It additionally expands duties and responsibilities of funded projects.

### BACKGROUND

Existing law:

- 1) Authorizes the Commission, as the administrators of Cal-SOAP, to apportion funds on a progress payment schedule for the support of projects designed to increase the accessibility of postsecondary educational opportunities for any of the following elementary and secondary school pupils:
  - Students who are from low-income families.
  - Students who would be the first in their families to attend college.
  - Students who are from schools or geographic regions with documented low-eligibility or college participation rates.
  - Pupils who are homeless youth, as specified. (Education Code § 69561 (j)).
- 2) Requires that the projects be proposed and operated through a consortium that involves at least one secondary school district office, at least one four-year college or university, at least one community college, and at least one agency, as specified. (Education Code § 69561 (h)).
- 3) Requires that each project maintain within the project headquarters a comprehensive pupil-specific information pupil data system on pupils receiving services through the program in grades 11 and 12 at secondary schools (middle and high schools) within the participating districts. This information shall be maintained in a manner consistent with the law relating to pupil records. (Education Code § 69561 (l)).

- 4) Authorizes the Commission to develop additional regulations regarding the awarding of project grants and criteria for evaluating the effectiveness of the individual projects (Education Code § 69561 (o)).

## ANALYSIS

This bill modifies and expands criteria for which the Commission may apportion funds to support projects under the Cal-SOAP. It additionally expands duties and responsibilities of funded projects. Specifically, it:

### *Funding Criteria*

- 1) Authorizes the Commission to allocate funding to support projects designed to increase the accessibility of financial aid for students from underserved communities, who meet one or more of the following criteria:
  - a) Students who are from low-income families.
  - b) Student who would be the first in their families to attend a postsecondary education institution.
  - c) Students who are from schools or geographic regions with documented low postsecondary education eligibility or participation rates.
  - d) Students who are homeless youth, as defined *or who are at risk of becoming homeless*.
  - e) *Students who are from mixed immigrant status households or who themselves are immigrants.*
  - f) *Students who are current or former foster youth, as defined.*
  - g) *Students who identify as being LGBTQ+.*
  - h) *Students who are part of a historically underserved minority group.*
- 2) Requires that the Commission allocate up to 2 percent of funding for program administration, data collection, and evaluation. The bill specifies that any funds allocated for that purpose is not subject to existing match funding requirements.

### *Project Duties and Responsibilities*

- 3) Modifies project requirements as follows:
  - a) Specifies, in addition to increasing the availability of information for students on the existence of postsecondary education, that projects also inform students of the total cost of attending a postsecondary education institution, and financing options including, grants, scholarships, student loans, as well as work opportunities.

- b) Removes "raising achievement levels of students," as a primary responsibility of projects.
  - c) Requires that projects increase the number of students submitting completed financial aid applications including the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application (CADAA), and assist students as needed with the financial aid verification process.
  - d) Requires that projects hire undergraduate or graduate students to serve as college success coaches to mentor students, encourage a college-going culture, help students plan for their postsecondary education, and help students complete financial aid applications. The bill encourages projects to hire college success coaches with similar backgrounds as students.
- 4) Authorizes projects to assist first-year students at four-year institutions, to the extent resources are available.
  - 5) Authorizes projects to assist middle school students, *instead of fifth and sixth grade students*, who are from low-income families and/or underserved community, as specified.
  - 6) Requires projects to assist high school students who are from low-income families or from the specified underserved communities and their parents in order to provide information on college preparation; understanding the total cost of attending a postsecondary educational institution, and to assist with completion of financial aid applications. Under the provisions of bill, projects are encouraged to leverage Commission outreach efforts, such as Cash for College workshops, to assist their students with completing the FAFSA or the CADAA.
  - 7) Requires that each project establish or strengthen regional collaborative relationships and partnerships.

#### *Project Administration*

- 8) Deems that the governing board of each project have approval authority of the project director.
- 9) Requires that each project maintain a comprehensive student data system on students receiving services through the program in middle and high school within the participating school districts. The bill maintains existing provisions, which provides that information maintained by projects be done in a manner consistent with the law relating to student records. The bill further authorizes the Commission to require that each project submit on a periodic basis to the Commission or a grantee designee, certain outreach metrics for the purpose of evaluating the effectiveness of the program and the project, including but not limited to, the individual records of high school students served, services performed by the project, the number of students that completed the FAFSA or

the CADAA, and the number of students who are eligible for postsecondary enrollment.

- 10) Modifies the provision that at least 30 percent or the equivalent of each project grant be allocated for stipends to include college success coaches and for any costs associated with providing training or necessary supplies and equipment to the college success coaches who meet all of the following criteria:
  - a) Work with *middle* and high school students.
  - b) Are currently enrolled in a college or other postsecondary education institution as an undergraduate or graduate student.
  - c) Have demonstrated financial need, *as defined by the Commission*, for the stipend.

