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California State Senate

EDUCATION



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AGENDA

Wednesday, June 21, 2023
9 a.m. -- 1021 O Street, Room 2100

MEASURES HEARD IN FILE ORDER

- | | | | |
|------|---------|---------------|--|
| *1. | AB 19 | Joe Patterson | Pupil health: opioid antagonists. |
| *2. | AB 889 | Joe Patterson | Pupil safety: parental notification: synthetic drugs. |
| 3. | AB 51 | Bonta | Early childcare and education. |
| 4. | AB 71 | Rodriguez | Pupil instruction: bleeding control. |
| 5. | AB 238 | Muratsuchi | California Student Teacher Support Grant Program. |
| *6. | AB 255 | Alanis | Public postsecondary education: priority registration for first responders. |
| 7. | AB 447 | Arambula | Public postsecondary education: students with disabilities: inclusive college programs. |
| 8. | AB 1275 | Arambula | Community colleges: student-run community college organizations: open meetings: teleconferences. |
| 9. | AB 535 | Irwin | School accountability: Statewide School Library Lead. |
| 10. | AB 624 | Grayson | Public postsecondary education: disabled student services: assessments. |
| *11. | AB 746 | Sanchez | Learning-Aligned Employment Program: eligibility. |
| 12. | AB 787 | Gabriel | Pupil instruction: digital citizenship and media literacy: survey. |
| 13. | AB 789 | Berman | Student financial aid: Cal Grants: satisfactory academic progress. |
| 14. | AB 873 | Berman | Pupil instruction: media literacy: curriculum frameworks. |

15.	AB 897	McCarty	Certificated school employees: probationary employees: service credit.
16.	AB 1106	Soria	PK-3 early childhood education specialist credential: grant program.
*17.	AB 1127	Reyes	Teachers: professional development: Bilingual Teacher Professional Development Program.
18.	AB 1138	Weber	Postsecondary education: sexual assault and sexual violence prevention: transportation services.
*19.	AB 1466	Weber	Pupil discipline: restraint and seclusion: reporting.
20.	AB 1283	Chen	Pupil health: emergency stock albuterol inhalers.
*21.	AB 1370	Ta	California Community Colleges Economic and Workforce Development Program.
22.	AB 1473	Maienschein	School curriculum: health framework: physical education framework: compression-only cardiopulmonary resuscitation: automated external defibrillators.
*23.	AB 1503	Lee	Pupil attendance: excused absences: religious retreats.
*24.	AB 1543	Mike Fong	Community colleges: student representation fees.
*25.	AB 1605	Gallagher	High schools: military services: United States Space Force.

*Measures on consent.

SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 19	Hearing Date:	June 21, 2023
Author:	Joe Patterson		
Version:	February 27, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil health: opioid antagonists.

SUMMARY

This bill requires each public school operated by a local educational agency (LEA), county office of education (COE), or charter school to maintain at least two doses of naloxone hydrochloride (naloxone) or another opioid antagonist on its campus.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Permits school nurses or trained personnel who have volunteered to provide emergency naloxone or another opioid antagonist, by nasal spray or by auto-injector, to persons suffering, or reasonably believed to be suffering, from an opioid overdose. (EC § 49414.3(a))
- 2) Requires the Superintendent of Public Instruction (SPI) to establish and revise, every five years or sooner, minimum training standards for administering naloxone or another opioid antagonist as specified. The California Department of Education (CDE) shall maintain a clearinghouse for best practices in training nonmedical personnel to administer naloxone or another opioid antagonist to pupils. (EC § 49414.3(e))
- 3) Requires an LEA, COE, or charter school electing to utilize naloxone or another opioid antagonist for emergency aid to ensure that each employee who volunteers is provided defense and indemnification by the LEA, COE, or charter school for any civil liability. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file. (EC 49414.3(i))
- 4) Provides a school with no more than two weeks to restock their supply of naloxone hydrochloride or another opioid antagonist after use. (EC § 49414.3(h))
- 5) If a school district, charter school, or private school elects to offer an athletic program, the school district, charter school, or private school shall annually give the Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention to each athlete. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging

receipt of the Opioid Factsheet for Patients and return that document to the school district, charter school, or private school before the athlete initiates practice or competition. The Opioid Factsheet for Patients may be sent and returned through an electronic medium, including, but not limited to, fax or email. (EC § 49476)

- 6) Requires each LEA and COE to be responsible for the overall development of all comprehensive school safety plans for its schools operating in kindergarten or any grades 1 through 12. (EC § 32281(a))
- 7) Specifies that the school site council or safety planning committee is responsible for developing the comprehensive school safety plan. (EC § 32281(b))
- 8) Specifies that the comprehensive school safety plan must include an assessment of the current status of school crime committed on school campuses and at school-related functions and identification of appropriate strategies and programs to provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including child abuse reporting procedures; disaster procedures; an earthquake emergency procedure system; policies regarding pupils who commit specified acts that would lead to suspension or expulsion; procedures to notify teachers of dangerous pupils; a discrimination and harassment policy; the provisions of any schoolwide dress code; procedures for safe ingress and egress of pupils, parents, and school employees to and from school; a safe and orderly environment conducive to learning; and rules and procedures on school discipline. (EC § 32282(a))
- 9) Requires the comprehensive school safety plan to be evaluated at least once a year. (EC § 32282(d))

Civil Code (CIV)

- 10) Permits a licensed health care provider who is authorized by law to prescribe an opioid antagonist may issue standing orders for the distribution of an opioid antagonist to a person at risk of an opioid-related overdose or to a family member, friend, or another person in a position to assist a person at risk of an opioid-related overdose. (CIV § 1747.22(c))

ANALYSIS

This bill requires each public school operated by an LEA, COE, or charter school to maintain at least two doses of naloxone or another opioid antagonist on its campus.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "Until my neighbor, high school teen Zach Didier, lost his life to Fentanyl, I had no idea how kids were getting their hands on this poison. Zach ingested a pill of what he believed to be Percocet. As a father of four children, I can't imagine having to experience what my neighbor went through which is why I am authoring Assembly Bill 19. According to the California Department of Education in 2012, California suffered 82 tragic deaths attributed to fentanyl overdoses, and last year that number jumped to more than 6,000.

Fentanyl deaths accounted for more than 80 percent of all drug-related deaths among California's young people in 202. AB 19 is part of my three-pronged approach to helping solve the Fentanyl crisis - accountability, education, and safety. This measure is about safety. It is time we take the initiative to have simple and proven preventative care available to schools where our kids spend a majority of their time. Fentanyl is being disguised as candy and is readily available in every community - why aren't we putting this on every campus? I was pleased to hear that the Governor has set aside \$3.5 million in Prop 98 to fund this program for all middle and high school sites to maintain naloxone on campus, which answers any questions about funding for Assembly Bill 19. I am proud that this is a bipartisanship issue having the governor, Democrats, and Republicans recognize this policy will save children's lives."

- 2) **Governor's Proposed Budget.** The Governor's budget proposes \$3.5 million ongoing for all middle and high school sites to maintain at least two doses of naloxone or another medication to reverse an opioid overdose on campus for emergency aid and an additional \$79 million to the Naloxone Distribution Project (NDP).
- 3) **Addressing Fentanyl Among California Youth.** According to the California Department of Public Health (CDPH), fentanyl-related overdose deaths increased 625 percent among ages 10-19 from 2018 to 2020. In 2021, there were 224 fentanyl-related overdose deaths among teens ages 15–19 in California. Pursuant to *AB 1748 (Mayes)* Chapter 55, Statutes of 2016, among other things, the SPI must establish minimum training standards for school employees who volunteer to administer naloxone or another opioid antagonist. In addition to setting minimum training standards, the CDE must maintain on its website a clearinghouse for best practices in training nonmedical personnel to administer naloxone or another opioid antagonist to pupils.

In conjunction with the CDPH, the CDE provides LEAs with resources and information that they can readily share with parents and students to help keep them safe. The shareable Fentanyl Awareness and Prevention toolkit page offer information about the risks of fentanyl and how to prevent teen use and overdoses. In addition to the toolkit, the CDPH's Substance and Addiction Prevention branch provides resources for parents, guardians, caretakers, educators, schools, and youth-serving providers.

LEAs and COEs have also adjusted to address this growing crisis. For example, the Lake County Office of Education and Washington Unified School District in West Sacramento recently implemented a local school naloxone policy consistent with state statutes. San Diego Unified School District created its naloxone toolkit to aid other LEAs and inform parents and guardians.

This bill would require each public school operated by an LEA, COE, or charter school to maintain at least two doses of naloxone or another opioid antagonist on its campus.

- 4) **Statewide Standing Order for Naloxone.** Naloxone can help reduce opioid overdose deaths in California, but many organizations find it challenging to obtain

the required standing order to get naloxone from healthcare providers. According to CDPH, of the 6,843 opioid-related overdose deaths in 2021, 5,722 were related to fentanyl. CDPH issued the standing order in 2017 to address this need and support equitable naloxone access. The standing order:

- a) Allow community organizations and other entities in California that are not currently working with a physician to distribute naloxone to a person at risk of an opioid-related overdose or to a family member, friend, or another person in a position to assist; and
- b) Allow for the administration of naloxone by a family member, friend, or other person to a person experiencing or reasonably suspected of experiencing an opioid overdose.

Among the organizations and entities that can distribute naloxone under the order are colleges and universities. An individual at risk of experiencing an overdose or someone who can assist an individual at risk is allowed to do so. Under the statewide standing order, staff of community organizations and other entities distributing naloxone must be trained. They are also required to provide training to individuals who receive naloxone from them. Colleges and other organizations may apply to use the statewide standing order if they meet certain conditions.

A separate distribution program administered through The Department of Health Care Services (DHCS) allows universities and colleges to apply for and obtain naloxone at no cost to the institution. According to the CDPH website, since October 2018, their NDP has distributed over 1 million units of naloxone and recorded over 57,000 overdose reversals.

According to the DHCS website, schools are eligible entities that may receive naloxone through the NDP.

- 5) **Health Education Framework.** The health education standards shape the direction of health education instruction for children and youths in California's public schools: they provide LEAs with fundamental tools for developing health education curricula and improving student attainment in this area, and they help ensure that all students in kindergarten through high school receive high-quality health education instruction, providing students with the knowledge, skills, and confidence to lead healthy lives. Health education has undergone a paradigm shift over the last 15 years. Data from national and state surveys, including the California Healthy Kids Survey, indicated that although youths knew what was harmful to their health, they did not have the skills to avoid risky behaviors. To ensure students not only knew about the harms of drugs, alcohol, and tobacco but also learned how to prevent and recognize these behaviors, the State Board of Education adopted a revised health education curriculum in 2019. The framework aims to achieve the following goals through different grades.

- a) Kindergarten
 - i) Ability to explain why medicines are used and why they can be helpful or harmful.

- ii) Recognize that medicines should be taken only under the supervision of a trusted adult, that some household products are harmful if ingested or inhaled, and that tobacco smoke is detrimental to health and should be avoided.

b) Grade 2

- i) Distinguish between helpful and harmful substances (including alcohol, tobacco, and other drugs).
- ii) Explain why household products are harmful if ingested or inhaled; that a drug is a chemical that changes how the body and brain work; why it is dangerous to taste, swallow, sniff, or play with unknown substances; why it is essential to follow the medical recommendations for prescription and nonprescription medicines.
- iii) Identify rules for taking medicine at school and home and refusal skills when confronted or pressured to use alcohol, tobacco, or other drugs.

c) Grade 4

- i) Describe the harmful short- and long-term effects of alcohol, tobacco, and other drugs, including inhalants.
- ii) Explain the differences between medicines and illicit drugs and why individual reactions to alcohol and drug use may vary.
- iii) Identify family and school rules about alcohol, tobacco, and drug use; ways to cope with situations involving alcohol, tobacco, and other drugs.

d) Grade 6

- i) Explain short- and long-term effects of alcohol, tobacco, inhalant, and other drug use, including social, legal, and economic implications; the dangers of secondhand smoke; the stages of drug dependence and addiction and the effects of drugs on the adolescent brain.
- ii) Identify positive alternatives to alcohol, tobacco, and other drug use; the benefits of a tobacco-free environment; and the effects of alcohol, tobacco, and other drug use on physical activity, including athletic performance.
- iii) Differentiate between the use and misuse of prescription and nonprescription medicines.

e) Grades 7-8

- i) Describe the harmful short- and long-term effects of alcohol, tobacco, and other drugs, including steroids, performance-enhancing drugs, and inhalants; the relationship between using alcohol, tobacco, and other drugs and engaging in other risky behaviors; the consequences of using alcohol, tobacco, and other drugs during pregnancy, including fetal alcohol spectrum disorders.
 - ii) Explain the dangers of drug dependence and addiction; the short- and long-term consequences of using alcohol and other drugs to cope with problems; why most youths do not use alcohol, tobacco, or other drugs; school policies and community laws related to the use, possession, and sale of alcohol, tobacco, and illegal drugs.
 - iii) Analyze the harmful effects of using diet pills without physician supervision.
- f) Grades 9-12
 - i) Describe the health benefits of abstaining from or discontinuing alcohol, tobacco, and other drugs; the use and abuse of prescription and nonprescription medicines and illegal substances.
 - ii) Explain the impact of alcohol, tobacco, and other drug use on brain chemistry, brain function, and behavior; the connection between alcohol and tobacco use and the risk of oral cancer; the impact of alcohol and other drug use on vehicle crashes, injuries, violence, and risky sexual behavior.
 - iii) Identify the social and legal implications of using and abusing alcohol, tobacco, and other drugs.
 - iv) Analyze the consequences for the mother and child of using alcohol, tobacco, and other drugs during pregnancy—including fetal alcohol spectrum disorders and other birth defects; the effects of binge drinking and its relationship to cancer; to liver, pancreatic, and cardiovascular diseases; and a variety of gastrointestinal problems, neurological disorders, and reproductive system disorders.
 - v) Clarify myths regarding the scope of alcohol, tobacco, and other drug use among adolescents.
- 6) **Committee Amendment.** The committee recommends, and the author has agreed to the following amendment:
 - a) Requires each school that has elected to make a school nurse or trained personnel available at the school pursuant to this section shall maintain at least two doses units of naloxone hydrochloride or another opioid antagonist on its campus, rather than all schools.

7) Related Legislation

SB 234 (Portantino, 2023) would require schools kindergarten to 12 grade, institutions of higher education, stadiums, concert venues, and amusement parks, at all times, to maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its premise, ensure that at least two employees are aware of the location of the naloxone or other opioid antagonist, and expand community colleges ability to administer naloxone. *SB 234* also provides civil protections to a person who administers naloxone or another opioid antagonist on a college campus stadium, concert venue, or amusement park to a person who appears to be experiencing an opioid overdose. *This bill is currently in Assembly Education Committee.*

AB 1748 (Mayes) Chapter 557, Statutes of 2016, authorizes LEAs to provide an emergency opioid antagonist to school nurses or trained personnel and authorizes a school nurse or trained personnel to administer an opioid antagonist to a person suffering from an opioid overdose.

AB 899 (Joe Patterson, 2023) requires LEAs to annually inform the parents or guardians of each enrolled pupil of the dangers associated with synthetic drugs that are not prescribed by a physician, such as fentanyl. *This bill is currently in Senate Education Committee.*

SB 472 (Hurtado, 2023) would require each campus of a public school operated by an LEA, COE, or charter school to maintain at least two doses on its campus, and distribute, naloxone or another opioid antagonist pursuant to the standing order for naloxone and requires LEAs, COEs, and charter school to report to the DHCS for failure to distribute naloxone. *This bill was held in Senate Appropriations.*

SUPPORT

California Academy of Family Physicians
California Association of School Business Officials
California District Attorneys Association
California Teachers Association
Emergency Nurses Association, California State Council
Health Officers Association of California
Los Angeles County Office of Education
San Diego County District Attorney's Office
Steinberg Institute

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 889	Hearing Date:	June 21, 2023
Author:	Joe Patterson		
Version:	February 14, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil safety: parental notification: synthetic drugs.

SUMMARY

This bill requires a local educational agency (LEA), county office of education (COE), and charter school to annually inform parents or guardians of the dangers associated with using synthetic drugs and post this information on their respective internet websites.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires school district governing boards to notify parents and guardians of minor pupils of specified items at the beginning of the first semester or quarter of the regular school term. (EC § 48980)
- 2) Authorizes public and private elementary and secondary schools to voluntarily determine whether or not to make emergency naloxone or another opioid antagonist and trained personnel available at its school. Requires a school to evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to naloxone or another opioid antagonist and trained personnel. Prohibits a private elementary or secondary school from exercising the authority provided by this bill from receiving state funds for this purpose. (EC § 49414.3 (c))
- 3) Authorizes school districts, COEs, and charter schools to provide emergency naloxone or another opioid antagonist to school nurses or trained volunteer personnel to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. (EC § 49414.3 (a))
- 4) If a school district, charter school, or private school elects to offer an athletic program, the school district, charter school, or private school shall annually give the Opioid Factsheet for Patients published by the Centers for Disease Control and Prevention to each athlete. The athlete and, if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign a document acknowledging receipt of the Opioid Factsheet for Patients and return that document to the school district, charter school, or private school before the athlete initiates practice or

competition. The Opioid Factsheet for Patients may be sent and returned through an electronic medium, including, but not limited to, fax or email. (EC § 49476)

ANALYSIS

This bill requires an LEA, COE, and charter school to annually inform parents or guardians of the dangers associated with using synthetic drugs and post this information on their respective internet websites. Specifically, this bill:

- 1) Requires an LEA to inform the parents or guardians of each enrolled pupil about the dangers associated with using synthetic drugs that are not prescribed by a physician, such as fentanyl, and about the possibility that dangerous synthetic drugs can be found in counterfeit pills.
- 2) Specifies the information related to the dangers associated with using synthetic drugs not prescribed by a physician and counterfeit pills, be annually provided to parents or guardians at the beginning of the first semester or quarter of the regular school term, as specified.
- 3) Requires, if an LEA maintains an internet website, the LEA shall post the information on their internet website and shall ensure that each school within the LEA that maintains an individual internet website also publishes the information on that school's internet website.
- 4) "Local educational agency" means an LEA, COE, or charter school.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "When I was growing up in the '80s and '90s, parents largely worried about their children using marijuana and drinking alcohol. Until recently, it never crossed my mind that a child could lose his or her life by making a single mistake experimenting with counterfeit prescription drug. This is why I wrote AB 889 so schools can educate both parents and children on the dangers of using synthetic drugs. I don't want other parents to have to wait for tragedy to strike for them to become aware of the dangers. AB 889 is a proactive approach and will save lives."
- 2) **Addressing Fentanyl Among California Youth.** According to the California Department of Public Health (CDPH), fentanyl-related overdose deaths increased 625 percent among ages 10-19 from 2018 to 2020. In 2021, there were 224 fentanyl-related overdose deaths among teens ages 15–19 in California. According to AB 1748 (Mayes) Chapter 557, Statutes of 2016, among other things, the State Superintendent of Public Instruction (SPI) must establish minimum training standards for school employees who volunteer to administer naloxone or another opioid antagonist. In addition to setting minimum training standards, the California Department of Education (CDE) must maintain on its website a clearinghouse for best practices in training nonmedical personnel to administer naloxone or another opioid antagonist to pupils.

In conjunction with the CDPH, the CDE provides LEAs with resources and information that they can readily share with parents and students to help keep them safe. The shareable Fentanyl Awareness and Prevention toolkit page offer information about the risks of fentanyl and how to prevent teen use and overdoses. In addition to the toolkit, the CDPH's Substance and Addiction Prevention branch provides resources for parents, guardians, caretakers, educators, schools, and youth-serving providers.

- 3) **Statewide Standing Order for Naloxone.** Naloxone can help reduce opioid overdose deaths in California, but many organizations find it challenging to obtain the required standing order to get naloxone from healthcare providers. According to CDPH, of the 6,843 opioid-related overdose deaths in 2021, 5,722 were related to fentanyl. CDPH issued the standing order in 2017 to address this need and support equitable naloxone access. The standing order:
- a) Allow community organizations and other entities in California that are not currently working with a physician to distribute naloxone to a person at risk of an opioid-related overdose or to a family member, friend, or another person in a position to assist; and
 - b) Allow for the administration of naloxone by a family member, friend, or other person to a person experiencing or reasonably suspected of experiencing an opioid overdose.

Among the organizations and entities that can distribute naloxone under the order are colleges and universities. An individual at risk of experiencing an overdose or someone who can assist an individual at risk is allowed to do so. Under the statewide standing order, staff of community organizations and other entities distributing naloxone must be trained. They are also required to provide training to individuals who receive naloxone from them. Colleges and other organizations may apply to use the statewide standing order if they meet certain conditions.

A separate distribution program administered through The Department of Health Care Services (DHCS) allows universities and colleges to apply for and obtain naloxone at no cost to the institution. According to the CDPH website, since October 2018, their Naloxone Distribution Project (NDP) has distributed over 1 million units of naloxone and recorded over 57,000 overdose reversals.

- 4) **Local Action to Address Fentanyl.** LEAs and COEs have also adjusted to address this growing crisis. For example, the Lake County Office of Education and Washington Unified School District in West Sacramento recently implemented a local school naloxone policy consistent with state statutes. San Diego Unified School District created its naloxone toolkit to aid other LEAs and inform parents and guardians.

This bill is consistent with current efforts taken by LEAs in that it would require an LEA, COE, and charter school to inform parents or guardians annually of the dangers associated with using synthetic drugs and post this information on their respective internet websites.

5) Related Legislation

AB 19 (Patterson, 2023) would require each public school operated by an LEA, COE, or charter school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist for purposes of those authorizations. *This bill is currently in Senate Education Committee.*

SB 472 (Hurtado, 2023) would require each campus of a public school operated by an LEA, COE, or charter school to maintain at least two doses on its campus, and distribute, naloxone hydrochloride or another opioid antagonist pursuant to the standing order for naloxone and requires LEAs, COEs, and charter school to report to the California Department of Health Care Services (DHCS) for failure to distribute naloxone. *This bill was held in Senate Appropriations.*

SB 234 (Portantino, 2023) would require schools kindergarten to 12 grade, institutions of higher education, stadiums, concert venues, and amusement parks, at all times, to maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its premise, ensure that at least two employees are aware of the location of the naloxone hydrochloride or other opioid antagonist, and expand community colleges ability to administer naloxone. SB 234 also provides civil protections to a person who helps naloxone hydrochloride or another opioid antagonist on a college campus stadium, concert venue, or amusement park to a person who appears to be experiencing an opioid overdose. *This bill is currently in Assembly Education Committee.*

AB 1748 (Mayes) Chapter 557, Statutes of 2016, authorizes LEAs to provide an emergency opioid antagonist to school nurses or trained personnel and authorizes a school nurse or trained personnel to administer an opioid antagonist to a person suffering from an opioid overdose.

SUPPORT

Los Angeles County Office of Education

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 51	Hearing Date:	June 21, 2023
Author:	Bonta		
Version:	May 1, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Lynn Lorber		

Subject: Early childcare and education.

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

SUMMARY

This bill increases the income ceilings and adds area median income as a criteria for meeting income eligibility for subsidized child care and state preschool, requires the California Department of Education (CDE) to provide opportunities and technical assistance on how to become a state preschool provider, requires the Superintendent of Public Instruction (SPI) to establish rules and regulations for the commingling of funds, and requires the Department of Social Services (DSS) and CDE to consider adopting regulations to support child care providers impacted by the expansion of transitional kindergarten.

BACKGROUND

Existing law:

Income eligibility threshold

- 1) Defines "income eligible" for purposes of establishing initial income eligibility for state preschool and subsidized child care to mean that a family's adjusted monthly income is at or below 100 percent of the state median income, adjusted for family size.
- 2) Defines "ongoing income eligible" for purposes of establishing ongoing income eligibility to mean that a family's adjusted monthly income is at or below 100 percent of the state median income, adjusted for family size.
- 3) Requires the Department of Finance to calculate the state median income for family sizes of one to four by using the most recent census data available on state median family income in the past 12 months by family size. Existing law requires the Department of Finance to calculate the state median income for family sizes of five and above by using the most recent census data for a family of four and multiplying this number by the ratios for the appropriate family size used in the federal Low-Income Home Energy Assistance Program and specified in federal regulations, as specified. Existing law requires the Department of

Finance to update its calculations of the state median income for families provide the updated data to CDE no later than March 1 of each fiscal year. (Education Code (EC) § 8213)

Reimbursement rates and temporary rate increases

- 4) Requires DSS, in collaboration with the CDE, to implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates, which vary with the length of the program year and the hours of service. (Welfare and Institutions Code (WIC) § 10280)
- 5) Requires parent fees to be used to pay reasonable and necessary costs for providing additional services. (WIC § 10280)
- 6) Establishes the standard reimbursement rate (SRR), beginning July 1, 2021, at \$12,888 and, beginning with the 2022–23 fiscal year, shall be increased by the cost-of-living adjustment granted by the Legislature annually. (WIC § 10280)
- 7) Requires, beginning January 1, 2022, contractors who, as of December 31, 2021, received the SRR be reimbursed at the greater of the following:
 - a) The 75th percentile of the 2018 regional market rate survey.
 - b) The contract per-child reimbursement amount as of December 31, 2021. (WIC § 10280)
- 8) Authorizes, beginning July 1, 2022, and subject to available funding, DSS to issue temporary rate increases to contractors that exceed the rates specified in #7 above. Existing law provides DSS with discretion in determining how funding may be used to increase the rates, including, but not limited to, providing one-time lump-sum payments. (WIC § 10280)
- 9) Exempts contracts or grants awarded for a temporary rate increase from existing personal services contracting requirements and prohibits them from being subject to review or approval of the Department of General Services. (WIC § 10280)

State preschool contractors

- 10) Requires the SPI to establish rules and regulations for the staffing of all preschool programs under contract with the CDE. Existing law requires priority be given by CDE to the employment of persons in preschool programs with ethnic backgrounds which are similar to those of the child for whom child development services are provided.
- 11) Requires approval by the SPI of any ongoing or new programs seeking to operate under the ratios and standards established by the SPI to be based upon the following considerations:

- a) The type of facility in which care is being or is to be provided.
- b) The ability of the SPI to implement a funding source change.
- c) The proportion of non-subsidized children enrolled or to be enrolled by the agency.
- d) The most cost-effective ratios possible for the type of services provided or to be provided by the agency. (EC § 8240)

Resource and Referral

- 12) Provides that child care resource and referral programs, established to serve a defined geographic area, are to provide the following services:
- a) Identification of the full range of existing child care services through information provided by all relevant public and private agencies in the areas of service, and the development of a resource file of those services which shall be maintained and updated at least quarterly. Existing law requires these services to include, but not be limited to, family child care homes, public and private child care programs, full-time and part-time programs, and infant, preschool, and extended care programs.
 - b) Establishment of a referral process which responds to parental need for information and which is provided with full recognition of the confidentiality rights of parents. Existing law requires resource and referral programs to make referrals to licensed child day care facilities, and make referrals to unlicensed care facilities only if there is no requirement that the facility be licensed.
 - c) Maintenance of ongoing documentation of requests for service tabulated through the internal referral process.
 - d) Provision of technical assistance to existing and potential providers of all types of child care services. (WIC § 10219)

Expanded learning opportunity programs

- 13) Establishes the Expanded Learning Opportunities Program to offer to all K-6 students in classroom-based instructional programs access to expanded learning opportunity programs. Existing law provides that expanded learning opportunity programs include, among other scenarios, local educational agencies (LEAs) operating a before school component of a program, an after school component of a program, or both the before and after school components of a program, on one or multiple schoolsites. Existing law requires these programs to develop a program plan based CDE's guidance and specified existing requirements of the After School Education and Safety Program, except that programs serving transitional kindergarten or kindergarten students are required to maintain a student-to-staff member ratio of no more than 10 to 1. (EC § 46120)

ANALYSIS

This bill:

Income eligibility threshold

- 1) Increases the income ceilings and adds area median income as a criteria for meeting income eligibility for subsidized child care and state preschool, from 100 percent of the state median income adjusted for family size, to 120 percent of the area median income or the state median income, whichever is higher, adjusted for family size.
- 2) Requires the Department of Finance to calculate area median incomes, in addition to the state median income.

Temporary rate increases

- 3) Requires DSS, in collaboration with CDE, to consider adopting regulations to support child care providers impacted by the expansion of transitional kindergarten, as reimbursement rates are updated and modified to align to an alternative methodology. (See related legislation on page 8.)
- 4) Deletes existing provisions relative to temporary rate increases above the SRR.

State preschool contractors

- 5) Requires the CDE to:
 - a) Provide prospective state preschool providers an equitable opportunity to establish a trained workforce and administrative systems, and technical assistance on how to become state preschool providers;
 - b) Develop early learning resources;
 - c) Develop and implement a proactive outreach, capacity building, training and technical assistance plan;
 - d) Disseminate information regarding training and technical assistance; and,
 - e) Create a separate webpage to provide more services and educational opportunities to 3- and 4-year old children.
- 6) Requires the SPI to establish rules and regulations for the commingling of children participating in state preschool with children supported through other state- or federally-subsidized programs and private funding.
- 7) Specifically authorizes commingling until the SPI establishes the rules and regulations.

Resource and Referral

- 8) Expands the duties of resource and referral programs to include navigation, referral, and enrollment services for transitional kindergarten, state preschool, Head Start, general child care, private child care centers, and family child care options.

Expanded learning opportunity programs

- 9) Requires expanded learning opportunity programs serving students in transitional kindergarten to be developmentally appropriate for those students.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “California has begun to phase in the implementation of universal TK. While the availability of TK for all families is a great victory, it does not replace the necessity of full-day and full-year services for children from birth to age four, services necessary to ensure that women can return to the workforce and contribute to California’s economic strength. We must look to our child care programs as the key to supporting women, families, and the workforce. Community-based providers have expressed valid concerns that the loss of four-year-olds may undermine the already fragile system.

“AB 51 would support the effective and equitable functioning of California’s mixed-delivery childcare system and create a just transition for community-based providers as TK is implemented. A mixed-delivery child care system is key to ensuring full care from birth through school age. Without such a system, California will be unable to ensure that the diverse child care needs of families in every community and every aspect of the workforce are met.”

- 2) ***Practical effect.*** As noted by the author, this bill was introduced in an attempt to ensure that providers of early learning and care, specifically state preschool and child care providers, are not negatively affected by expansion of transitional kindergarten to include all four-year olds. The concern is that preschools and child care programs will lose children to transitional kindergarten (which is free), and particularly lose families who currently pay for care (family fees help keep programs afloat because reimbursement rates for subsidized care are low). Prior versions of this bill set aside half of state preschool contracts for applicants who have not held a state preschool contract within the past five years and/or who can demonstrate a negative financial impact due to the expansion of transitional kindergarten.

As currently drafted, this bill generally achieves little; it is largely administrative by requiring CDE to provide opportunities and technical assistance on how to become a state preschool provider, require the SPI to establish rules and regulations for the commingling of funds, and requiring DSS and CDE to consider adopting regulations to support child care providers impacted by the expansion of transitional kindergarten.

The most significant changes this bill makes relate to income ceiling threshold

and the duties of resource and referral programs.

While California currently has a “mixed delivery system” where children may receive early learning and care in a variety of settings, the system remains fragmented and in silos. Transitional kindergarten can only be provided by an LEA. State preschool has high qualifications and standards that not all child care providers and programs meet. State preschools operated on a schoolsite are funded by Proposition 98 while state preschools operated everywhere else are funded outside of Proposition 98. Subsidized child care is funded outside of Proposition 98 and those funds cannot be mixed (Prop 98 funds must always go to an LEA). Yet all of these programs serve four-year olds.

- 3) **Reimbursement rates.** Providers of early learning and care are reimbursed either based on the Regional Market Rate (RMR) or SRR: alternative payment programs are reimbursed using the RMR while child care programs and preschool programs that contract directly with DSS or CDE are reimbursed using the SRR.

The RMR varies based on the county in which the child is served. The RMR Survey measures a sample of prices charged by licensed child care providers and paid by parents within a given child care market region. The RMR survey is administered every two to three years, and provides “rate ceilings” based on provider setting and the age of the child for all 58 California counties. The rate ceiling is the highest payment a provider can receive from the state for the care of a child. Beginning in 2022, the RMR was set to the 75th percentile of the 2018 RMR survey for that region; or, the RMR ceiling that existed in that region on December 31, 2021.

The SRR is set in statute (currently \$12,888 plus a cost-of-living adjustment) and has typically been adjusted for factors such as the age of the child or disability status, but not on geographic cost factors.

Neither the RMR nor the SRR fully account for the actual cost of providing care to children.

This bill increases the income ceilings and adds area median income as a criteria for meeting income eligibility for subsidized child care (those funded using the SRR) and state preschool, from 100 percent of the state median income adjusted for family size, to 120 percent of the area median income or the state median income, whichever is higher, adjusted for family size. The result is that more families will be eligible for state preschool or subsidized child care. Typically that is a good thing; however, in the era of transitional kindergarten expansion, early learning and care programs that currently serve four-year olds who may now instead enroll in transitional kindergarten could lose even more families who currently pay for preschool or child care - programs that rely on paying families could lose them to subsidized slots (whether with the same provider or a different provider). Increasing eligibility for subsidized slots does not equate to additional subsidized slots; additional families will be “competing” for the same number of slots. If a subsidized slot is filled by a child from a higher income, that slot will not be available for the child of a lower income family. *The author may wish to*

consider how expanding eligibility for state preschool and subsidized care could affect non-subsidized slots and programs.

- 4) **Commingling of funds.** This bill requires the SPI to establish rules and regulations for the commingling of children participating in state preschool with children supported through other state- or federally-subsidized programs and private funding. This bill specifically authorizes commingling until the SPI establishes the rules and regulations.

As noted above, state preschools operated on a schoolsite are funded by Prop 98 while state preschools operated everywhere else are funded outside of Prop 98; subsidized child care is funded outside of Prop 98 and those funds cannot be mixed (Prop 98 funds must always go to an LEA). While it is possible to operate different programs simultaneous or side-by-side, with Prop 98 and non-Prop 98 funds, those funds are kept separate even while serving the same children through a state preschool for a certain portion of the day and through child care for the remainder of the day (to provide a full day of early education and wraparound care). It is unclear how Prop 98 and non-Prop 98 funds can be commingled, as well as commingling with private funds; this bill calls for the development of rules and regulations to determine how commingling of funds can occur.