#### *Miscellaneous*

- 11) Authorizes the Commission to adopt regulations necessary for the implementation and evaluation of Cal-SOAP and individual projects.
- 12) Repeals provisions that allows an initial grant be used for planning and development and repeals provisions specifying that full project funding be allocated when the consortium meets the established criteria.
- 13) Makes various changes to legislative findings and declarations and further includes among other things, that awareness of financial aid options has historically been a barrier for first-generation students and students from minority backgrounds trying to access a postsecondary education. Research shows that students unaware of their financial aid options and have misconceptions of eligibility, leading many to not complete the financial aid process.
- 14) Deletes references to "achievement level," throughout the bill.
- 15) Define various terms for the purposes of the bill.
- 16) Makes other technical and conforming changes.

#### **STAFF COMMENTS**

- 1) **Need for the bill.** The Cal-SOAP currently has a statutory mandate to improve access to higher education by raising the achievement level and increasing college eligibility of undeserved students. According to the author, "While these goals are important, there are numerous government-funded programs- such as AVID, TRIO and Gear UP- that already provide these services and are working to close the opportunity gap in higher education. Thus, SB 737 would help to reposition the Cal-SOAP program as the premier financial aid awareness and assistance program and avoid duplicative state outreach efforts. SB 737 intends to accomplish this goal by updating the governing statutes so that Cal-SOAP projects would focus on helping students and families to: understand the true



costs of college or other postsecondary programs; understand their financing options - including grants, scholarships, student loans, and work opportunities; and apply for financial aid using the FAFSA or CADAA.”

The author further asserts, “Current Cal-SOAP statute lacks sufficient guidance on specific data collection metrics (EC § 69561(l)). To help fortify the data collection and program evaluation of Cal-SOAP, the bill grants CSAC the authority to require each project to submit certain outcome metrics on a periodic basis. This may include, but is not limited to, the individual records of high school students served and the services they received, the number of students that completed the FAFSA or CADAA, and the number of students eligible for postsecondary enrollment. Furthermore, SB 737 provides the Commission with regulatory authority to better facilitate project evaluation. More regular and consistent evaluation of these outcomes will allow the Commission to partner with the Cal-SOAP projects more effectively to offer quality financial aid services and improve student uptake of federal, state, and institutional financial aid opportunities.”

- 2) **Cal-SOAP.** Cal-SOAP was established by the state Legislature in 1978. It is charged with improving the flow of information about postsecondary education and financial aid while raising the achievement level of low-income, elementary and secondary school students or geographic regions with documented low-eligibility or college participation rates, and who are first in their families to attend college.

Currently, 16 Cal-SOAP projects operate throughout California by consortia made up of secondary and postsecondary schools and community agencies. Current Cal-SOAP projects include: Central Coast (Santa Maria), Central Valley (San Joaquin), East Bay/Solano (Oakland, Richmond and Solano County), Inland Empire (through CSU San Bernardino), Long Beach, Los Angeles, Merced, Northcoast (Eureka), Riverside, Sacramento, San Diego/Imperial, San Francisco, San Jose, Santa Barbara, South County Gilroy, and South San Joaquin.

- 3) **Cal-SOAP administration.** Because each project specializes in serving students within its community, the types of programs and services may differ. Some common services provided by the consortia include advising, tutoring, parent outreach, and college awareness workshops. Individual projects apply each year for continued state funding. Each state allocation must be matched by an equal or higher level of local resources. The Commission administers the Cal-SOAP program, which is the public agency responsible for allocating all state financial aid and for providing state financial aid information to students, counselors, high schools and community groups. The bill newly authorizes the Commission to collect data from projects and evaluate project effectiveness. It additionally allows 2 percent of program funds to cover program administration costs. This money would not be subject to matching funding requirements.
- 4) **Shift in focus.** Cal-SOAP's projects provide services directly to students in middle and high schools designed to increase the availability of information on postsecondary schooling and work opportunities. These projects also work to

raise the achievement level of these students so as to increase the number of high school graduates eligible to pursue postsecondary learning opportunities.

The bill shifts Cal-SOAP's focus away from "raising student achievement," as one of its primary functions and toward increasing access to financial aid programs. Although raising academic achievement is important, the author argues that this work is duplicative as other government programs (mainly federal) offer these types of services. The shift toward financial aid outreach and assistance as a core responsibility of Cal-SOAP could fill an information void for high school students and their families on a topic that is complex yet necessary to higher education access. Specifically, the bill calls for projects to assist students and their families understand the true costs of college, college-financing options and applying for student financial aid programs. Staff notes that a second program administered by the Commission, the Cash for College program, has a similar mission, which provides free professional assistance to families completing state and federal financial aid applications. Unlike the Cal-SOAP program, Cash for College programs rely on volunteers to conduct application workshops for high school seniors. Cal-SOAP projects have dedicated staff to support a range of middle school and high school students prepare for college.

The bill would also expand the pool of students targeted for Cal-SOAP services. Today, projects must serve low-income students, first-generation college students, students from schools with documented low postsecondary education participation rates, and homeless youth. This bill adds other groups of students from historically underserved communities including foster youth, LGBTQ+ students, students from mixed immigration status households, and other specified groups. The proposed changes also concentrate services for an older cohort of students. Currently, younger students in elementary school could benefit from Cal-SOAP services; however, this bill explicitly refocuses programming toward middle and high school students, as they are closer to approaching graduation. Lastly, the bill allows projects to provide services to first-year university students, in addition to community college transfer students.