- 5) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill would impose:

- a) One-time and ongoing General Fund costs, in the millions of dollars, to CDE to implement the requirements of this bill.

Specifically, according to CDE, CDE's fiscal services division would require \$128,000 in the 2023-24 fiscal year and \$124,000 ongoing for one staff person to work on technical assistance to prospective contractors, develop webinars, review applications and respond to inquiries, review and update resources, and support in the online application. In addition, the Early Education Division, would require \$1.9 million one-time funding in the 2023-24 fiscal year for more than 10 staff to ensure CDE is sufficiently staffed to complete the data system changes, research and develop all of the early learning resources, develop the online application, and provide the technical assistance for prospective contractors required by this bill. The Early Education Division would require \$1.7 million ongoing funding for 10 staff to ensure that CDE is sufficiently staffed to complete the data system changes required annually, update the online application and early learning resources annually, and increase technical assistance for potential new contractors resulting from this bill. Lastly, the Technology Services Division would require \$130,000 ongoing for one staff to implement the technological aspects of the bill.

- b) No cost to DSS. According to DSS, it already contracts for the resource and referral services required by this bill for the programs it administers.

- 6) **Related legislation.** SB 380 (Limón, 2023) requires the DSS, in collaboration with CDE, to develop and implement an alternative methodology for calculating subsidy payment rates for child care services and state preschool program services; require DSS, in consultation with CDE, to develop an equitable sliding scale for the payment of family fees and prohibit family fees from being collected until the new equitable sliding scale is implemented; and increase reimbursements to state preschool and alternative payment providers, as specified. SB 380 is pending in the Assembly Human Services Committee.

AB 596 (Reyes, 2023) is nearly identical to SB 380 (Limón). AB 596 is pending in the Senate Human Services Committee.

- 7) **Prior legislation.** SB 976 (Leyva, 2022) would have established, subject to an appropriation, a free universal system of preschool by expanding access to the State Preschool Program to all three- and four-year old children, regardless of family income, and expanded the types of child care providers who may be eligible to offer state preschool. SB 976 was passed by the Senate but not set for hearing in the Assembly.

SUPPORT

California Catholic Conference
California Federation of Teachers, AFL-CIO
California Legislative Women's Caucus
Children Now

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 71	Hearing Date:	June 21, 2023
Author:	Rodriguez		
Version:	April 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil instruction: bleeding control.

SUMMARY

This bill requires the Instructional Quality Commission (IQC), when the Health Framework is next revised after January 1, 2024, to consider including bleeding control, and requires the California Department of Education (CDE) to post on its website information regarding bleeding control on or before July 1, 2024.

BACKGROUND

Existing law:

Education Code (EC)

- 1) Requires each local educational agency (LEA) and county office of education (COE) to be responsible for the overall development of all comprehensive school safety plans for its schools operating in kindergarten or any grades 1 through 12. (EC § 32281(a))
- 2) Specifies that the schoolsite council or a school safety planning committee is responsible for developing the comprehensive school safety plan. (EC § 32281(b))
- 3) Specifies that the comprehensive school safety plan must include an assessment of the current status of school crime committed on school campuses and at school-related functions and identification of appropriate strategies and programs to provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including child abuse reporting procedures; disaster procedures; an earthquake emergency procedure system; policies regarding pupils who commit specified acts that would lead to suspension or expulsion; procedures to notify teachers of dangerous pupils; a discrimination and harassment policy; the provisions of any schoolwide dress code; procedures for safe ingress and egress of pupils, parents, and school employees to and from school; a safe and orderly environment conducive to learning; and rules and procedures on school discipline. (EC § 32282(a))
- 4) Requires the comprehensive school safety plan to be evaluated at least once a year. (EC § 32282(d))

- 5) Requires the comprehensive school safety plan to include, but not be limited to, procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. (EC § 32282(a)(2)(J))

Health and Safety Code (HSC)

- 6) Defines “trauma kit” as a first aid response kit that contains at least all of the following:
 - a) One tourniquet endorsed by the Committee on Tactical Combat Casualty Care;
 - b) One bleeding control bandage;
 - c) One pair of non-latex protective gloves and a marker;
 - d) One pair of scissors; and
 - e) Instructional documents developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense. (HSC § 19305)

ANALYSIS

This bill requires the IQC, when the Health Framework is next revised after January 1, 2024, to consider including bleeding control, and requires the CDE to post on its website information regarding bleeding control on or before July 1, 2024. Specifically, this bill:

- 1) Requires, when the Health Framework is next revised after January 1, 2024, the IQC to consider including information on bleeding control, including information developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense.
- 2) Require the CDE to make available on its website, on or before July 1, 2024, a list of resources and instructional materials on bleeding control, including information developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “In 2016, I authored AB 1719, which required CPR training as a standard part of high school health curriculum. Now, I find it critical that we train our students to serve as immediate responders should they ever be faced with life-threatening blood loss. Our students are our future leaders, and providing them with these life-saving skills now will empower them through adulthood. As a career first responder, I know that empowering bystanders to help stop a hemorrhage while waiting for professional help to arrive can effect a victim’s survival rate. AB 71 would train students with this life-saving skill so that they are able to step up as an immediate responder in the classroom, or in any other environment they may find themselves in.”
- 2) ***Stop The Bleed Campaign.*** According to its website, Stop The Beed is the result of a collaborative effort led by the American College of Surgeons Committee on Trauma (ACS COT) to bring bleeding control to the public. After the broad adoption of tourniquets and tourniquet training by the military during the Iraq and Afghanistan conflicts, their use was reviewed a clear survival benefit was identified. A follow-up study 2014 led by the ACS COT emergency medical services subcommittee showed similar benefits related to tourniquet use among civilians. It introduced direct pressure and wound packing to the list of simple but effective skills that could be used to control active bleeding in an emergency. It also became clear that time was a critical factor, and outcomes were directly related to how quickly bleeding control was achieved. These findings helped establish the bystander as necessary in saving lives due to severe bleeding. The curriculum was developed into what is known as the Bleeding Control Basic course (B-CON), released to the public in 2014, which is the foundation of today’s Stop The Bleed course.
- 3) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the IQC and State Board of Education (SBE) with the authority to develop and adopt state curricula and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, developing drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comments. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a public process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools adopt instructional materials aligned to these standards and frameworks. This process occurs on a regular schedule, giving schools a predictable timetable to plan and budget for changes to the curriculum. Local adoption of new curricula involves significant local costs and investment of resources in professional development.

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

Model curricula were first developed in the 1990s to provide educators the means to teach about a topic in an in-depth manner voluntarily. At that time, few Internet resources were available for this purpose. Until 2016, only two model curricula were required to be developed.

Recent legislation has required the development of numerous model curricula. In 2021, the state changed the process for developing model curricula through the budget. COEs are now responsible for producing model curricula through open-source, accessible resources available to California schools. The IQC and SBE no longer develop or approves model curricula.

The committee on March 15, 2023, adopted the joint Assembly and Senate curriculum policy of 2023-24 that discourages the introduction of policy bills that propose to require, or require consideration of, modifications to state curriculum frameworks to require that specified content be taught or to require the development of new model curricula. This bill does not violate the joint curriculum policy as it requires the IQC to consider including information related to bleeding control in the next revision of the Health Framework.

- 4) ***Bleeding Control is Mentioned in the Health Curriculum.*** Bleeding control is included in both the Health Education Content Standards, adopted in 2008, and the Health Education Framework, adopted in 2019:

- The Health Education content standard 1.10.S: “Describe procedures for emergency care and lifesaving, including CPR, first aid, and control of bleeding.”
- The Health Education Framework includes Essential Concepts: 9–12.1.10.S “Describe procedures for emergency care and lifesaving, including CPR, first aid, and control of bleeding.”

This bill attempts to provide additional information developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense.

- 5) ***Committee Amendment.*** *The committee recommends, and the author has agreed to, the following amendment.*

- a) Clarify that IQC may include information from the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense in the next revision of the Health Framework related to bleeding control.
- b) Clarify the CDE may include information from the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red

Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense on its website related to bleeding control on or before July 1, 2024.

6) Related Legislation

SB 868 (Wilk, 2023) upon an appropriation commencing with the 2024–25 school year, this bill would require each LEA, COE, and charter school to equip each classroom at each of its schoolsites with a trauma kit.

AB 1747 (Rodriguez) Chapter 806, Statutes of 2018, expanded the required elements of school safety plans, including procedures to respond to active shooter situations, required schools to conduct annual active shooter drills, and required the CDE to provide additional guidance and oversight of safety plans.

AB 2260 (Rodriguez) Chapter 586, Statutes 2022, requires certain buildings constructed on or after January 1, 2023, with an occupancy of 200 or more, to have at least six trauma kits on the premises of the building or facility.

SB 63 (Price, 2011) would have required each school with any of grades 9-12 to have an automatic external defibrillator in a centralized location on campus and at athletic events, prepare an emergency preparedness plan, and require anyone expected to use a defibrillator to complete specified training. *This bill was held in Senate Appropriations Committee.*

SUPPORT

American College of Surgeons (Co-Sponsor)
American Red Cross California Chapter (Co-Sponsor)
American College of Surgeons Northern California
American College of Surgeons, Southern California Chapter
California Teachers Association
Emergency Nurses Association, California State Council
Los Angeles County Office of Education
San Diego - Imperial Chapter of the American College of Surgeons

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 238
Author: Muratsuchi
Version: April 17, 2023
Urgency: No
Consultant: Ian Johnson

Hearing Date: June 21, 2023

Fiscal: Yes

Subject: California Student Teacher Support Grant Program.

SUMMARY

This bill establishes the California Student Teacher Support Grant Program to compensate teacher credential candidates during required student teaching.

BACKGROUND

Existing law:

- 1) Requires the Commission on Teacher Credentialing (CTC) to establish standards for the issuance and renewal of credentials, certificates, and permits. Requires the CTC to adopt standards for the accreditation of postsecondary teacher preparation programs. Prescribes “clinical practice” as one of the CTC-adopted standards and requires that teaching credential candidates perform 600 hours of clinical practice throughout the candidate’s teacher preparation program. (Education Code (EC) 44300 and the CTC’s Teaching Performance Expectations)
- 2) Requires the CTC to award the following types of credentials to applicants whose preparation and competence satisfy its standards:
 - a) Basic teaching credentials for teaching in kindergarten, or any of grades 1 to 12, inclusive, in public schools in the state;
 - b) Credentials for teaching adult education classes and vocational education classes;
 - c) Credentials for teaching specialties, including, but not necessarily limited to, bilingual education, early childhood education, and special education. The CTC may grant credentials to any candidate who concurrently meets the CTC’s standards of preparation and competence for the preliminary basic teaching credential and the preliminary specialty credential; and
 - d) Credentials for school services, for positions including, but not necessarily limited to, administrators, school counselors, speech-language therapists, audiologists, school psychologists, library media teachers, supervisors of attendance, and school nurses. (EC 44225)

- 3) Authorizes the CTC to issue single subject teaching credentials in agriculture, art, biological sciences, business, chemistry, dance, English, geosciences, health science, home economics, industrial and technology education (ITE), mathematics, music, physics, physical education, science (various subjects), social science, theater, and world languages (English language development and languages other than English). (EC 44257)
- 4) Authorizes the CTC to issue a multiple or single subject teaching credential with a specified concentration in a particular subject based upon the depth of an applicant's preparation in an important subject of the school curriculum in order to ensure excellence in teaching in specific subjects. (EC 44257.2)
- 5) Authorizes the CTC to issue credentials for teaching specialties, including bilingual education, early childhood education, and special education (education specialist). Requires education specialist teaching credentials to be based upon a baccalaureate degree from an accredited institution, completion of a program of professional preparation, and standards that the CTC may establish. (EC 44274.2)

ANALYSIS

This bill:

- 1) Establishes, subject to an appropriation of one-time funds for this purpose, the California Student Teacher Support Grant Program, under the administration of the CTC, to compensate teaching credential candidates during the student teaching component of the 600 hours of clinical practice that is required as part of the candidate's teacher preparation program.
- 2) Requires the CTC to issue a request for applications to all local educational agencies (LEAs) to solicit applications for funding.
- 3) Requires the criteria adopted by the CTC for the selection of LEAs to participate in the program to include passage of a criminal background check.
- 4) Requires an applicant to certify that it has received a commitment from each participant that the participant will accomplish both of the following:
 - a) Complete all of the requirements for, and obtain, a multiple subject, single subject, or education specialist teaching credential.
 - b) Complete the 600 hours of clinical practice that is required as part of the candidate's teacher preparation program.
- 5) Requires, on or before January 1 of each year, the CTC to report to the education policy and fiscal committees of the Legislature regarding the status of the program, including, but not limited to, the number of student teachers paid, the degree to which the applicant meets the teacher shortage needs of the school district, charter school, or county office of education (COE), and the ethnic and racial composition of the participants in the program.

- 6) Defines LEA as a school district, charter school, or COE.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “The state’s ongoing educator and workforce shortage has only increased as a result of the pandemic. Schools are having trouble finding appropriately credentialed teachers, especially in STEM and special education fields. AB 238 helps relieve the teacher shortage by establishing the California Student Teacher Support Grant Program, which compensates student teachers during their required student teaching hours to help alleviate financial stress at an important time in the teacher preparation process.”
- 2) ***Required clinical practice for teachers.*** According to the CTC, the CTC’s adopted standards for preliminary multiple and single subject teacher preparation programs set forth the expectations for programs to provide candidates with appropriate supervised clinical practice. In adopting the program standards related to supervised clinical practice, the CTC signals the critical role that a high quality and extensive clinical practice experience plays in preparing effective educators. The standards related to clinical practice are at times specific and directive, while also allowing for flexibility for institutions to design experiences that work well for their candidates and the TK-12 schools they serve.

The program’s clinical practice experiences are designed to provide the candidate with a developmental and sequential set of activities that are integrated with the program’s coursework and extend the candidate’s learning through application of theory to practice with TK-12 students in California public school classrooms. Clinical practice is a developmental and sequential set of activities integrated with theoretical and pedagogical coursework, and must consist of a minimum of 600 hours of clinical practice across the arc of the program. The range of clinical practice experiences provided by the program includes supervised early field experiences, initial student teaching (co-planning and co-teaching with both general educators and education specialists, as appropriate, or guided teaching), and final student teaching. Student teaching includes a minimum of four weeks of solo or co-teaching or its equivalent. For interns, early field experience would take place in an experienced mentor’s classroom. In most cases, clinical practice hours are unpaid. AB 238 will compensate student teachers during their required student teaching hours.

- 3) ***Learning Policy Institute (LPI) report.*** The LPI’s 2016 report, “Addressing California’s Emerging Teacher Shortage: An Analysis of Sources and Solutions” included the following summary: “After many years of teacher layoffs in California, school districts around the state are hiring again. With the influx of new K-12 funding, districts are looking to lower student-teacher ratios and reinstate classes and programs that were reduced or eliminated during the Great Recession. However, mounting evidence indicates that teacher supply has not kept pace with the increased demand.” The report included the following findings:

- a) Enrollment in educator preparation programs has dropped by more than 70 percent over the last decade.
- b) In 2014-15, provisional and short-term permits nearly tripled from the number issued two years earlier, growing from about 850 to more than 2,400.
- c) The number of teachers hired on substandard permits and credentials nearly doubled in the last two years, to more than 7,700 comprising a third of all the new credentials issued in 2014-15.
- d) Estimated teacher hires for the 2015-16 school year increased by 25 percent from the previous year while enrollment in the University of California (UC) and the California State University (CSU) teacher education programs increased by only about 3.8 percent.

The LPI report offered several policy recommendations for consideration, including the creation of more innovative pipelines into teaching.

- 4) ***Legislative Analyst Office (LAO) assessment.*** As part of the Proposition 98 Education Analysis for the 2016-17 Governor's Budget released in February 2016, the LAO included a section on teacher workforce trends in which it examined evidence for teacher shortages in specific areas, identified and assessed past policy responses to these shortages, and raised issues for the Legislature to consider going forward in terms of new policy responses. In the report, the LAO indicated that the statewide teacher market will help alleviate existing shortages over time and that the shortages may decrease without direct state action. However, the LAO noted there are perennial staffing difficulties in specific areas, such as special education, math, and science, for which they encouraged the Legislature to address with narrowly tailored policies rather than with broad statewide policies.
- 5) ***Already weak teaching pipeline further damaged by COVID-19 education disruptions.*** A March 2021 report by the LPI raised concerns about the effects of the COVID-19 pandemic on the teacher shortage in California:
 - a) Teacher shortages remain a critical problem. Most districts have found teachers to be in short supply, especially for math, science, special education, and bilingual education. Shortages are especially concerning as a return to in-person instruction will require even more teachers to accommodate physical distancing requirements. Most districts are filling hiring needs with teachers on substandard credentials and permits, reflecting a statewide trend of increasing reliance on underprepared teachers.
 - b) Teacher pipeline problems are exacerbated by teacher testing policies and inadequate financial aid for completing preparation. Many districts attributed shortages to having a limited pool of fully credentialed applicants, with more than half reporting that testing requirements and

lack of financial support for teacher education pose barriers to entry into teaching.

- c) Teacher workload and burnout are major concerns. The transition to online and hybrid learning models has had a steep learning curve and poses ongoing challenges that have been a primary contributor to some teachers' decisions to retire earlier than previously planned. With district leaders estimating that teacher workloads have at least doubled, many were concerned that the stressors of managing the challenges of the pandemic on top of the challenges of an increased workload could lead to teacher burnout and increased turnover rates.
- d) Growing retirements and resignations further reduce supply. In some districts, retirements and resignations are contributing to shortages, while in others, these retirements and resignations offset the need for anticipated layoffs due to expected budget cuts this school year. District leaders anticipate higher retirement rates next year, which could exacerbate teacher shortages.

SUPPORT

California Faculty Association (sponsor)
Office of Lieutenant Governor Eleni Kounalakis
California Association of Christian Colleges and Universities
California Catholic Conference
California Charter Schools Association
California Federation of Teachers
California Music Educators Association
California Teachers Association
Create CA
Delta Kappa Gamma International
EdVoice
Los Angeles County Office of Education

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 255	Hearing Date:	June 21, 2023
Author:	Alanis		
Version:	March 15, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: priority registration for first responders.

SUMMARY

This bill requires by July 1, 2024, for community college districts and the California State University (CSU) and request the University of California (UC) to grant priority registration to students employed as first responders, as defined.

BACKGROUND

Existing law:

- 1) Authorizes the CSU and each community college district, and requests the UC to offer priority registration for any existing or former member of the State Guard or a former member of the Armed Forces of the United States who is a California resident and has been honorably discharged, as defined. (Education Code § 66025.8)
- 2) Authorizes the CSU and each community college district, and requests the UC to offer priority registration to foster youth, former foster youth, homeless youth, or formerly homeless youth, as defined. (EC § 66025.9)
- 3) Requires each community college district to offer priority registration to students eligible for disabled student programs and services, students eligible for extended opportunity programs and services, students receiving CalWORKS, and students who receive Tribal Temporary Assistance for Needy Families (TANF) as defined. (EC § 66025.91 and 66025.92)
- 4) Requires, beginning no later than July 1, 2023, each campus of the CSU, and each campus within a community college district, and requests each campus of the UC to offer priority registration to student parents. (EC § 66025.81 (a)(1))

ANALYSIS

This bill:

- 1) Requires by July 1, 2024, The CSU and each community college district, and requests the UC, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a first responder.

- 2) Requires that priority registration for enrollment apply to enrollment for all baccalaureate degree and certificate programs offered by the institution after the employment of the student as a first responder has been verified by the institution.
- 3) Defines first responder to mean an employee of the state or a local public agency who provides emergency response services, including any of the following:
 - a) A peace officer.
 - b) A firefighter, as defined.
 - c) A paramedic.
 - d) An emergency medical technician.
 - e) A public safety dispatch, as defined.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “AB 255 would provide first responders with better access to advance training and a pathway to degree attainment. AB 255 would also help offset the workforce shortage in some of California’s most vital industries, including law enforcement and healthcare, by providing employees with an educational incentive to remain in their jobs while pursuing postsecondary degrees and certificates.”
- 2) **Priority registration.** Priority registration decisions are made at the campus level at each segment. The process allows specific students access to classes ahead of the general student population. For example, continuing students generally are allowed to enroll in courses before new students enroll. As such, students who have priority registration status have an advantage over other students.

In addition to priority registration granted by the campuses, existing law requires the CSU and/or California Community Colleges (CCCs), and requests the UC to grant priority enrollment to the following students:

- a) CSU California Promise students (CSU).
- b) Current and former foster youth (CSU and CCCs).
- c) Until January 1, 2020, homeless youth (CSU and CCCs).
- d) Any member or former member of the Armed Forces of the United States, and who is a resident of California, who has received an honorable discharge, a general discharge, or an other than honorable discharge, and to any member or former member of the State Military Reserve, for any academic term attended at one of these institutions for four academic years after he or she has left state or federal active duty, which he or she

shall use within 15 years of leaving state or federal active duty. (CSU and CCCs).

- e) Any student who is a CalWORKs or Tribal TANF recipient (CCCs).
- f) Students in the Community College Extended Opportunity Programs and Services program, and disabled students who are determined to be eligible for disabled student programs and services (CCCs).

This bill adds to this list of groups for which priority registration must be granted. *The Committee may wish to consider at what point priority becomes overprescribed.*

3) **Fiscal Impact.** According to the Assembly Appropriations Committee analysis, the bill would have the following fiscal impact:

- a) Minor and absorbable General Fund costs to UC related to ongoing administrative time spent verifying first responder students for priority registration and one-time costs to update existing priority enrollment policies and procedures. The state has nine UC campuses.
- b) Minor and absorbable General Fund costs to CSU related to ongoing administrative time spent verifying first responder students for priority registration and one-time costs to update existing priority enrollment policies and procedures. The state has 23 CSU campuses.
- c) Minor to significant Proposition 98 General Fund costs, ranging from the low hundreds of thousands of dollars to the low millions of dollars, related to ongoing administrative time spent to verify first responder students for priority registration and one-time costs to update existing priority enrollment policies and procedures. The state has 115 CCC campuses. Costs could vary widely because, according to the CCC Chancellor's Office, while the bill does not require data collection, it is a CCC best practice to collect data on all groups receiving priority enrollment. One-time costs to update the CCC's data system could be in the low millions of dollars. If the data system is not updated, costs would be in the low hundreds of thousands across all campuses to comply with the bill. The state would need to reimburse these costs to CCC, if the Commission on State Mandates determines the bill's requirements to be a reimbursable state mandate.

SUPPORT

California Chapter National Emergency Number Association
 California State Sheriffs' Association
 Turlock Associated Police Officers

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 447	Hearing Date:	June 21, 2023
Author:	Arambula		
Version:	June 12, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: students with disabilities: inclusive college programs.

SUMMARY

This bill authorizes the California State University (CSU) and requests the University of California (UC) establish and maintain inclusive college programs for students with intellectual and developmental disabilities at four-year public postsecondary educational institutions, subject to an appropriation as specified.

BACKGROUND

Existing law:

- 1) Establishes the UC as a public trust to be administered by the Regents of the UC; and, grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Article IX, Section (9)(a) of the California Constitution)
- 2) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (Education Code (EC) § 66606 and 89500, et seq.)
- 3) Differentiates the missions and functions of public institutions of higher education. Under these provisions:
 - a) The primary mission of the CSU is required to offer undergraduate and graduate instruction through the master's degree.
 - b) The UC is authorized to provide undergraduate and graduate instruction and has exclusive jurisdiction in public higher education over graduate instruction in the professions of law, medicine, dentistry and veterinary medicine. The UC is also the primary state-supported academic agency for research.

- c) The mission and function of the California Community Colleges (CCC) is the offering of academic and vocational instruction at the lower division level, and the CCC are authorized to grant the Associate in Arts and the Associate in Science degrees. The community colleges are also required to offer remedial instruction, English as a Second Language instruction, and adult noncredit instruction, and support services which help students succeed at the postsecondary level. (Education Code (EC) § 66010, et seq.)
- 4) Declares the intent of the Legislature that public higher education in California strive to provide educationally equitable environments that give each Californian, regardless of age, economic circumstance, or the other characteristics as specified, a reasonable opportunity to develop fully their potential. (EC § 66030)

ANALYSIS

This bill:

- 1) Subject to an appropriation of funds, authorizes the CSU and requests the UC to establish and maintain inclusive college programs for students with intellectual and developmental disabilities at four-year public postsecondary educational institutions and authorizes the use of program funds to establish new inclusive college programs at campuses that currently do not have a program or have a program in development, or to provide continuing support to establish inclusive college programs to help those program reach capacity and sustainability.
- 2) Requests that inclusive college programs operated by the CSU, and those operated by the UC, do all of the following:
 - a) Serve students with intellectual and developmental disabilities who are at least 18 years of age, even if the students are not taking courses for credit or may not be seeking a traditional degree.
 - b) Provide students with a person-centered planning process and the opportunity to pursue an educational credential, including but not limited to, a degree certificate, or non-degree credential issued by the institution.
 - c) Provide inclusive academic enrichment, socialization, independent living skills, and integrated work experiences that develop career skills that can lead to gainful employment.
 - d) Provide individual supports and services for academic and social inclusion in academic courses, extracurricular activities, housing and other aspects of campus life.
 - e) Establish strategies to recruit and support students from historically underserved communities.
- 3) Authorizes the use of funds for purposes of the bill for any of the following purposes:

- a) Administrative salaries, including a program director at a campus with an inclusive pilot program and other administrative staff, including academic, employment, internship, social inclusion, and residential coordinators.
 - b) Additional program staff, including instructors, peer mentors, residential support staff, and administrative assistants.
 - c) Training for higher education faculty in evidence based best practices.
 - d) Augmentation of existing assistive technologies and other academic support services offered by campus disability programs and resource centers.
 - e) Scholarships for student tuition, fees, and living expenses.
 - f) Additional student supports, including counseling, residential needs mentor services, and transportation services.
 - g) Outreach, including internet website design, disseminating information to high school transition programs, local educational agencies, special educational local plan areas, and college and career centers, and advertising placements and campaigns, including the cost of print any materials.
 - h) Data collection and dissemination.
- 4) Requires an inclusive college program to comply with the requirements for, and apply for federal status as a Comprehensive Transition and Postsecondary Program so that its students can apply for federal financial aid and requires an inclusive college program investigate long-term sustainability by securing funding from multiple sources, including funds from the Department of Rehabilitation, regional centers, and financial aid programs.
- 5) Defines the following terms for the purpose of the bill:
- a) “Intellectual and developmental disabilities” means, as defined in current law, a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature.
 - b) “Local educational agencies” to mean school districts, charter schools, and county offices of education.

- 6) Makes legislative finding and declaration that California lacks the programs to provide inclusive college opportunities for students with disabilities.
- 7) States that it is the intent of the Legislature to establish or expand upon existing inclusive college programs with the goal of providing inclusive college programs for students with intellectual and developmental disabilities at public four-year postsecondary education institutions.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “our state has long recognized the importance of addressing the needs of youth with disabilities in education. AB 447 will encourage California to establish inclusive college programs for students with intellectual and developmental disabilities at public four-year universities. These programs further the educational and social development for students with intellectual disabilities across the UCs and CSUs. These scholars will have an opportunity to take part in internships and jobs both on and off campus while building the skillset to enter into permanent employment. Students in these programs will have the opportunity to engage socially and live in on-campus housing as well as participate in extracurricular clubs and organizations. This will allow California to continue to be a leader in creating higher education opportunities for students with disabilities to be more inclusive.”
- 2) **Comprehensive Transition and Postsecondary Program.** Since 2011, the U.S. Department of Education has provided grants to institutions of higher education, or consortia of institutions of higher education to enable them to create or expand high quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities through the Model Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) program.

According to the California State Council on Developmental Disabilities (SCDD), in 2016 (the most recent data available), the employment rate of people with developmental disabilities was 14.2%. The employment rate of people with all types of disabilities was 35.0%, and the employment rate of the general population was 76.5%. These rates have remained constant over time.

When looking at the Federal TPSID model, a survey of students that completed a TPSID program published in the Annual Report of the Cohort 2 TPSID Model Demonstration Projects (Year 5, 2019-2020) found that one year after completing the program, 59% of students had a paid job, and 26% of respondents reported they were pursuing further education.

The UC Davis Redwood SEED Scholars Program is the first four-year, residential inclusive college program in California. This is a four-year program dedicated to fully including students with intellectual disabilities onto the campus of UC Davis. It is a collaborative effort between UC Davis and UC Davis Medical Investigation of Neurodevelopmental Disorders (MIND) Institute through the UC Davis Health System. The MIND institution is known for its research in autism and other

intellectual and development disabilities. They welcomed the first cohort of students in fall of 2021. Students take foundational courses created just for them, UC Davis academic courses in their area of interest, develop independent living and communication skills while living in the dorms with other first-year students and have internship and employment opportunities on campus as well.

This bill attempts to create a California specific program by establishing state standards for inclusive college programs in statute. Programs would have to additionally meet the federal criteria and seek federal recognition as a Comprehensive Transition and Postsecondary Program.

- 3) **Academic components of TPSID programs.** Academic components required under the federal grant include, taking credit-bearing courses with students without disabilities, auditing or otherwise participating in courses with students without disabilities for which the student does not receive regular academic credit, taking non-credit bearing, non-degree courses with students without disabilities and participating in internships or work-based training in settings with individuals without disabilities. Students attending a TPSID programs must spend at least 50% of their time in one or more of these academic activities. It appears that the goal is to provide an integrated learning experience; a program may individualize a course of study based on individual students not necessarily degree attainment.
- 4) **Subject to an appropriation of funds.** This bill grants authorization to CSU and the UC to engage in activities that are already within their existing scope of authority. Further, the bill's provisions are subject to an appropriation made by the legislature. If funding is appropriated through future legislation or the budget, act fund recipients may be required to comply with the conditions outlined in the bill.
- 5) **Prior and related legislation**

AB 624 (Grayson, 2023), requires CSU, and requests UC, to cover the costs of diagnostic assessments and any required documentation, as proof for academic accommodations for students with disabilities. AB 624 is scheduled to be heard by this committee on the same day as this bill.

AB 2920 (Arambula, 2022) was nearly identical to this bill. AB 2920 was held in the Assembly Appropriations Committee's suspense file.

SUPPORT

Association of Regional Center Agencies
Down Syndrome Association of Santa Barbara County
East Bay Legislative Coalition
J Gould Consulting

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1275	Hearing Date:	June 21, 2023
Author:	Arambula		
Version:	April 25, 2023		
Urgency:	No	Fiscal:	No
Consultant:	Olgallia Ramirez		

Subject: Community colleges: student-run community college organizations: open meetings: teleconferences.

NOTE: This bill has 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 authorizes the recognized statewide community college student organization and other student-run community college organizations, if specific conditions are met, to use teleconferencing for their meetings without having to post agendas at all teleconferencing locations, identify each teleconference location in the notice and agenda, and make each teleconference location accessible to the public.

BACKGROUND

Existing law:

- 1) Affirms that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny. (California Constitution, Article. I, Section 3(b)(1).)
- 2) Requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (California Constitution, Article. I, § 3(b)(1))
- 3) Establishes the Brown Act, which secures public access to the meetings of public commissions, boards, councils, and agencies in the state. (Government Code (GOV) § 54950 et seq.)
- 4) The Brown Act defines the following relevant terms:
 - a) A "local agency" is a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission, or agency thereof, or any other local public agency. (GOV § 54951)

- b) A “legislative body” is the governing board of a local agency or any other local body created by state or federal statute; a commission, committee, board, or other body of a local agency, as specified; a board, commission, or other multimember body that governs a private corporation, limited liability company, or other entity that is either created by an elected legislative body to exercise delegated authority or receives funds from a local agency and includes a member of the legislative body of the local agency; or the lessee of any hospital leased pursuant to Health and Safety Code section 21131, where the lessee exercises any material authority delegated by the legislative body. (GOV § 54952)
 - c) “Teleconference” to mean a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. (GOV § 54953(j)(6))
- 5) Requires all meetings of the legislative body of a local agency to be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in the Brown Act. (GOV § 54953.)
 - 6) Authorizes the legislative body of a local agency to use teleconferencing, subject to a number of requirements that include posting agendas at all teleconference locations, identifying each teleconference location in the notice and agenda for the meeting or proceeding, making each teleconference location accessible to the public, and requiring at least a quorum of the members of the legislative body to participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, as specified. (GOV § 54953(b)(3))
 - 7) Authorizes, until January 1, 2024, pursuant to provisions of law enacted via AB 361 (Robert Rivas, Chapter 165, Statutes of 2021), a local agency to use teleconferencing without complying with the requirements of 5), above, during a proclaimed state of emergency, as specified. (GOV § 54953(e))
 - 8) Authorizes, until January 1, 2026, pursuant to provisions of law enacted via AB 2449 (Blanca Rubio, Chapter 285, Statutes of 2022), a legislative body of a local agency to use teleconferencing without complying with the requirements of 5), above, subject to multiple conditions and requirements and limited to “just cause” or for emergency circumstances, as specified. (GOV § 54953(f))
 - 9) Requires meetings of the recognized statewide community college student organization to be open to the public and to comply with the requirements of the California Public Records Act and the Brown Act, as specified. (Education Code § 76060.5)

ANALYSIS

This bill:

- 1) Authorizes, until January 1, 2024, the legislative body of a student organization to use teleconference without complying with the requirements to post agendas

at all teleconference locations, identify each teleconference location in the notice and agenda, and make each teleconference location accessible to the public, as described in current law, as long as:

- a) A singular physical location, from which at least a quorum of members of the legislative body participates, is clearly identifiable on the agenda, an agenda is posted at the identified location, and the location is open to the public and situated within the boundaries of the territory over which the student organization exercises jurisdiction.
- 2) Requires the legislative body of the student organization to comply with all other requirements of the Brown Act.
- 3) Defines for purposes of the bill a student organization to mean the statewide community college student organization recognized by the governing board of a community college district or by the Board of Governors of the California Community Colleges or any other student –run community college organization that is required to comply with the meeting requirements of the Brown Act.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “While the Brown Act guarantees the public's right to attend and participate in governing bodies, aspects of current law can threaten safety and accessibility for vulnerable students. In an age where teleconferencing has become increasingly common, many aspects of these laws need updating to adjust to challenges that our students face. Provisions of the Brown Act require individuals who teleconference from home in these meetings to publically release their private addresses. We must protect the safety of students who are disabled, parents, undocumented students, survivors of domestic violence, or a member of any other underserved community, who are particularly vulnerable to having their home locations publically disclosed. The Brown Act has been a landmark policy that ensured open access to government participation, but it is time to update law to reflect modern times and new challenges faced by our vulnerable students. AB 1275 will restore student safety, privacy, and accessibility for students participating in student run community college organizations.”
- 2) **Changes to teleconference rules for student-run community college organizations.** As mentioned in the background of this analysis, existing law requires meetings of the recognized statewide community college student organization to comply with the Brown Act. It further requires, under the Brown Act, a local legislative body that chooses to conduct meetings through teleconferencing to post agendas, identify in the public notice and agenda, and make publicly accessible each teleconferencing location in the prescribed manner. Current law provides some flexibility from these requirements for "just cause," as defined, or for emergency circumstances, as defined, for no more than 20% of regular meetings. This bill attempts to exempt, regardless of having just cause or under emergency circumstances, community college student organizations from teleconferencing open meeting rules applying to each teleconference location, so long as a single physical location, from which a

quorum of the legislative body participates, is used and is open to the public. This principal site must be identified on the agenda, and an agenda must be posted at that location. The bill's provisions are limited to student groups recognized within the California Community College system and for a limited period, until January 1, 2026. Proponents of the measure have raised concerns about the privacy and safety of individual students whose locations are publicly disclosed and accessible to the public when choosing the teleconferencing option.