## **SUPPORT**

Cal-SOAP LA Consortium  
California Student Aid Commission  
Humboldt County Office of Education Career and College Resources Department  
Long Beach Cal-SOAP  
San Bernardino Community College District  
Santa Barbara Cal-SOAP Consortium  
Santa Maria Joint Union High School District  
Shaw Yoder Antwih Schmelzer & Lange  
Southern San Joaquin Valley Cal-soap Consortium  
The Education Trust – West  
The Los Angeles Trust for Children's Health

## **OPPOSITION**

None received.

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 722 **Hearing Date:** March 24, 2021  
**Author:** Melendez  
**Version:** March 16, 2021  
**Urgency:** No **Fiscal:** No  
**Consultant:** Brandon Darnell

**Subject:** Interscholastic athletics: adult supervisors: cardiopulmonary resuscitation training

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

### SUMMARY

This bill requires a school district or charter school, if it elects to host an event, to have at least one adult supervisor of the event with a valid certification of cardiopulmonary resuscitation (CPR) training to be present throughout the duration of the event.

### BACKGROUND

Existing law:

- 1) Establishes the minimum qualifications for a preliminary multiple or single subject teaching credential, including, among other requirements, satisfactory completion of a program of professional preparation that has been accredited by the Committee on Accreditation on the basis of standards of program quality and effectiveness that have been adopted by the Commission on Teaching Credentialing. (Education Code § 44259)
- 2) Requires a program of professional preparation to include experience that addresses, among other things, health education, including study of nutrition, cardiopulmonary resuscitation, and the physiological and sociological effects of the abuse of alcohol, narcotics, and drugs and the use of tobacco. Training in cardiopulmonary resuscitation must also meet the standards established by the American Heart Association or the American Red Cross. (EC § 44259)
- 3) Commencing July 1, 2019, for a school district or charter school that elects to offer any interscholastic athletic program:
  - a) Requires the school district or charter school to acquire at least one automated external defibrillator (AED) for each school within the school district or the charter school.
  - b) Requires the school district or charter school ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at these activities or events.

- c) Requires the school district or charter school to ensure that its AED or AEDs are maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, or the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.
- d) Encourages the school district or the charter school to ensure that the AED or AEDs are available for the purpose of rendering emergency care or treatment within a recommended three to five minutes of sudden cardiac arrest to pupils, spectators, and any other individuals in attendance at the athletic program's on-campus activities or events. (EC § 35179.6)

## ANALYSIS

This bill requires a school district or charter school, if it elects to host an event, to have at least one adult supervisor of the event with a valid certification of CPR training to be present throughout the duration of the event. Specifically, this bill:

- 1) Requires a school district or charter school, if it elects to host an event, to have at least one adult supervisor of the event with a valid certification of CPR training to be present throughout the duration of the event.
- 2) Defines event to mean "any school-sponsored recreational on-campus activity involving pupils, spectators, and any other individuals in attendance"
- 3) Specifies that an adult supervisor of the event with CPR training, as mandated by the California Interscholastic Federation (CIF) coaching education program requirements, would satisfy the bill's requirement.
- 4) Specifies that the bill shall be known, and may be cited, as Alex's Law.

## STAFF COMMENTS

- 1) **Need for the bill.** According to the author's office, "On June 3, 2016, a 13-year old boy by the name of Alex Pierce was at a school sponsored end of the year pool party at Vista Murrieta High School. The wrongful death lawsuit between the Murrieta Valley Unified School District and the family was eventually settled. The boy was underwater for approximately two minutes according to court documents and no one administered cardiopulmonary resuscitation (CPR) on him before paramedics arrived.

"Teachers are not required to have updated CPR and First Aid certifications. Returning Coaches, or those who coach multiple sports, are required to have updated CIF certifications for Concussion, SCA and Heat Acclimatization, First Aid and CPR. It is not required that a Supervisor of a school sponsored event be certified in these vital safety trainings."

- 2) **Cardiopulmonary Resuscitation (CPR).** According to the American Heart Association, "CPR is an emergency lifesaving procedure performed when the heart stops beating. Immediate CPR can double or triple chances of survival after cardiac arrest. Keeping the blood flow active – even partially – extends the opportunity for a successful resuscitation once trained medical staff arrive on site.

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

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

- 3) **California Interscholastic Federation (CIF) regulations.** CIF Regulation 22(B)(9) requires all CIF member schools to ensure that all coaches, paid and unpaid, have completed a coaching education program that emphasizes the following components:
- Development of coaching philosophies consistent with school, school district and school board goals.
  - Sport psychology: emphasizing communication; reinforcement of young people's efforts; effective delivery of coaching regarding technique and motivation of the student-athlete.
  - Sport pedagogy: how young athletes learn and how to teach sport skills.
  - Sport physiology: principles of training; fitness for sport; development of a training program; nutrition for athletes; and the harmful effects associated with the use of steroids and performance-enhancing dietary supplements by adolescents.
  - Sport management: team management; risk management; and working within the context of an entire school program.
  - Training: *certification in CPR* and First Aid that includes training in signs and symptoms of concussions, sudden cardiac arrest (SCA), and heat illness.