- 3) **Executive Order N-29-20 suspended portions of the Brown Act.** In March of 2020, the Governor issued Executive Order N-29-20, which stated that, “Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived. All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.”

On February 28, 2023, the state of emergency was officially lifted, bringing an end to the suspension of notice and public access provisions as well as the authorization to hold teleconference meetings. AB 2449 (Blanca Rubio, Chapter 285 of the Statutes of 2022) was subsequently proposed and enacted to extend for a limited time, until January 1, 2026, a narrow allowance for conducting and participating in teleconference meetings. This bill modifies these provisions.

- 4) **Too soon?** AB 2449's provisions took effect this year on January 1, 2023. The implementation of pilot authorization serves as a means to test the feasibility of a policy in a limited capacity and evaluate its potential for long-term adoption. Additionally, the trial phase allows for the identification of areas in need of improvement, which can inform future policy development. This bill makes changes to the pilot authorization soon after taking effect and prior to full implementation. *The committee may wish to consider whether it is prudent to adopt significant changes within one year of implementation or whether urgent changes are necessary to address the needs of statewide and local student organizations.*
- 5) **Arguments in support.** According to the letter of support submitted to this committee from Public Advocates, “During the COVID-19 pandemic, Governor Newsom granted the ability to teleconference under the Brown Act through an Executive Order. While this shift was initially created to adapt to life during the pandemic, the state of emergency was officially lifted on February 28th, 2023. As California continues to move towards a post-pandemic reality, the teleconferencing requirements within the Brown Act have been restored. These

requirements only allow teleconferencing if a quorum of members is in the same location in-person then some may participate via teleconference. This same provision additionally limits teleconference participation to approximately 20% of meetings. This poses a major accessibility concern for students who are disabled or are otherwise unable to participate in the meetings in person due to unreliable access to transportation or limited resources. Additionally, the teleconference location of legislative body members must be identified in the notice and agenda of the meeting and be accessible to the public. Members are additionally required to publicly disclose all individuals over the age of 18 at their remote location and the nature of the member's relationship with such individuals. Such teleconferencing requirements result in inequitable access to student-run legislative bodies and threaten the safety and privacy of students with extenuating circumstances. Vulnerable students, including minors who are dually enrolled in high school and community college, undocumented students, students with disabilities, student survivors of domestic violence, and others may be disincentivized from participating in student-run legislative bodies due to these requirements."

- 6) **Arguments in opposition.** A coalition of organizations, including the Cal Aware, the California Broadcasters Association, the California News Publishers Association, the First Amendment Coalition, the Howard Jarvis Taxpayers Association, and the Journalism Association of Community Colleges, argue, in part, in their opposition letter, "Lawmakers in 2022 passed AB 2449 (Blanca Rubio), amending the Brown Act to give further flexibility to local legislative bodies to allow individual members to participate remotely. Those provisions, which only took effect January 1, 2023, provide members the flexibility to participate remotely for a limited number of meetings so long as "just cause" exists. The legislation recognizes that just cause may exist where a member has caregiving responsibilities, health concerns, or a need to travel out of the jurisdiction on official business of the body. Importantly, the bill required the body to maintain a quorum of members in one physical location accessible to the public inside the jurisdiction. Whenever some members might elect to use teleconferencing to participate remotely, the legislation specifies that the public must also have the ability to access and participate through remote technology."

"AB 2449 by Assemblymember Blanca Rubio was the result of careful negotiations by members of the undersigned coalition less than one year ago. After thoughtful conversations, the resulting legislation, in effect now for mere months, rigorously balanced open-government protections with the desire for members of local bodies to have increased flexibility for remote participation following the COVID-19 era of increased virtual meetings. The hard work that was done last year must be given an opportunity to play out before making additional, and in some cases, drastic changes to the Brown Act. While this bill may expand access for some students or members of the public who wish to participate as a member of a student government body, the cost to democratic principles and public protection is too great."

7) **Prior legislation**

AB 2449 (Blanca Rubio Chapter 285, Statutes of 2022) allows, until January 1, 2026, members of a legislative body of a local agency to use teleconferencing without identifying each teleconference location in the notice and agenda of the meeting, and without making each teleconference location accessible to the public, under specified conditions.

AB 1944 (Lee, 2022) would have allowed, until January 1, 2030, members of a legislative body of a local agency to use teleconferencing without identifying each teleconference location and making it publicly accessible provided at least a quorum of the members of the body participates in person at a singular physical location and meet additional requirements. The bill was held in the Senate Governance and Finance Committee at the request of the author.

AB 2647 (Levine, Chapter 971, Statutes of 2022) allows writings that have been distributed to members of a legislative body of a local agency less than 72 hours before an open, regular meeting to be exempt from specified requirements of the Brown Act if the agency meets certain requirements.

AB 339 (Lee, 2021) would have required, until December 31, 2023, certain city council or county board of supervisors meetings to allow the public to attend and comment via telephone or internet. AB 339 was vetoed by Governor Newsom whose veto message read, in pertinent part;

“While I appreciate the author's intent to increase transparency and public participation in certain local government meetings, this bill would set a precedent of tying public access requirements to the population of jurisdictions. This patchwork approach may lead to public confusion. Further, AB 339 limits flexibility and increases costs for the affected local jurisdictions trying to manage their meetings.

Additionally, this bill requires in-person participation during a declared state of emergency unless there is a law prohibiting in-person meetings in those situations. This could put the health and safety of the public and employees at risk depending on the nature of the declared emergency.

I recently signed urgency legislation that provides the authority and procedures for local entities to meet remotely during a declared state of emergency. I remain open to revisions to the Brown Act to modernize and increase public access, while protecting public health and safety. Unfortunately, the approach in this bill may have unintended consequences.”

SUPPORT

Student Senate for California Community Colleges (Sponsor)
Public Advocates Inc.

OPPOSITION

California Broadcasters Association
California News Publishers Association
Californians Aware
First Amendment Coalition
Howard Jarvis Taxpayers Association

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 535
Author: Irwin
Version: April 5, 2023
Urgency: No
Consultant: Lynn Lorber

Hearing Date: June 21, 2023

Fiscal: Yes

Subject: School accountability: Statewide School Library Lead.

SUMMARY

This bill requires the Superintendent of Public Instruction (SPI) to select an applicant county office of education to serve as a Statewide School Library Lead to work collaboratively with the California Collaborative for Educational Excellence (CCEE) and to establish library and literacy services that support the statewide system of support.

BACKGROUND

Existing law:

- 1) Requires the governing board of each school district to provide school library services for the students and teachers of the district by establishing and maintaining school libraries or by contractual arrangements with another public agency. (Education Code (EC) § 18100)
- 2) Authorizes the county superintendent of schools to, with the approval of the board of supervisors and the county board of education, agree with the county librarian to take over all existing contracts for supplementary books and other material adopted for the course of study between the school districts or community college districts and the county librarian. Requires, thereafter the county superintendent of schools to generally perform such library services for the school districts or community college districts as were theretofore performed by the county library. (EC § 1770)
- 3) Authorizes the California Commission on Teacher Credentialing (CTC) to issue a services credential authorizing service as a library media teacher upon completion of specialized preparation. States that the standards for these credentials are a baccalaureate degree or higher degree from an institution approved by the CTC, a valid teaching credential, and specialized and professional preparation. (EC § 44269)
- 4) Establishes an Expert Lead in Literacy within the statewide system of support. Existing law requires the Expert Lead in Literacy to be a county office of education, selected by the California Department of Education (CDE) in partnership with the CCEE, to support grantees to build statewide professional learning networks and provide technical assistance to increase statewide capacity in implementing effective literacy instruction. (Uncodified; Section 114

of SB 98 (Committee on Budget and Fiscal Review) Chapter 24, Statutes of 2020)

- 5) Establishes the California State Library, under the direction of the State Librarian, and lists among the responsibilities of the office to purchase and maintain materials and equipment as necessary to carry out California State Library programs and services consistent with well-established library standards. (EC § 19320 et seq.)

ANALYSIS

This bill requires the SPI to select an applicant county office of education to serve as a Statewide School Library Lead to work collaboratively with the CCEE and to establish library and literacy services that support the statewide system of support. Specifically, this bill:

- 1) Requires the SPI, by July 1, 2024, to select an applicant county office of education to serve as a Statewide School Library Lead to work collaboratively with the CCEE and to establish library and literacy services that support the statewide system of support.
- 2) Requires the statewide school library lead's duties to include, but not be limited to, all of the following:
 - a) Enhancing the state's investment in literacy and aligning those efforts with the California Comprehensive State Literacy Plan.
 - b) Working collaboratively with local Literacy Lead Agencies, the California Dyslexia Initiative, Comprehensive Literacy State Development Grant recipients, Learning Acceleration System Grant recipients, the California SUMS (Scaling Up Multi-Tiered System of Support Statewide) Initiative, and Reading Instruction and Intervention Grant recipients.
 - c) Working directly with school districts, county offices of education, and charter schools to build capacity to develop excellent school library services and accelerate literacy and learning, including coordinating support, providing direct technical assistance, and delivering professional learning.
 - d) Working with local and regional entities to facilitate the integration of media and information literacy into the curriculum, scale up collaboration and co-teaching with teacher librarians, and promote the role of the Model School Library Standards for California Public Schools in preparing a globally competent workforce.
 - e) Working with local and regional entities to promote school libraries as safe spaces that create a positive school climate, champion intellectual freedom, and support social and emotional learning, mindfulness, and well-being.

- f) Working with local and regional entities to engage with families and communities to better synthesize, integrate, and extend literacy programs in a coherent and comprehensive manner.
- 3) Provides that the implementation of this bill is contingent upon an appropriation for these purposes in the annual Budget Act or another statute.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “School libraries and librarians play a critical role in developing students’ critical thinking skills. Misinformation and ‘fake news’ have the potential to undermine a student’s ability to distinguish the credibility of print and digital media. Library science stresses the value of research and citation, which empowers students to evaluate the print and digital media they consume.

“AB 535 will create a Statewide School Library Lead that will assist educators in developing needed school library services to accelerate literacy and learning, ultimately providing our students with the proper tools needed to build their critical thinking capabilities.”

- 2) ***Statewide system of support and the CCEE.*** The CCEE was established by the Legislature and Governor to advise and assist school districts, county offices of education, and charter schools achieve the goals and objectives in their Local Control and Accountability Plans. It was created as part of the Local Control Funding Formula legislation that redesigned California’s school funding formulas to ensure that there would be sufficient support for students who required additional resources to ensure their success.

The California System of Support is a crucial component of the state’s accountability and continuous improvement system. At its heart, California’s System of Support is focused on improving the outcomes of California’s students. The purpose of California’s System of Support is to build the capacity of local educational agencies (LEAs) in supporting the continuous improvement of student performance in each of the eight state priority areas, and addressing gaps in achievement between student groups.

- 3) ***Expert Lead in Literacy.*** SB 98 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2020, appropriated \$50 million to establish the Early Literacy Support Block Grant Program and requires the CDE to award funds to LEAs with the 75 schools that have the highest percentage of students in grade three scoring at the lowest achievement standard level on the State Summative English Language Arts assessment. SB 98 also appropriated \$3 million to establish an Expert Lead in Literacy within the California Statewide System of Support. The Expert Lead in Literacy must be a county office of education, selected by the CDE in partnership with the CCEE, to support grantees to build statewide professional learning networks and provide technical assistance to increase statewide capacity in implementing effective literacy instruction.

This bill calls for the selection of a county office of education to serve as a

Statewide School Library Lead to work collaboratively with the CCEE and to establish library and literacy services that support the statewide system of support.

- 4) ***Role of the Library Lead in relation to school libraries.*** This bill requires the statewide school library lead's duties to include, among other things:
- a) Working directly with school districts, county offices of education, and charter schools to build capacity to develop excellent school library services and accelerate literacy and learning, including coordinating support, providing direct technical assistance, and delivering professional learning.
 - b) Working with local and regional entities to facilitate the integration of media and information literacy into the curriculum, scale up collaboration and co-teaching with teacher librarians, and promote the role of the Model School Library Standards for California Public Schools in preparing a globally competent workforce.
 - c) Working with local and regional entities to promote school libraries as safe spaces that create a positive school climate, champion intellectual freedom, and support social and emotional learning, mindfulness, and well-being.

This bill does not provide a role for the statewide school library lead to make decisions about curriculum or books contained in local school libraries.

- 5) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose the following costs:
- a) Ongoing Proposition 98 General Fund costs of \$300,000 annually to a selected county office of education to serve as the school library lead agency. This assumes costs for an agency director at about \$220,000 a year, a part-time administrative assistant at about \$40,000, and a budget for grant work of about \$40,000. Grant work could include expenses such as travel costs, conferences, and professional learning.
 - b) Ongoing General Fund costs to the CDE of \$170,000 annually for a staff person to select a grantee and oversee the program at the selected county office of education.

SUPPORT

California Teachers Association (Co-Sponsor)
California Library Association
California School Boards Association
Los Angeles County Office of Education

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 624	Hearing Date:	June 21, 2023
Author:	Grayson		
Version:	June 12, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: disabled student services: assessments.

NOTE: The Rules Committee has requested that this bill be returned if approved by the Committee on Education. A "do pass" motion should include referral to the Committee on *Rules*.

SUMMARY

This bill requires the Trustees of the California State University (CSU) and would request the Regents of the University of California (UC), to cover the costs of diagnostic assessments as proof for academic accommodations for any student who receives student financial aid or who is eligible for financial assistance from the institution's health or disability center. This bill further requires that the Department of Developmental Services (DDS) oversee reimbursement to institutions for their documented costs for diagnostic services.

BACKGROUND

Existing law:

- 1) Makes legislative findings and declarations that set forth the principles for public postsecondary institutions and budgetary control agencies to observe in providing postsecondary programs and services for students with disabilities, including the principle that state-funded activity is directly related to the functional limitations of the verifiable disabilities of the students to be served. Additionally, establishes the intent of the Legislature that, as appropriate for each postsecondary segment, funds for disabled student programs and services be based on three categories of costs, including a continuing variable costs category for services that vary in frequency depending on the needs of students, such as, among other services, diagnostic assessment, including both individual and group assessment not otherwise provided by the institution to determine functional, educational, or employment levels or to certify specific disabilities. (Education Code § 67311)
- 2) Makes, under the Lanterman Developmental Disabilities Services Act, the DDS responsible for providing various services and supports to individuals with developmental disabilities, and for ensuring the appropriateness and quality of those services and supports. (Welfare and Institutions Code § 4500-4501.5)

ANALYSIS

This bill:

- 1) Requires the Trustees of the CSU and requests the UC Regents to, cover the costs of diagnostic assessments for learning disability, including continuing assessments, any required documentation, and individual and group assessments provided by the institution, as proof for academic accommodations for any student who meets either of the following criteria:
 - a) The student receives student financial aid.
 - b) The student is eligible for financial assistance from the institution's health or disability center.
- 2) Requires that state funds be provided annually for the cost of diagnostic services on an actual-cost basis, including wages for the individuals providing diagnostic services and expense for attendant supplies, and requires that each segment be responsible for documenting its costs to the DDS.
- 3) Requires that the DDS oversee reimbursement to institutions for their documented costs.
- 4) Requires that the CSU Trustees and request UC Regents post on its internet website, in a manner that is readily noticeable to students, that it will cover the cost of diagnostic assessments for any eligible student.
- 5) Modifies legislative intent language relating to diagnostic assessments by including costs for continuing assessments, required documentation, and individual and group assessments provided by the institution and expands the purpose of the assessments to include defining specific disabilities of the student and as proof for academic or institutional accommodations.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "Although students with disabilities in higher education are protected by state, federal and local laws that prohibit discrimination, they still face significant barriers to academic success. In addition to the traditional challenges students may have for paying for college in general, students with disabilities may have other unique expenses related to their disability that may impact their ability to attend college and/or be academically successful. While testing accommodations and disability resources are available, students must still obtain their own medical testing and paperwork in order to qualify to receive accommodations on campus. These learning disability assessments can cost thousands of dollars, ranging between \$500-\$2,500, creating an unfair, economic disparity for students who have disabilities. AB 624 expands on the Legislature's intent to promote educational equity and supports students living with disabilities who currently face barriers to academic success. Additionally, the bill requires the Trustees of the California State University and would request the Regents of the University of California, to cover the costs of

diagnostic assessments as proof for academic accommodations for specified students.”

- 2) **Institutions of higher education can require proof but are not required to pay the costs of an assessment.** As noted in the Assembly Appropriations Committee analysis, Federal law, specifically Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, prohibit discrimination on the basis of disability. Section 504 and Title II apply to both K-12 schools and institutions of higher education (IHE). However, unlike a K-12 schools, an IHE is not required to identify a student as having a disability, assess a student’s needs or provide a free appropriate public education to them. Instead, a student with disabilities must inform an IHE of their disability and request supports. An IHE may require a student to provide documentation proving they have a disability. If the documentation a student has does not meet the IHE’s requirements, a student may need to obtain further proof of disability. Once adequate proof of disability is provided to an IHE, federal law requires the IHE to provide supports to a student with disabilities.

According to the U.S. Department of Education, the documentation provided to students with disabilities at their K-12 school, known as an individualized education program or Section 504 plan is generally not sufficient documentation to secure supports at an IHE. This is because of the differences in learning between secondary and postsecondary education may necessitate further assessments.

Current state and federal law does not require an IHE to pay the costs for a student to complete an assessment and obtain necessary documentation to prove their disability and therefore gain supports at the IHE. Students may have health insurance to cover these costs or may apply to the state’s vocational rehabilitation agency to cover costs. In other cases, a student may need to pay for an assessment and associated documents out-of-pocket. The costs of these assessments and documents may cost between \$500 and \$2,500.

This bill would require that CSU and recommend that UC cover the costs of diagnostic evaluations for some financially needy students and pursue reimbursement for said evaluations from the DDS, which are used to establish the necessity for academic accommodations. It further calls for the allocation of state funds on an annual basis to cover the expenses incurred in connection with the provision of services outlined in the bill. These expenses include wages for individuals providing the services. The DDS would manage institutional cost reimbursements.

- 3) **How are special education assessments and services funded for K-12 public school students?** Since the 1970s, federal law has required public schools to provide special education services to students with disabilities that interfere with their ability to learn. Schools in California cover special education costs through a combination of local, state, and federal funding. Schools receive billions of dollars each year (mainly as local general purpose funding from the Local Control Funding Formula) to educate all students, including students with disabilities. Beyond general education costs, schools incur additional costs to

serve students with disabilities (for example, to administer diagnostic assessments and provide specialized instructional support). To help cover these additional costs, schools receive funding from state and federal categorical funding specifically for special education. These fund sources together cover roughly one third of the additional cost of special education services. Schools cover remaining special education costs with their local general purpose funding.

In recent years, the DDS and the California Department of Education have an established partnership to provide early intervention services to children 0-3 years old and special education services to children 3 to 21 years old.

- 4) **Recent amendments trigger re-referral.** This bill was recently amended to require the DDS to facilitate reimbursements for costs incurred by institutions. The Senate Committee on Human Services has jurisdiction over services provided to persons with disabilities and issues affecting DDS. Portions of this bill that impact related matters can be further discussed by the Senate Human Services Committee.

SUPPORT

Generation Up (Sponsor)
California State Council on Developmental Disabilities

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 746	Hearing Date:	June 21, 2023
Author:	Sanchez		
Version:	May 18, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Learning-Aligned Employment Program: eligibility.

SUMMARY

This bill modifies eligibility criteria for the types of entities that may employ students under the learning aligned employment program (LAEP) by permitting public postsecondary educational institutions the ability to employ students in any job that will provide employment experience related to the student's major or opportunities for skill attainment within the students area of study.

BACKGROUND

Existing law:

- 1) Creates the LAEP for the purpose of providing eligible college and university students with the opportunity to earn money to help defray their educational costs while also gaining educational-aligned, career-related experience. The LAEP will be administered by California Student Aid Commission (Commission) in consultation with the Office of the President of the University of California (UC), the Office of the Chancellor of the California State University (CSU), and the Office of the Chancellor of the California Community Colleges (CCC). The UC, CSU, and CCC, who are currently eligible to participate in state-funded student financial aid programs, are eligible to participate in the LAEP and are encouraged to participate. In order to participate, the UC, CSU, and CCC will sign an institutional agreement with the Commission to adhere to the guidance development by the Commission and will only use the funding provided by the LAEP for the intended purposes of the LAEP. (Education Code (EC) § 69950, 60051 and 60052)
- 2) Requires students who participate in the LAEP to only be employed in the following ways:
 - a) By the research centers and institutions operated by either the UC, CSU, or CCC, if the LAEP employment opportunity provides students with direct opportunities to participate in research undertaken by the respective research centers and institutions.
 - b) By public schools operated by school districts, county superintendents of schools, the Department of the Youth Authority, or the California Department of Education.

- c) Nonsectarian, nonpolitical organizations or corporations, whether nonprofit or for-profit enterprises licensed to conduct business in the state that are capable of providing students with full-time employment after graduation or opportunities to connect with other employers capable of providing students with full-time employment opportunities within the student's chosen field of study after graduation. (EC § 69954)
- 3) Requires that a student who wishes to participate in the LAEP program:
- a) Be from an underrepresented background.
 - b) Be enrolled at least half-time at a UC, CSU, or CCC.
 - c) Be a resident as defined by EC § 68000 et seq.
 - d) Demonstrate satisfactory academic progress leading to a degree or certificate as determined by the UC, CSU, or CCC they are attending for purposes of continual eligibility for federal financial aid. Exceptions to this requirement for homeless individuals, as defined, are provided.
 - e) Demonstrate financial need as determined by the financial aid office of the UC, CSU, or CCC they attend. Permits an institution to make adjustments to the student's financial aid package and offer student eligibility to the LAEP if the student or student's family is unable to contribute to the student's total financial resources.
- 4) Requires the UC, CSU, and the CCC to prioritize LAEP employment opportunities to first-generation college students, a current or former foster youth, a homeless or at risk of being homeless student, and to any student who is majoring in a science, technology, engineering, or mathematics discipline. (EC § 69956)
- 5) Establishes additional requirements for job referral and placement of LAEP participating students in employment opportunities to include job placement in areas that provide an educationally beneficial position that relates to the student's area of study, career objectives, or the exploration of career objectives and that the program will include and emphasize placement opportunities for students that will result in their full-time employment or connections with employers that will offer full-time employment after graduation. (EC § 69959)
- 6) Establishes requirements of the UC, CSU, and CCC, who participate in the LAEP. The requirements include but are not limited to areas related to: student employment positions, compensation of students, the requirement for the institutions to maintain all necessary records for the employed student, the ability for the institution to offer academic credit for the work performed in an LAEP position, the possibility of offering LAEP opportunities over the summer, and data compilation and provision of required data to Commission. (EC § (69960 – 69967))

ANALYSIS

This bill:

- 1) Modifies eligibility criteria for the types of entities that may employ students under the learning aligned employment program by removing restrictions for public postsecondary educational institutions to only employ students on campus in research positions and permits public postsecondary educational institutions the ability to employ students in any job that will either:
 - a) Provide employment experience related to the student's major.
 - b) Provide opportunities for skill attainment necessary for employment within their areas of study after graduation.

STAFF COMMENTS

- 1) **Need for the bill.** Current law as it relates to this bill requires students who participate in the LAEP when employed by public higher education institutions to only be employed in research related jobs. According to the author, in part, "not all careers have research or data collection as a skill-set requirement; just as, not every job on campus available to students is misaligned with their field of study and future career goals. For example, California Community Colleges have supervised tutoring jobs available to students. If a student elected to be a supervised tutor, and was on a career path to being a teacher, would this job not align with the Governor's goals for LAEP? One of the unintended consequences of limiting jobs on campus to research positions is the small number of positions available to students. Therefore, the majority of students are required to leave campus for job placements."

The author further asserts, that while this fulfills the idea of fostering integration between the workforce and higher education, it also places an undue burden on students to find transportation to and from their place of employment. If a student is place-bound and unable to find public transportation, they may be utilizing the funds provided by the program intended for basic needs or financial aid on transportation that could have been avoided if the position was available on campus. AB 746 (Sanchez) seeks to eliminate this unintended consequence by enabling CCCs, CSUs, and UCs to employ students on campus in jobs related to their career fields.

- 2) **Program created through 2021 Budget Act.** The Budget Act of 2021 created LAEP and provided \$500 million over two years for the program. The purpose of LAEP is to fund learning-aligned career development for disadvantaged UC, CSU, and CCC students. Funding was disbursed to UC, CSU, and CCC campuses based on each campus' share of the student population who receive a federal Pell Grant. UC received about \$61 million, CSU received about \$160 million, and CCC received about \$277 million. Campuses have until June 30, 2031, to spend the funds.

LAEP funds are to be used to provide up to 90% of an eligible student's compensation for positions of employment at public education institutions or nonprofit corporations; up to 100% of the students' compensation for positions at the UC, CSU, or CCC; and up to 50% of compensation for positions at for-profit employers. Current law limits the positions for which a student may receive compensation at UC, CSU, or CCC to research centers on campus.

Current law specifies that a student must be from an underrepresented background to be eligible for LAEP funding. Current law also require campuses to provide LAEP funding priority to students who are first-generation college students, current or former foster youth, homeless, or at risk of homelessness.

- 3) **Additional safeguards ensure positions have educational value.** This bill attempts to allow non-research-related positions at CCC, CSU, and UC to qualify for LAEP program funding. Arguably, because research opportunities at non-research-based intuitions like the CCCs are limited, these students may not have the same prospects as UC students under the program's current criteria. Although the bill broadens the eligibility pool for other types of on-campus jobs, there are several safeguards in place that remain unchanged to ensure positions are of value to a student's academic career. Current law requires the placement of students in positions that are educationally beneficial or related to their career interests or exploration of career options. Current law also requires CCC, CSU, and UC students who wish to participate in the program to sign an agreement that includes procedures that the institution will use to ensure that each learning-aligned employment position is related to the student's area of study or career interests. This bill additionally requires that employment experience be related to the student's major or provide opportunities for skill attainment necessary for employment within the student's area of study.

SUPPORT

Los Angeles Area Chamber of Commerce

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 787	Hearing Date:	June 21, 2023
Author:	Gabriel		
Version:	March 28, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil instruction: digital citizenship and media literacy: survey.

SUMMARY

This bill requires the State Superintendent of Public Instruction (SPI), as specified, to develop best practices and recommendations for instruction in digital citizenship and media literacy on or before by January 1, 2026 and conduct a survey on or before January 1, 2025, as specified, to understand how schools are currently integrating digital citizenship and media literacy education into curriculum.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires the California Department of Education (CDE) to make available to local educational agencies (LEAs) on its Internet Web site a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers. (EC 51206.4(b))
- 2) "Digital citizenship" means a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior. (EC 51206.4(a)(1))
- 3) "Media literacy" means the ability to access, analyze, evaluate, and use media and encompasses the foundational skills that lead to digital citizenship. (EC 51206.4(a)(2))

ANALYSIS

This bill requires the SPI, as specified, to develop best practices and recommendations for instruction in digital citizenship and media literacy on or before by January 1, 2026, and conduct a survey on or before January 1, 2025, as specified, to understand how schools are currently integrating digital citizenship and media literacy education into the curriculum.

Advisory Committee on Digital Citizenship and Media Literacy Report

- 1) Requires the SPI, in consultation with the State Board of Education (SBE), to identify best practices and recommendations for instruction in digital citizenship and media literacy and shall report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide with the following stakeholders, without compensation, on the advisory committee:
 - a) A statewide association representing county superintendents of schools.
 - b) A statewide association representing school district governing boards.
 - c) Experts in digital citizenship, digital literacy, and media literacy.
 - d) Other stakeholders, including pupils, certificated teacher librarians, parent organizations, diverse current classroom teachers, and school administrators.
- 2) Specifies the best practices and recommendations at a minimum, include instruction that provides guidance about thoughtful, safe, and strategic uses of online and other media resources and education on how to apply critical thinking skills when consuming and producing media in any form, but is not limited to the following:
 - a) Revisions to the state content standards, curriculum frameworks, adopted instructional materials, and the state educational technology plan.
 - b) Existing model policies and procedures on digital citizenship and media literacy.
 - c) School district processes necessary to develop customized school district policies and procedures on electronic resources that can be used within a school district technology plan.
 - d) Best practices, resources, and models for instruction in digital citizenship and media literacy.
 - e) Best practices, resources, and models for instruction that are compliant with the federal Universal Service E-rate program and federal mandates established in the federal Children's Internet Protection Act.
 - f) Strategies that will support school districts in local implementation of the best practices and recommendations developed by the department, including strategies for delivering professional development to educators and school administrators.
- 3) Specifies the meetings of the advisory committee must be consistent with the Bagley-Keene Open Meeting Act.
- 4) Requires the SPI to report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide on or before January 1, 2026.

Survey on How to Integrate Digital Citizenship and Media Literacy into Curriculum

- 5) Requires the SPI, in consultation with SBE, to survey teacher librarians, principals, and technology directors to understand how they are currently integrating digital citizenship and media literacy education into their curriculum in order to determine how teacher librarians, principals, and technology directors can lead, teach, and support digital citizenship and media literacy across all grades and content areas until January 1, 2026.
- 6) Requires the SPI to share the results of the survey with the advisory committee described in #1.

Definitions

- 7) “Digital citizenship” means a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior. Major areas include safety concerns such as cyberbullying prevention, protecting private information online, understanding digital footprints, civil online discourse, and online safety.
- 8) “Media literacy” means the ability to access, analyze, evaluate, develop, produce, and interpret media and encompasses the foundational skills that lead to digital citizenship. Media literacy includes digital literacy, consisting of the skills and perspectives needed to read and write using a range of digital devices, typically in a networked environment.

Findings and Declarations

- 9) Makes findings and declarations related the prevalence of digital media in students lives and declares that it is the intent of the Legislature to provide a process by which pupils, parents, guardians, teachers, teacher librarians, other school employees, school administrators, and community representatives will engage in an ongoing discussion on safe media and technology use, with the goal of establishing digital citizenship and media literacy as part of the state’s basic educational goals and essential academic learning requirements.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author “More than any other time in history, children today have access to a vast amount of easily accessible information, made possible through digital media. This access has created new opportunities for children to interact with education, entertainment, and each other, but also created significantly enhanced risks. Increased digital media use has exacerbated challenges related to cyberbullying, negative body image issues, cheating, depression and anxiety, and misinformation. Digital and media literacy can help prepare young people to safely and effectively navigate the challenges and opportunities that will confront in an increasingly digital world. AB 787 seeks to analyze the current state of digital citizenship and media literacy and bring together stakeholders to create actionable next steps on how we can educate the next generation of Californians on these issues.”

- 2) ***What is Media Literacy?*** According to the National Association for Media Literacy Education, “media literacy is the ability to access, analyze, evaluate and create media in various forms.” The Center for Media Literacy offers another definition: “Media literacy empowers people to be both critical thinkers and creative producers of an increasingly wide range of messages using image, language, and sound. It is the skillful application of literacy skills to media and technology messages.”
- 3) ***Current Media Literacy and Digital Citizenship Provided By CDE.*** CDE has provided a list of resources to help parents, administrators, and students on its website. Below are examples of the content the webpage contains:

Digital Citizenship. According to CDE, “in an effort to lead students in the ever-changing digital world, it is important to help students take ownership of their online and offline lives. This also includes partnering with parents to empower parents and help them make smart choices with their students.” Each year, in January and October, CDE focuses on Digital Citizenship, providing resources for parents, students, and educators information for schools to meet Children’s Internet Protection Act (CIPA) requirements as well as become certified.

Technology Information Center for Administrative Leadership (TICAL). TICAL provides professional development for district and site administrators, linking them with technology to aid in day-to-day operations.

- 4) ***Model School Library Standards for California Schools (2010).*** The California Model School Library Standards for California Schools, adopted by the SBE in 2011, incorporate “information literacy” skills, in which students “learn to access, evaluate, use, and integrate information and ideas found in print, media, and digital resources, enabling them to function in a broadly to include words (whether printed or spoken), visual images (including photographs and artwork), and music. The standards are organized into four concepts (accessing, evaluating, using, and integrating information) which contain standards spanning all of the grades. In the area of evaluating information, students are expected to be able to determine the relevance of information; assess the comprehensiveness, currency, credibility, authority, and accuracy of resources; and consider the need for additional information.