- 4) **Previously vetoed legislation.** AB 1214 (Melendez, 2019) was similar, but not identical to this bill. AB 1214 would have required an LEA to offer a course in CPR and required a school district or charter school, if it elects to offer any interscholastic athletic program, to have personnel with a valid certification of

CPR training to be present at the athletic program's on-campus activities or events at all times. AB 1214 was vetoed by Governor Newsom, who stated:

***"This bill requires Local Educational Agencies (LEAs) that offer an interscholastic athletic program to have staff with a valid cardiopulmonary resuscitation (CPR) certification to be present for the athletic program's on-campus activities and events at all times. This bill also requires LEAs to make a course in CPR available to all school staff.***

***While I support efforts to ensure the safety of students involved in local activities, the requirements of this bill exceed that goal and create new, potentially significant costs for LEAs by requiring them to make CPR training available to all school staff rather than only the staff involved with the interscholastic athletic programs.***

***For this reason, I am unable to sign this bill."***

The author appears to have addressed the Governor's concerns with AB 1214 by limiting this bill's scope to only require an adult supervisor with CPR to be present during the duration of the event hosted by the school and not requiring CPR training to be made available to all school staff.

- 5) ***Additional previous legislation.*** AB 2009 (Maienschein, Chapter 646, Statutes of 2018) requires school districts or charter schools that choose to offer any interscholastic athletic program, to ensure that there is a written emergency action plan in place that describes the location and procedures to be followed in the event of sudden cardiac arrest and other medical emergencies related to the athletic program's activities or events. The written emergency action plan must be posted in compliance with the most recent pertinent guidelines of the National Federation of State High School Associations. AB 2009 further requires the school districts or charter schools to acquire at least one AED for each school within the school district or the charter school.

AB 1719 (Rodriguez, Chapter 556, Statutes of 2016) requires school districts and charter schools that require a course in health education for graduation from high school to include instruction in performing compression-only CPR. Requires the CDE to provide guidance on how to implement these provisions, including, but not limited to, who may provide instruction. Provides that a local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises, and a public employee who provides or facilitates, the instruction of pupils in compression-only cardiopulmonary resuscitation or the use of an AED pursuant to the bill will not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

SB 658 (Hill, Chapter 264, Statutes of 2015) requires, when an AED is placed in a public or private K-12 school, the principal to ensure that the school administrators and staff annually receive information that describes sudden



cardiac arrest, the school's emergency response plan, and the proper use of an AED. Further requires the principal to also ensure that instructions, in no less than 14-point type, on how to use the AED are posted next to every AED. The principal must, at least annually, notify school employees as to the location of all AED units on the campus:

**SUPPORT**

Consumer Attorneys of California  
Office of the Riverside County Superintendent of Schools

**OPPOSITION**

None received

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 673 **Hearing Date:** March 24, 2021  
**Author:** Portantino  
**Version:** March 10, 2021  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Adult Education Block Grant Program: reporting requirements.

### SUMMARY

This bill requires the Chancellor of the Community Colleges (Chancellor) and the State Superintendent of Public Instruction (SPI) to convene a task force to review the reporting requirements of the Adult Education Program and develop any findings and recommendations.

### BACKGROUND

Existing law:

- 1) Establishes the Adult Education Program under the administration of the Chancellor and the SPI and delineates the responsibilities of the Chancellor and SPI in overseeing the program.
- 2) Tasks the Chancellor and the SPI, with the advice of the Executive Director of the State Board of Education (SBE), to divide the state into regions that will best address the educational needs of adults in all regions of the state, stipulating that there shall be only one adult education consortium in each region.
- 3) Requires the chancellor and the SPI to approve, with the advice of the Executive Director of the SBE, for each consortium, rules and procedures, as specified.
- 4) Requires the Chancellor and the SPI to report annually to the Director of Finance, the Statewide Director of Immigrant Integration, the SBE, and the Legislature about the use of Adult Education Program funds and outcomes for adults statewide and in each adult education region.
- 5) Requires the annual report listed above to include at least all of the following:
  - a) A summary of the adult education plan operative for each consortium.
  - b) The distribution schedule for each consortium.
  - c) The types and levels of services provided by each consortium.
  - d) The effectiveness of each consortium in meeting the educational needs of adults in its respective region.

- e) Any recommendations related to delivery of education, immigrant integration, and workforce services for adults, including recommendations related to improved alignment of state programs.
- 6) Requires the Chancellor and the SPI to align the data used to produce the report described above with data reported by local educational agencies for other purposes.
- 7) Requires the Employment Development Department and the California Workforce Investment Board to provide any assistance needed to align delivery of services across state and regional workforce, education, and job service programs.

## ANALYSIS

This bill requires the Chancellor and the SPI to convene a task force to review the reporting requirements of the Adult Education Program and develop any findings and recommendations.