5) **Related Legislation**

AB 873 (Berman, 2023) requires the Instructional Quality Commission (IQC) to consider incorporating the Model Library Standards and media literacy content at each grade level when the ELA/ELD curriculum framework is next revised and media literacy content into the mathematics, science, and History – Social Sciences Framework when those frameworks are next revised after January 1, 2024. This bill is in Senate Education Committee and will be heard June 21, 2023.

SB 830 (Dodd) Chapter 448, Statutes of 2018, required CDE to make available to school districts on its Internet Website by July 1, 2019, a list of resources and

instructional materials on media literacy, including media literacy professional development programs for teachers.

SB 135 (Dodd, 2017) would have required the IQC to develop and the SBE to adopt, reject, or modify a model curriculum in media literacy. The CDE must also make available a list of resources and instructional materials on media literacy.

This bill was held in Assembly Appropriations Committee.

SB 203 (Jackson, 2017) would have required the CDE, on or before December 1, 2018, and in consultation with the SPI and an advisory committee, to identify best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy, and to report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide. This bill was held in Senate Appropriations Committee.

SUPPORT

Common Sense Media (Co-Sponsor)
TechNet (Co-Sponsor)
California Common Cause
Media Alliance

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 789	Hearing Date:	June 21, 2023
Author:	Berman		
Version:	June 8, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: Student financial aid: Cal Grants: satisfactory academic progress

SUMMARY

This bill requires, as part of the criteria to be deemed a qualifying institution of higher education (IHE) under the Cal Grant Program, an IHE, by the 2024–25 academic year, to comply with various requirements regarding “satisfactory academic progress” (SAP) standards used to determine if a student qualifies for a Cal Grant and to develop and implement policies defining SAP in a manner that is consistent with the federal standards.

BACKGROUND

Existing law:

Federal law

- 1) Stipulates that an IHE must establish a reasonable SAP policy for determining whether an otherwise eligible student is making SAP in their educational program and may receive assistance under the Title IV, Higher Education Act (HEA) programs [these are the federal financial aid programs]. The IHE policies are deemed to be reasonable if, in part:
 - a) The policy is at least as strict as the policy the IHE applies to a student who is not receiving assistance under the Title IV, HEA programs.
 - b) The policy provides for consistent application of standards to all students within categories of students, e.g., full-time, part-time, undergraduate, and graduate students, and educational programs established by the IHE.
 - c) The policy provides that a student's academic progress is evaluated:
 - i) At the end of each payment period if the educational program is either one academic year in length or shorter than an academic year.
 - ii) For all other educational programs, at the end of each payment period or at least annually to correspond with the end of a payment period.

- d) The policy specifies the grade point average (GPA) that a student must achieve at each evaluation, or if a GPA is not an appropriate qualitative measure, a comparable assessment measured against a norm; if a student is enrolled in an educational program of more than two academic years, the policy specifies that at the end of the second academic year, the student must have a GPA of at least a "C" or its equivalent, or have academic standing consistent with the IHE's requirements for graduation.
- e) The policy describes how a student's GPA and pace of completion are affected by course incompletes, withdrawals, or repetitions, or transfers of credit from other IHEs. Credit hours from another IHE that are accepted toward the student's educational program must count as both attempted and completed hours.
- f) If the IHE places students on financial aid warning, or on financial aid probation, as, the policy describes these statuses and that:
 - i) A student on financial aid warning may continue to receive assistance under the Title IV, HEA programs for one payment period despite a determination that the student is not making SAP. Financial aid warning status may be assigned without an appeal or other action by the student.
 - ii) A student on financial aid probation may receive Title IV, HEA program funds for one payment period. While a student is on financial aid probation, the IHE may require the student to fulfill specific terms and conditions such as taking a reduced course load or enrolling in specific courses. At the end of one payment period on financial aid probation, the student must meet the IHE's SAP standards or meet the requirements of the academic plan developed by the IHE and the student to qualify for further Title IV, HEA program funds.
- g) If the IHE permits a student to appeal a determination by the IHE that he or she is not making SAP, the policy describes:
 - i) How the student may reestablish his or her eligibility to receive assistance under the Title IV, HEA programs.
 - ii) The basis on which a student may file an appeal: The death of a relative, an injury or illness of the student, or other special circumstances.
 - iii) Information the student must submit regarding why the student failed to make satisfactory academic progress, and what has changed in the student's situation that will allow the student to demonstrate SAP at the next evaluation.
- 2) Stipulates that the following definitions apply to the terms of SAP:

- a) "Appeal" means a process by which a student who is not meeting the IHE's SAP standards petitions the IHE for reconsideration of the student's eligibility for Title IV, HEA program assistance.
 - b) "Financial aid probation" means a status assigned by an IHE to a student who fails to make SAP and who has appealed and has had eligibility for aid reinstated.
 - c) "Financial aid warning" means a status assigned to a student who fails to make SAP at an IHE that evaluates academic progress at the end of each payment period.
 - d) "Maximum timeframe means:"
 - i) For an undergraduate program measured in credit hours, a period that is no longer than 150 percent of the published length of the educational program, as measured in credit hours, or expressed in calendar time.
 - iii) For an undergraduate program measured in clock hours, a period that is no longer than 150 percent of the published length of the educational program, as measured by the cumulative number of clock hours the student is required to complete and expressed in calendar time.
 - iv) For a graduate program, a period defined by the IHE that is based on the length of the educational program.
- 3) Stipulates that a student on financial aid probation for a payment period may not receive Title IV, HEA program funds for the subsequent payment period unless the student makes SAP or the IHE determines that the student met the requirements specified by the IHE in the academic plan for the student. (34 CFR 668.34)

State law

- 4) Establishes the Cal Grant program, administered by the California Student Aid Commission, to provide grants to financially needy students to attend a college or university. The Cal Grant programs include both the entitlement and the competitive Cal Grant awards. The programs consists of the Cal Grant A, Cal Grant B, and Cal Grant C programs; eligibility, in part, is based upon financial need, GPA, California residency, and maintaining SAP, as specified. Defines SAP as the criteria required by applicable federal standards. Maximum Cal Grant award amounts for California State University (CSU) and University of California (UC) are established in the annual Budget Act and have traditionally covered all systemwide tuition and fees. Supplemental Cal Grant awards programs are available to students with dependent child(ren) and former and current foster youth attending CSU, UC, or a California Community Colleges (CCC) to assist with non-tuition costs such as living expenses. (EC § 69430 – 69433 and Sections 69465 - 69470)

- 5) Requires a “qualifying institution”, i.e. an institution able to enroll Cal Grant recipients, to:
 - a) Meet federal financial aid standards.
 - b) Maintain a student loan default rate below 15.5 percent and a graduation rate above 20 percent. (IHEs with 40 percent or less of undergraduates borrowing federal student loans are exempt from these requirements.)
 - c) Report enrollment, persistence, and graduation data for all students and Cal Grant recipients as well as job placement and earnings data for occupational programs. (EC§ 69432.7.)

ANALYSIS

This bill:

- 1) In order to be deemed a qualifying IHE for purposes of Cal Grant eligibility, by the 2024-25 academic year, requires IHEs develop and implement policies defining satisfactory academic progress in a manner that is consistent with the federal standards and requires that IHE also comply with all of the following requirements:
 - a) Set the standards for GPA and pace of completion at the minimum federal standards as determined by existing federal regulations.
 - b) Provide information to students about the IHE’s SAP standards and financial aid appeals process during new student orientation and include student-friendly language on the institution’s internet website, course syllabi, and financial aid award letters regarding the standards and appeals process.
 - c) Notify a student when the student has not achieved the SAP standards following every term of enrollment, regardless of the frequency at which SAP is formally evaluated.
 - d) Evaluate adherence to GPA and pace of completion standards based only on cumulative measures and not on individual term measures.
 - e) Exclude remedial coursework from maximum timeframe calculations if the IHE offers remedial coursework.
 - f) Allow a student who fulfills the terms and conditions of the student’s academic plan to remain on “financial aid probation” as defined by federal regulation, including continuing to receive financial aid for any term for which the student fulfills the terms and conditions of the student’s academic plan.
 - g) Allow a student who changes majors to exclude credits and grades that do not count toward the student’s new major in the SAP determination.

- h) In the case of SAP determination for a transfer student, when calculating maximum timeframe as defined in federal regulations, only include those credits from other IHEs that count towards the students current program of study.
- i) Accept both electronic and hard copy financial aid appeals for any student who is ineligible to receive financial aid due to the determination that the student did not meet SAP where the student is enrolled, subject to all of the following:
 - i) A student who loses financial aid eligibility may submit an unlimited number of appeals during any subsequent term following loss of financial aid eligibility, as specified.
 - ii) A student who previously disenrolled while being ineligible to receive financial aid may appeal the loss of financial aid upon reenrollment, as specified.
 - iii) A student who is ineligible to receive financial aid must be provided written notice of the financial aid appeals process, as specified.
 - iv) In reviewing a student's appeal, the IHEs may consider additional special circumstances and must consider a boarder range of special circumstances, including, death of a relative or other significant person, injury or illness, pregnancy or birth of a child, homelessness, loss of childcare, loss or change in employment, loss of access to transportation, being a victim of a serious crime, or natural disaster.
 - v) A review of a student's appeal and notification to the student of the appeal decision be provided within 45 days of submission of a complete appeal. An IHE is prohibited from disenrolling a student for nonpayment of tuition and fees while the student's appeal is pending.
 - vi) Provision of a second review for an appeal that has been denied, as prescribed.
 - vii) Waive any requirement for third-party written documentation of the special circumstances forming the basis of an appeal if that documentation cannot be reasonably obtained, as specified.
 - viii) IHEs are not required to provide retroactive financial aid for a term preceding the term in which a student reenrolls
- j) Deletes the commission's authorization to adopt regulations defining SAP.
- k) Makes various finding and declarations relating obstacles faced by students who fail to meet SAP standards.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “For college and university students, access to financial aid is key to improving academic outcomes as well as addressing racial inequities and basic needs insecurity. While much attention has been paid to the need to expand financial aid access at the beginning of a student’s academic career, very little attention is given to whether students are subsequently able to maintain financial aid once enrolled. In order to maintain a Cal Grant or federal financial aid, students must meet certain satisfactory academic progress (SAP) standards, governed by federal regulations, such as a minimum Grade Point Average, a maximum timeframe for completion, and a minimum course completion rate. Despite the critical role played by financial aid in college achievement, data shows that sizeable numbers of underrepresented students lose access to financial aid due to SAP standards and it is these already marginalized students who are unlikely to return and achieve their higher education dreams. AB 789 would remove barriers that limit students’ ability to keep their financial aid. It would do this by establishing a common set of standards for SAP, including the appeals process, to ensure that all California students, regardless of the postsecondary educational institution they attend, are provided with the flexibility already allowed under federal law.”
- 2) **Satisfactory Academic Progress.** SAP is a standard that students must meet to receive state and federal financial aid. Federal aid regulations require that all IHEs receiving federal aid have a reasonable SAP policy that specifies what is required of students to maintain financial aid eligibility. The policy must include the following elements:

An evaluation of a student’s academic progress.

Grade point average (GPA) requirement that the student must achieve at each evaluation: Students must maintain a minimum GPA per the policy of the individual IHE, to be set at no lower than 2.0 or achieve a standing consistent.

Progress requirement: Students must make progress towards their degree by completing a minimum percentage of attempted course units. The minimum percentage of units attempted must be successfully completed both cumulatively and by the end of each academic year.

Maximum number of attempted units: Students must complete their degree within a maximum specified amount of attempted course units. It is commonly set at 150 percent of the total unit requirements for the program in which the student is enrolled.

Conditions for placing a student on financial aid probation and financial aid warning and loss of assistance for IHEs that choose to use those statuses.

Conditions for appeal and for reestablishing eligibility for IHEs that permit their students to appeal.

Federal regulations offer a great deal of flexibility to IHEs regarding what factors they deem to be a special circumstance for student that would trigger the appeal process.

- 3) **What happens when a student fails to meet SAP?** State statutes rely on the federal definition of SAP. A student who fails to meet SAP standards could lose eligibility for financial aid. For example, maintaining SAP is a condition for Cal Grant renewal. However, should they fall short, a student may appeal the determination on the basis of injury or illness, death, or other special circumstances, per the IHE's appeals policy. A student may remain on aid despite not meeting standards with a successful appeal. Staff notes that in response to the COVID-19 crisis, the federal CARES Act provides additional flexibilities to IHEs regarding the calculation of SAP, which, in turn, softens standards for students who experience disruptions caused by the crisis. An IHE, without requiring an appeal from a student, may now exclude from an SAP calculation credits that were attempted but not completed.

This bill would codify a common set of standards for the SAP of students attending IHE. These standards seem to be permitted under federal regulations but not required. This measure seeks to help students who are struggling academically maintain their financial aid eligibility and afford students the full flexible allowed under federal regulations.

- 4) **Establishes requirements for appeals policy.** Under federal regulations, there are no requirements related to how the appeals policy is structured. The bill establishes requirements for how an IHE is to communicate its SAP standards and appeals process to students, specifies criteria for handling SAP appeals, and ensures a student with a prior SAP disqualification has the opportunity to regain access to financial aid.

With regard to how IHEs communicate information to students, faculty have control over what information is provided on course syllabi, not IHEs. As such, **staff recommends that the bill be amended** so that instead of having IHEs include the prescribed information in the course syllabi, it requires IHEs to request that the information be included in the course syllabi.

- 5) **Consequences for failing to comply.** Existing law establishes institutional eligibility criteria for participation in the Cal Grant program, including maintaining a specific student loan default rate limit and reporting enrollment, persistence, and graduation data for Cal Grant recipients. These standards were established to address concerns that state funds may be encouraging some students to attend poorly performing schools. This bill introduces new standards for IHEs to maintain Cal Grant eligibility relating to administrative procedures that affect a student's ability to maintain financial aid eligibility. Failure to comply could result in the disqualification of the IHE from the Cal Grant program. If this occurs, students will be unable to use their Cal Grant award at that IHE. The policy's underlying assumption is that IHE can and will make an effort to maintain eligibility because there is greater incentive to participate in the state's largest student aid program. Any addition to these eligibility standards for colleges

participating in Cal Grant programs should be carefully considered to ensure that they warrant the use of the enforcement mechanism for noncompliance.

SUPPORT

California State Student Association (Co-Sponsor)
John Burton Advocates for Youth (Co-Sponsor)
NextGen California (Co-Sponsor)
Southern California College Access Network (Co-Sponsor)
Student Senate for California Community Colleges (Co-Sponsor)
The Institute for College Access & Success (Co-Sponsor)
uAspire (Co-Sponsor)
Unite-LA (Co-Sponsor)
University of California Student Association (Co-Sponsor)
3rd Street Youth Center & Clinic
Alliance for A Better Community
American Association of University Women - California
Asian Americans Advancing Justice-Southern California
Bakersfield College NextUp Program
Beyond Emancipation
Butte College Inspiring Scholars
CA African American Chamber of Commerce
California African American Chamber of Commerce
California Alliance of Caregivers
California Edge Coalition
Camino Nuevo Charter Academy
Campaign for College Opportunity
Children Now
College Access Plan
Community Coalition
Congregations Organized for Prophetic Engagement
Consejo De Federaciones Mexicanas
Doing Good Works
EA Family Services
El Monte Promise Foundation
Empowering Pacific Islander Communities
Faculty Association of California Community Colleges
Families in Schools
First Place for Youth
Fulfillment Fund
Generation Up
Glendale Community College - Student Financial Aid
GO Public Schools
Heart of Los Angeles
Housing Authority of City of Santa Paula
Immigrants Rising
Innecity Struggle
Let's Go to College California

Los Angeles Unified School District
Los Angeles United Methodist Foundation
Merced County Human Services Agency
Motivating Our Students Through Experience
National Association of Social Workers, California Chapter
Norco College - Special Funded Programs
Northern California College Promise Coalition
Operation Jump Start
Our Voice: Communities for Quality Education
Partnership for Los Angeles Schools
Pivotal
Project Soar
Public Advocates Inc.
Puente Learning Center
Reading and Beyond
Rio Hondo College
San Jose-Evergreen Community College District
Sanctuary of Hope
Television Academy Foundation
Transformative Action Institute
United Friends of the Children
Voices
Young Invincibles
Youth Leadership Institute

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 873	Hearing Date:	June 21, 2023
Author:	Berman		
Version:	April 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil instruction: media literacy: curriculum frameworks.

SUMMARY

Requires the Instructional Quality Commission (IQC) to consider incorporating the Model Library Standards and media literacy content at each grade level when the English language arts/English language development (ELA/ELD) curriculum framework is next revised and media literacy content into the mathematics, science, and history-social science curriculum frameworks (H-SS Framework) when those frameworks are next revised after January 1, 2024.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires the California Department of Education (CDE) to make available to local educational agencies (LEAs) on its Internet Web site a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers. (EC 51206.4(b))
- 2) "Digital citizenship" means a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior. (EC 51206.4(a)(1))
- 3) "Media literacy" means the ability to access, analyze, evaluate, and use media and encompasses the foundational skills that lead to digital citizenship. (EC 51206.4(a)(2))

ANALYSIS

Requires the IQC to consider incorporating the Model Library Standards and media literacy content at each grade level when the ELA/ELD curriculum framework is next revised and media literacy content into the mathematics, science, and H-SS Framework when those frameworks are next revised after January 1, 2024.