Specifically, the bill:

- 1) Requires the review to include an assessment on the type of data being collected, whether the report includes sufficient and timely data on student outcomes, and the adequacy of the reporting intervals.
- 2) Requires the task force to include representatives from the appropriate fiscal subcommittees and policy committees of the Legislature, the Department of Finance, the office of the Chancellor, the State Department of Education, the Statewide Director of Immigrant Integration, and adult education providers.
- 3) Requires the task force to issue its findings and recommendations to the Department of Finance and the Legislature by January 1, 2023.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "As of 2016, 2 million Californians have an education of 7<sup>th</sup> grade or less, 4 million speak limited English and 5 million do not have a high school diploma. Following the Great recession, school districts were given spending flexibility, which resulted in adult education receiving less funding. Since the recession, adult education has lagged behind in recovery. Without access to education, adult learners have limited job opportunities. Adult education also provides ESL help and other programs for immigrants."

"SB 673 will create a task force to ensure proper funding of adult education programs through reviewing the reporting requirements under the Adult Education block grant program. The task force will be convened by the Chancellor of the California Community Colleges and the Superintendent of Public Instruction and shall include representatives from the appropriate fiscal subcommittees and policy committees of the Legislature, the Department of

Finance, the office of the Chancellor of the California Community Colleges, the California Department of Education, the Statewide Director of Immigrant Integration, and adult education providers, and shall issue its findings and recommendations to the Department of Finance and, pursuant to Section 9795 of the Government Code, the Legislature no later than January 1, 2023.”

- 2) **Adult education programs.** Adult schools are public schools offering free to low-cost classes for adults 18 and older. The primary purpose of adult education is to provide adults with the precollegiate knowledge and skills they need to participate in civic life and the workforce. Toward this end, most adult education course offerings are in three instructional areas: basic math and English, English as a second language, and career technical education.

Community colleges and school district-run adult schools are the primary providers of adult education. In addition, various other entities provide adult education, including community based organizations, libraries, and jails.

Due to longstanding concerns with a lack of coordination among providers, the state budget created the Adult Education Block Grant in 2015-16, later renamed the Adult Education Program as part of the 2018-19 Budget. The program is currently appropriated \$526 million supporting consortia in various adult education regions. As a condition of apportionment under the Adult Education Program, consortia must develop and annually update a three year plan containing, among other things, an evaluation of the educational needs of adults in the region, the funding available among all of the entities within the consortia, and actions to be taken to better integrate services offered and transitions into postsecondary education and the workforce.

- 3) **Adult education regional consortia.** Adult education providers have formed 71 regional consortia with boundaries that coincide with community college district service areas. Formal membership in consortia is limited to school and community college districts, county offices of education, and joint powers agencies. Each formal member is represented by a designee of its governing board. With input from other adult education and workforce service providers (such as local libraries, community organizations, and workforce investment boards), the consortia have developed regional plans to coordinate and deliver adult education in their regions. Only formal consortia members may receive Adult Education Program funding directly. A formal member, however, may pass through program funding to other adult education providers if called for in the regional plan.

- 4) **How can program funds be used?** State law authorizes consortia to use Adult Education Program funds for programs in seven adult education instructional areas:

- a) Elementary and secondary reading, writing, and mathematics (basic skills).
- b) English as a second language and other programs for immigrants.

- c) Workforce preparation for adults (including senior citizens) entering or re-entering the workforce.
- d) Short-term career technical education with high employment potential.
- e) Preapprenticeship training activities coordinated with approved apprenticeship programs.
- f) Programs for adults with disabilities.
- g) Programs designed to develop knowledge and skills that enable adults (including senior citizens) to help children to succeed in school.

Beginning in 2016-17, state education leaders began distributing program funding based on (1) the amount allocated to each consortium in the prior year, (2) the consortium's need for adult education, and (3) the consortium's effectiveness in meeting those needs. If a consortium receives more funding in a given year than in the prior year, each member of the consortium will receive at least as much funding as in the prior year.

**SUPPORT**

None received

**OPPOSITION**

None received

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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<b>Bill No:</b>	SB 34	<b>Hearing Date:</b>	March 24, 2021
<b>Author:</b>	Umberg		
<b>Version:</b>	February 24, 2021		
<b>Urgency:</b>	Yes	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Lynn Lorber		

**Subject:** Libraries: student success cards.

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

### SUMMARY

This bill, an urgency measure, requires schools to enter into a memorandum of agreement or other agreement with a local library district or public library to provide each student with a student success card.

### BACKGROUND

Existing law:

- 1) Provides the following definitions:
  - a) "Public library" means a library, or two or more libraries, that is operated by a single public jurisdiction and that serves its residents free of charge.
  - b) "School library" means an organized collection of printed and audiovisual materials that satisfies specified criteria. (Education Code § 18710)
- 2) Establishes within the California Department of Education (CDE) a California State Library division, whose chief is to be a technically trained librarian known as the "State Librarian." (EC § 19301, § 19302)
- 3) Requires the State Librarian to employ a consultant to provide technical assistance to public libraries in the development and enhancement of library services to children and youth. (EC § 19320.5)
- 4) Requires the State Librarian to establish the Reading Initiative Program to, among other things, develop a list of recommended books that supplement the state-recommended English language arts curriculum framework and develop a method for recognizing students who participate in the program. (EC § 19336)

### ANALYSIS

This bill, an urgency clause, requires schools to enter into a memorandum of agreement with a local library district or public library to provide each student with a student success card. Specifically, this bill:

*Memorandum of Agreement*

- 1) Requires a local educational agency (LEA) to enter into a memorandum of agreement (MOA) with the appropriate library district or public library to collaborate and connect for the purpose of providing every public school student enrolled in the LEA with a student success card.
- 2) Authorizes multiple LEAs within a single county to join together in a single MOA with the appropriate library district or public library.
- 3) Provides that a MOA includes but is not limited to a MOA, memorandum of understanding, or other appropriate agreement.
- 4) *Requires* a MOA to include, but is not limited to, all of the following:
  - a) Provisions ensuring the privacy of student information, consistent with applicable state and federal law.
  - b) A stipulation for training opportunities for LEA teachers by library staff and for a sufficient time allotted for library staff to visit schools to educate students and to build and strengthen local partnerships.
  - c) A provision allowing the replacement of lost, stolen, or damaged student success cards at no cost to students, LEAs, or schools.
  - d) Provisions for the role of credentialed teacher librarian.
- 5) *Authorizes* a MOA to include, but is not limited to, any of the following:
  - a) A provision allowing students access to all or some library resources, which may include but are not limited to research and homework databases, web-based live homework help, learning resources, downloadable eBooks, audiobooks, music and magazines, video streaming, or tools or technology lending.
  - b) A provision limiting the total number of borrowed physical materials to a specified number at a given time.
  - c) A policy for assessing overdue fines for materials checked out with a student success card.
  - d) A provision to provide a brief annual presentation by library staff at an all-school assembly or parent meeting to educate parents and guardians about the resources available at public libraries.



- 6) Authorizes a LEA with a similar MOA or memorandum of understanding in existence, as of the effective date of this bill, with a public library, library district or similar library authority to retain and continue to operate under that MOA or memorandum of understanding, and provides that those LEAs are exempt from the provisions of this bill.
- 7) Provides that a MOA is to be effective for five years and may be renewed by the LEA and library district or public library.
- 8) Authorizes both parties to review a MOA annually to incorporate suggestions and lessons learned.

*Student success card*

- 9) Requires a student success card issued to a student to use as the student's library account number the student's school-issued identification number, or the student's statewide student identifier if the LEA and library district or public library determine it is necessary and agree to its use.
- 10) Authorizes a parent or guardian to opt their student out of enrollment for a student success card.

*State Library and local library districts*

- 11) Requires the California State Library to make available sample language for MOAs that may be used by LEAs, library districts, and public libraries.
- 12) Requires a library district or public library, by January 1, 2028, upon the expiration of each initial five-year MOA, to report the following statistics to the California State Library and the Legislature:
  - a) The increase in the number of student success cards issued from the beginning of the initial MOA period to the end of the initial MOA period.
  - b) Any increase in the use of library books or eBooks during the initial five-year MOA period.
  - c) Any measurable increases to the use of other library resources during the initial five-year MOA period.

*Information to and communication with students*

- 13) Requires the LEA, library district, or public library, and authorizes more than one of these entities, to print and disseminate information to students and families at the beginning of each school year about the resources available through a student success card and how a parent may opt out.
- 14) Requires the LEA, library district, or public library, upon non-renewal of a MOA, to communicate with students within 60 days, regarding how a student may

continue to use a student success card in the absence of an active MOA.

*Miscellaneous*

- 15) Provides that this bill does not usurp school or county office of education library positions, programs, or funding.
- 16) Defines LEA to include a school district, county office of education, or charter school.
- 17) Includes an urgency clause to enhance and facilitate distance learning.

**STAFF COMMENTS**

- 1) ***Need for the bill.*** According to the author, "In the midst of this pandemic, the science remains the same: with research showing that reading actually aids in brain development, especially in a child's first five years of life. The United States Bureau of Labor Statistics found that in 2018, parents with children under the age of 18 only spent 6-7 minutes per day doing activities related to their children's education, and 2-3 minutes reading to, and with, their children. This unfortunately shows that in today's busy society, a library card is still out of reach for many children. Moreover, a December 2016 Pew Research Center poll found that a large majority of American adults believed that false and made-up news has caused a great deal of confusion about the basic facts of current events. Providing California students with library cards will reinforce the mission of public libraries in California. By providing free and easy access to information, ideas, books, and technology, SB 34 will ensure that students are thrive during the pandemic and help ensure they are college ready after graduation."
- 2) ***Details for the MOA.*** This bill establishes general parameters but leaves the details to be determined by each MOA. For example, the following questions should be answered in each MOA:
  - a) What is a student success card? Is it a school-issued student identification card? Is it a library card? Is it a special library card that is only for students?
  - b) Does the library or the school issue the card? Do students have to go to the library to pick up their student success card?
  - c) If it's a card that is issued by the library, is a parental signature required? Will the library require proof of residency in the library's jurisdiction?
  - d) Which student identification number will be used as the student's library account number?
  - e) How will students access library materials? Will library materials be transported to school campuses, will digital access to materials be provided to students, or will students be required to physically go into a

local library to access material (or a combination thereof)?

- f) Will late fees be assessed for overdue materials?
  - g) How will costs of the program be covered?
- 3) ***Burdensome on libraries?*** This bill imposes responsibilities upon libraries, such as training of LEA staff, visiting schools to educate students, printing and disseminating information to and communicating with students, and reporting information to the State Librarian and Legislature. Additionally, this bill requires agreements to include a provision allowing the replacement of lost, stolen, or damaged student success cards at no cost to pupils, local educational agencies, or schools. Presumably, libraries would cover those costs. **Staff recommends an amendment** to strike language saying LEAs and schools don't have to pay for replacement student success cards (keeping the prohibition against charging students for replacement cards).

Will the requirement to enter into a MOA be burdensome for local libraries? Will the creation of a formal agreement require additional costs and time such as the need for attorneys? **Staff recommends an amendment** to allow LEAs to choose to enter into a memorandum of understanding (MOU), thereby requiring LEAs to enter into a MOA or MOU.

Is the required five-year timeframe for how long a MOA is to be in effect too lengthy? **Staff recommends an amendment** to strike language requiring the duration of the agreement to be five years, and instead require the agreement to include a provision for how long the agreement will be in place (include a recommendation that the duration of agreements be five years).

**Staff recommends an amendment** to require the agreement to include a provision for how the costs will be covered.

- 4) ***Info on pandemic's effects on early literacy.*** According to a March 2021 report by Policy Analysis for California Education (PACE), students' development of oral reading fluency (ORF) "largely stopped in spring 2020 following the onset of the COVID-19 pandemic. In fall 2020, students' gains in reading were stronger and similar to prepandemic rates. However, fall gains were insufficient to recoup spring losses; overall, students' ORF in second and third grade is approximately 30 percent behind expectations. We also observe inequitable impact: students at lower achieving schools are falling farther behind."

The report cautions that "gaps in ORF that emerge now may lead to gaps in other subjects over time if problems in students' ORF interfere with content learning in later grades. And new gaps may emerge: for example, with enrollments down in preschool and kindergarten programs this year, it is possible that incoming students in 2021–22 will start behind." The report recommends:

- a) Substantial resources should be allocated to support literacy development in the early grades. Even greater resources need to be shared with low-achieving districts, which often serve a disproportionate number of low-

income students.

- b) In addition to targeted funding, it will be important to identify the practices that accelerate learning for students who have fallen behind, and to build policy and support structures that help to enact these practices at scale.

<https://edpolicyinca.org/publications/changing-patterns-growth-oral-reading-fluency-during-covid-19-pandemic>

- 5) **Existing local programs.** This bill is generally modelled upon existing partnerships between school districts and local libraries. Two examples within California include:

- a) In 2016, the Los Angeles Unified School District (LAUSD) entered into a MOA with the City of Los Angeles Board of Library Commissioners to provide every student with a student success card. According to LAUSD's website, each students has a free Student Success Card from the Los Angeles Public Library, with free access to books and all online resources, including music, movies and one-on-one tutoring. There are no fines or fees for overdue materials.

- b) In January 2021, the Santa Ana Public Library and the Santa Ana Unified School District partnered to provide a Student Success Library Card to every student in the school district. According to the City of Santa Ana's website, student ID cards can be used as Student Success Library Cards. Students can check out up to five books at a time from the Main Library or Newhope Library. Students have access to the library's online databases, e-books, e-audiobooks, video streaming, and e-magazines. Additionally, students can check out DVDs and CDs. These Student Success Library Cards will not incur overdue fees, will have a grace allowance of up to five lost or damaged books, and will not expire until the student graduates from high school or turns 19 years of age.

- 6) **State Library resources for schools:** The State Library's California K-12 Online Content Project offers free access to online educational content that is aligned with the state curricular standards. This library database contains an organized collection of information that indexes edited, published, often scholarly material that is collected for an educational use. Importantly, library databases contain information that has been vetted and is trustworthy.

<https://www.library.ca.gov/services/to-public/k-12-online-content-project/>

**SUPPORT**

None received

**OPPOSITION**

California Library Association

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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<b>Bill No:</b>	SB 34	<b>Hearing Date:</b>	March 24, 2021
<b>Author:</b>	Umberg		
<b>Version:</b>	February 24, 2021		
<b>Urgency:</b>	Yes	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Lynn Lorber		

**Subject:** Libraries: student success cards.

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

### SUMMARY

This bill, an urgency measure, requires schools to enter into a memorandum of agreement or other agreement with a local library district or public library to provide each student with a student success card.

### BACKGROUND

Existing law:

- 1) Provides the following definitions:
  - a) "Public library" means a library, or two or more libraries, that is operated by a single public jurisdiction and that serves its residents free of charge.
  - b) "School library" means an organized collection of printed and audiovisual materials that satisfies specified criteria. (Education Code § 18710)
- 2) Establishes within the California Department of Education (CDE) a California State Library division, whose chief is to be a technically trained librarian known as the "State Librarian." (EC § 19301, § 19302)
- 3) Requires the State Librarian to employ a consultant to provide technical assistance to public libraries in the development and enhancement of library services to children and youth. (EC § 19320.5)
- 4) Requires the State Librarian to establish the Reading Initiative Program to, among other things, develop a list of recommended books that supplement the state-recommended English language arts curriculum framework and develop a method for recognizing students who participate in the program. (EC § 19336)

### ANALYSIS

This bill, an urgency clause, requires schools to enter into a memorandum of agreement with a local library district or public library to provide each student with a student success card. Specifically, this bill:

*Memorandum of Agreement*

- 1) Requires a local educational agency (LEA) to enter into a memorandum of agreement (MOA) with the appropriate library district or public library to collaborate and connect for the purpose of providing every public school student enrolled in the LEA with a student success card.
- 2) Authorizes multiple LEAs within a single county to join together in a single MOA with the appropriate library district or public library.
- 3) Provides that a MOA includes but is not limited to a MOA, memorandum of understanding, or other appropriate agreement.
- 4) *Requires* a MOA to include, but is not limited to, all of the following:
  - a) Provisions ensuring the privacy of student information, consistent with applicable state and federal law.
  - b) A stipulation for training opportunities for LEA teachers by library staff and for a sufficient time allotted for library staff to visit schools to educate students and to build and strengthen local partnerships.
  - c) A provision allowing the replacement of lost, stolen, or damaged student success cards at no cost to students, LEAs, or schools.
  - d) Provisions for the role of credentialed teacher librarian.
- 5) *Authorizes* a MOA to include, but is not limited to, any of the following:
  - a) A provision allowing students access to all or some library resources, which may include but are not limited to research and homework databases, web-based live homework help, learning resources, downloadable eBooks, audiobooks, music and magazines, video streaming, or tools or technology lending.
  - b) A provision limiting the total number of borrowed physical materials to a specified number at a given time.
  - c) A policy for assessing overdue fines for materials checked out with a student success card.
  - d) A provision to provide a brief annual presentation by library staff at an all-school assembly or parent meeting to educate parents and guardians about the resources available at public libraries.

- 6) Authorizes a LEA with a similar MOA or memorandum of understanding in existence, as of the effective date of this bill, with a public library, library district or similar library authority to retain and continue to operate under that MOA or memorandum of understanding, and provides that those LEAs are exempt from the provisions of this bill.
- 7) Provides that a MOA is to be effective for five years and may be renewed by the LEA and library district or public library.
- 8) Authorizes both parties to review a MOA annually to incorporate suggestions and lessons learned.

*Student success card*

- 9) Requires a student success card issued to a student to use as the student's library account number the student's school-issued identification number, or the student's statewide student identifier if the LEA and library district or public library determine it is necessary and agree to its use.
- 10) Authorizes a parent or guardian to opt their student out of enrollment for a student success card.

*State Library and local library districts*

- 11) Requires the California State Library to make available sample language for MOAs that may be used by LEAs, library districts, and public libraries.
- 12) Requires a library district or public library, by January 1, 2028, upon the expiration of each initial five-year MOA, to report the following statistics to the California State Library and the Legislature:
  - a) The increase in the number of student success cards issued from the beginning of the initial MOA period to the end of the initial MOA period.
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- 13) Requires the LEA, library district, or public library, and authorizes more than one of these entities, to print and disseminate information to students and families at the beginning of each school year about the resources available through a student success card and how a parent may opt out.
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continue to use a student success card in the absence of an active MOA.

*Miscellaneous*

- 15) Provides that this bill does not usurp school or county office of education library positions, programs, or funding.
- 16) Defines LEA to include a school district, county office of education, or charter school.
- 17) Includes an urgency clause to enhance and facilitate distance learning.

**STAFF COMMENTS**

- 1) ***Need for the bill.*** According to the author, "In the midst of this pandemic, the science remains the same: with research showing that reading actually aids in brain development, especially in a child's first five years of life. The United States Bureau of Labor Statistics found that in 2018, parents with children under the age of 18 only spent 6-7 minutes per day doing activities related to their children's education, and 2-3 minutes reading to, and with, their children. This unfortunately shows that in today's busy society, a library card is still out of reach for many children. Moreover, a December 2016 Pew Research Center poll found that a large majority of American adults believed that false and made-up news has caused a great deal of confusion about the basic facts of current events. Providing California students with library cards will reinforce the mission of public libraries in California. By providing free and easy access to information, ideas, books, and technology, SB 34 will ensure that students are thrive during the pandemic and help ensure they are college ready after graduation."
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- 3) ***Burdensome on libraries?*** This bill imposes responsibilities upon libraries, such as training of LEA staff, visiting schools to educate students, printing and disseminating information to and communicating with students, and reporting information to the State Librarian and Legislature. Additionally, this bill requires agreements to include a provision allowing the replacement of lost, stolen, or damaged student success cards at no cost to pupils, local educational agencies, or schools. Presumably, libraries would cover those costs. **Staff recommends an amendment** to strike language saying LEAs and schools don't have to pay for replacement student success cards (keeping the prohibition against charging students for replacement cards).

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<https://www.library.ca.gov/services/to-public/k-12-online-content-project/>

## SUPPORT

None received

## OPPOSITION

California Library Association

-- END --