- 1) Requires the IQC to consider incorporating the Model Library Standards and media literacy content at each grade level when the ELA/ELD curriculum framework is revised after January 1, 2024.

- 2) Requires the commission to consider incorporating media literacy content into the mathematics, science, and H-SS Framework when revised after January 1, 2024.
- 3) Makes findings and declarations related to the importance of media literacy.
- 4) Aligns the definitions of “Media literacy” and “Digital citizenship” consistent with the existing statute.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “Misinformation and disinformation on the internet intensify political polarization, threaten public health, and undermine faith in democratic institutions. As kids spend more time online and get the majority of their news from social media, they need to be equipped to detect, analyze, and evaluate negative or false media messages. AB 873 would ensure that all K-12 students in California are prepared with media literacy skills necessary to safely, responsibly, and critically consume and use social media and other forms of media and information. Media literacy develops students’ critical thinking skills around all types of media, and teaches students to evaluate online information that affects them, their communities, and the world. It includes digital citizenship, which is a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior. The bill follows the lead of a number of other states in integrating media literacy curriculum content into the core subjects so that all students receive this critically important and timely instruction.”
- 2) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the and State Board of Education (SBE) with authority to develop and adopt state curricula and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, creating drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comments. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a general process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools adopt instructional materials aligned to these standards and frameworks. This process occurs on a regular schedule, giving schools a predictable timetable to plan and budget for changes to the curriculum. Local adoption of new curricula involves significant local costs and investment of resources in professional development.

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

Model curricula were first developed in the 1990s to provide educators the means to teach about a topic in an in-depth manner voluntarily. At that time, few Internet

resources were available for this purpose. Until 2016, only two model curricula were required to be developed.

Recent legislation has required the development of numerous model curricula. In 2021, the state changed the process for developing model curricula through the budget. County offices of education (COEs) are now responsible for producing model curricula through open-source, accessible resources available to California schools. The IQC and SBE no longer develop or approves model curricula.

The committee, on March 15, 2023, adopted the joint Assembly and Senate curriculum policy of 2023-24 that discourages the introduction of policy bills that propose to require, or require consideration of, modifications to state curriculum frameworks that specific content to be taught or to require the development of new model curricula. This bill does not violate the joint curriculum policy, as it requires the IQC to consider incorporating the Model Library Standards and media literacy content at each grade level when the ELA/ELD curriculum framework is next revised and media literacy content into the mathematics, science, and H-SS Framework.

- 3) **Model School Library Standards for California Schools (2010).** The California Model School Library Standards for California Schools, adopted by the SBE in 2011, incorporate “information literacy” skills, in which students “learn to access, evaluate, use, and integrate information and ideas found in print, media, and digital resources, enabling them to function in a broadly to include words (whether printed or spoken), visual images (including photographs and artwork), and music. The standards are organized into four concepts (accessing, evaluating, using, and integrating information) that span all grades. In evaluating information, students are expected to determine the relevance of information; assess the comprehensiveness, currency, credibility, authority, and accuracy of resources; and consider the need for additional information.

This bill would require IQC to consider incorporating these existing standards into ELA/ELD curriculum framework.

- 4) **What is Media Literacy?** According to the National Association for Media Literacy Education, “media literacy is the ability to access, analyze, evaluate and create media in various forms.” The Center for Media Literacy offers another definition: “Media literacy empowers people to be both critical thinkers and creative producers of an increasingly wide range of messages using image, language, and sound. It is the skillful application of literacy skills to media and technology messages.”
- 5) **Current Media Literacy and Digital Citizenship Provided By CDE.** CDE has provided a list of resources to help parents, administrators, and students on its website. Below are examples of the content the webpage contains:

Digital Citizenship. According to CDE, “in an effort to lead students in the ever-changing digital world, it is important to help students take ownership of their online and offline lives. This also includes partnering with parents to empower parents and help them make smart choices with their students.” Each year, in January and October, CDE focuses on Digital Citizenship, providing resources for parents,

students, and educators information for schools to meet Children's Internet Protection Act (CIPA) requirements as well as become certified.

Technology Information Center for Administrative Leadership (TICAL). TICAL provides professional development for district and site administrators, linking them with technology to aid in day-to-day operations.

6) **Related Legislation**

SB 830 (Dodd) Chapter 448, Statutes of 2018, required CDE to make available to school districts on its Internet Website by July 1, 2019, a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers.

SB 135 (Dodd, 2017) would have required the IQC to develop and the SBE to adopt, reject, or modify a model curriculum in media literacy. The CDE must also make available a list of resources and instructional materials on media literacy. *This bill was held in Assembly Appropriations Committee.*

SB 203 (Jackson, 2017) would have required the CDE, on or before December 1, 2018, and in consultation with the SPI and an advisory committee, to identify best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy, and to report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide.

SUPPORT

Generation Up (Sponsor)
California Teachers Association
Californians for Civic Learning
Common Sense Media
GetReal
Los Angeles County Office of Education
Media Alliance
TechNet

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 897
Author: McCarty
Version: May 18, 2023
Urgency: No
Consultant: Ian Johnson

Hearing Date: June 21, 2023

Fiscal: No

Subject: Certificated school employees: probationary employees: service credit.

NOTE: This bill has 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: (1) adult education teachers to earn permanent status after a two-year probationary period, and (2) employees hired using "categorical" or restricted state funding to be given specified notifications related to their expected job tenure.

BACKGROUND

Existing law:

- 1) Requires a probationary employee who, in any one school year, has served for at least 75% of the number of days the regular schools of the district in which he is employed are maintained, to be deemed to have served a complete school year. In the case of evening schools, 75% of the number of days the evening schools of the district are in session is deemed a complete school year. (Education Code (EC) 44908)
- 2) States that notwithstanding any other provision to the contrary, any person who is employed to teach adults for not more than 60% of the hours per week considered a full-time assignment for permanent employees having comparable duties shall be classified as a temporary employee, and shall not become a probationary employee. (EC 44929.25)
- 3) Authorizes the governing board of any school district to employ persons possessing an appropriate credential as certificated employees in programs and projects to perform services conducted under contract with public or private agencies, or categorically funded projects which are not required by federal or state statutes. Requires the terms and conditions under which such persons are employed to be mutually agreed upon by the employee and requires such an agreement to be in writing. Prohibits service to be included in computing the service required as a prerequisite to attainment of, or eligibility for, classification as a permanent employee unless such person has served for at least 75% of the number of days the regular schools of the district by which he is employed are maintained and such person is subsequently employed as a probationary employee in a position requiring certification qualifications. (EC 44909)

ANALYSIS

This bill:

- 1) Requires adult education teachers to attain permanent employee status after completing a probationary period akin to general education teachers.
- 2) Specifies that for adult education teachers, 75% of the number of hours constituting a full-time equivalent position for adult education programs in the school district shall be deemed a complete school year.
- 3) Requires employees hired using "categorical" or restricted state funding to be notified of the following at the time of hire: the expected end date of employment, the source of funding, and the nature of the categorically funded program or project.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "All students deserve to be taught by an experienced, high quality educator with a vested interest in the school community. However, current law denies adult education teachers the opportunity to obtain permanent status. They should be guaranteed the same rights and protections that are given to other teachers. By giving adult education teachers a pathway to permanent status, AB 897 will give qualified educators the job security they deserve and ensure that experienced educators are not dismissed unfairly."
- 2) ***Districts can prohibit teachers of categorically funded programs, including adult education, from earning permanent status under existing law.*** In general, adult education has been funded in California by "categorical" or restricted state funding. Currently, these funds are from the "California Adult Education Program (CAEP)" (formerly known as the "Adult Education Block Grant"). This funding distinguishes adult education from K-12 funding, which is not restricted for the most part, and which is also considered part of the constitutionally-mandated "regular" education program of a district.

In a July 7, 2020, court ruling on *United Teachers Los Angeles, et al. v. Los Angeles Unified School District, et al.*, the court concluded, "The simple facts are that (a) adult education is not part of District's regular K-12 responsibilities and (b) sections 8530 and 66010.3 only require District to be responsible for adult instruction to the extent of state support. Adult education is not District's 'regular' work within the meaning of *Kamin and Zalac*. While CAEP's categorical funding may swallow the vast majority of adult education and preclude tenure for an entire field of teachers, this is a policy issue that was addressed in *Zalac*: 'While the increasing use of special educational programs to supplement school district funding may raise questions as to whether the reach of section 44909, and the number of teachers being denied credit towards tenure, is extending farther than desirable, these are questions properly address to the Legislature rather than to the courts. [Los Angeles Unified School District Division of Adult and Career

Education] (DACE) is a categorically funded program not required by state statute under section 44909."

Because of this ruling, existing law has been interpreted as allowing districts to deny permanent status to all teachers of adult education.

- 3) ***Adult education funding history.*** The primary purpose of adult education is to serve as a first point of entry for Californians seeking to acquire basic skills and potentially move into more advanced instruction or the workforce. School districts (through their adult schools) and community colleges are the state's main providers of adult education. The state has funded school districts and community colleges in notably different ways for adult education.

Prior to 2008-09, school district adult education programs had funding caps on the total number of average daily attendance (ADA) they were paid for each year. Per statute (initially adopted in 1979-80), each district's ADA cap was increased by 2.5 percent annually. If a school district failed to reach its cap for two consecutive years, that district's cap would be reduced and the amount of enrollment monies that went unused would be redirected to other districts serving students in excess of their funding caps.

Beginning in 2008-09, the state reduced funding for school districts due to declining revenues. That fiscal year, the state implemented a 15 percent across-the-board cut to most school district categorical programs, including adult education. This cut deepened to 20 percent in 2009-10 and remained at that reduced level in 2010-11 and 2011-12. In a corresponding action reflecting a major departure from earlier budgetary practices, the state allowed school districts to use their adult education funding for any education purpose. The amount of adult education funding that school districts redirected for K-12 purposes varied considerably—from a few districts redirecting no funds to other districts redirecting all their funds.

In 2013-14, the adult education categorical program was subsumed into the Local Control Funding Formula. Further, the budget package included intent language for the Legislature to provide funding to the regional consortia beginning in 2015-16 "to expand and improve the provision of adult education." After giving providers two planning years, the 2015-16 budget created the Adult Education Block Grant—later renamed the CAEP. The state initially provided \$500 million (ongoing Proposition 98 General Fund) for the program, which has grown to nearly \$600 million as of 2022-23.

- 4) ***What protections come with earning permanent employee status?*** Permanent employee status guarantees certificated school employees due process rights if they are dismissed. In the case of dismissal, "permanent employee" status allows employees to request a hearing before a Commission on Professional Competence to decide whether their dismissal was appropriate. Further, a "permanent employee" has the right to request a hearing during a reduction in force.

- 5) ***Arguments in support.*** The California Teachers Association states, "...some educators are denied a pathway to achieve permanent status, including Adult Education teachers. Rather than achieving permanent status, they are re-elected year after year as probationary employees, denying them basic professional rights and due process protections. This bill will ensure more educators have due process rights afforded to permanent employees.

California is experiencing an unprecedented educator shortage, which has been exacerbated by the pandemic. As a result, many school districts rely on teachers with substandard credentials and permits to fill vacant positions, which studies show undermines student achievement. Providing more educators with a fair opportunity to attain permanent status will support a stable, qualified educator workforce. Despite minor costs associated with this bill, all teachers deserve a pathway to permanent status and due process rights and all students should be taught by a qualified educator with a vested interest in the community. This bill will provide more stability for our educator workforce and improve student success."

- 6) ***Arguments in opposition.*** The Association of California School Administrators states, "Probationary periods serve as an important time for new teachers to be supported and receive guidance on how to face the challenges that come with their position. Teachers may not gain the necessary preparation in the proposed abbreviate time period. As a result, they may be less equipped to fulfill their duties. Alternatively, districts could be reluctant to pass probationary employees due to the lack of data for evaluation. Finally, expanding the rights of permanent teachers to all certificated employees will be cost prohibitive as school districts would need to put a dismissal process in place, mirrored for permanent teachers. Those proceedings can range from \$10,000 to over \$100,000 per case, depending on the scope. We also have concerns about the public policy impacts of beginning a process of granting tenure rights to additional positions, particularly in the non-teaching positions that this bill intends to include."

SUPPORT

California Federation of Teachers (co-sponsor)
 California Teachers Association (co-sponsor)
 American Federation of State, County, and Municipal Employees
 California Adult Education Administrators Association
 California Council for Adult Education
 California School Employees Association

OPPOSITION

Association of California School Administrators
 California Association of School Business Officials
 California Association of Suburban School Districts
 California County Superintendents
 California School Boards Association
 Central Valley Education Coalition
 Kern County Superintendent of Schools

Orange County Department of Education
Riverside County Superintendent of Schools

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1106	Hearing Date:	June 21, 2023
Author:	Soria		
Version:	March 30, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: PK-3 early childhood education specialist credential: grant program.

SUMMARY

This bill establishes a grant program for institutions of higher education (IHEs) to establish programs of professional preparation that lead to more credentialed teachers obtaining the pre-kindergarten through grade three early childhood education specialist credential. (PK-3 ECE Specialist Credential)

BACKGROUND

Existing law:

- 1) Requires the Commission on Teacher Credentialing (CTC) to award the following types of credentials to applicants whose preparation and competence satisfy its standards:
 - a) Basic teaching credentials for teaching in kindergarten, or any of grades 1 to 12, inclusive, in public schools in the state.
 - b) Credentials for teaching adult education classes and vocational education classes.
 - c) Credentials for teaching specialties, including, but not necessarily limited to, bilingual education, early childhood education, and special education. The CTC may grant credentials to any candidate who concurrently meets the CTC's standards of preparation and competence for the preliminary basic teaching credential and the preliminary specialty credential.
 - d) Credentials for school services, for positions including, but not necessarily limited to, administrators, school counselors, speech-language therapists, audiologists, school psychologists, library media teachers, supervisors of attendance, and school nurses.
- 2) Authorizes the CTC to issue single subject teaching credentials in agriculture, art, biological sciences, business, chemistry, dance, English, geosciences, health science, home economics, industrial and technology education (ITE), mathematics, music, physics, physical education, science (various subjects), social science, theater, and world languages (English language development and

languages other than English).

- 3) Authorizes the CTC to issue a multiple or single subject teaching credential with a specified concentration in a particular subject based upon the depth of an applicant's preparation in an important subject of the school curriculum in order to ensure excellence in teaching in specific subjects.
- 4) Authorizes the CTC to issue credentials for teaching specialties, including bilingual education, early childhood education, and special education (education specialist). Requires education specialist teaching credentials to be based upon a baccalaureate degree from an accredited institution, completion of a program of professional preparation, and standards that the CTC may establish.

ANALYSIS

This bill:

- 1) Requires the CTC to develop and implement a program to award, on a competitive basis, planning grants of up to \$250,000 each to regionally accredited IHEs for the development of plans to guide the creation of programs of professional preparation that lead to more credentialed teachers obtaining the PK-3 ECE Specialist Credential and a bilingual authorization.
- 2) Requires the CTC to develop and implement a program to award, on a competitive basis, implementation grants of up to \$500,000 each to regionally accredited IHEs for the implementation of programs of professional preparation, that lead to more teachers with the PK-3 ECE Specialist Credential and a bilingual authorization.
- 3) States that a regionally accredited IHE awarded a planning grant may use the grant funds to create a new four-year integrated program of professional preparation, adapt an existing integrated program of professional preparation, or establish a stand-alone program of professional preparation.
- 4) Requires the CTC to give priority to grant applications that propose to allow candidates to earn the PK-3 ECE Specialist Credential and a bilingual authorization at the same time.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "California is home to approximately 2.5 million multilingual learners, more than any other state. Despite the high need, the state is facing a low supply of bilingual educators. 76% of children aged 0-4 in California are children of color and yet only 39% of the current TK-12 workforce are teachers of color (CDE, 2020).

"California has made significant investments towards the goal of expanding transitional kindergarten (TK) to all 4-year-olds in the state by the 2025-26 school year, consistent with the state's Master Plan for Early Learning and Care. The expansion of TK has created demand for new teachers in public school

classrooms. To meet the demand, districts will need to hire between 11,000 and 15,600 TK teachers on top of the state's existing shortage.

"AB 1106 establishes a one-time grant program, administered by Commission on Teacher Credentialing, to IHEs to incentivize development and implementation of the PK-3 ECE Specialist Credential pathway and support program development that is rooted in best practices to support diverse candidates."

- 2) ***PK-3 ECE Specialist Credential.*** According to the CTC, California is making historic investments that will increase access to transitional kindergarten (TK) for all four-year-old children in the state. Recent estimates from the Center for the Study of Child Care Employment at UC Berkeley indicate a need for between 8,000 and 11,000 new teachers in a K-12 system that is already struggling with critical teacher shortages across the state. The proposed PK-3 ECE Specialist Credential is specifically designed and intended to meet this demand for a qualified, diverse workforce of ECE teachers to serve children and their families/guardians from three years to third grade. The proposed credential will provide accelerated pathways for current Multiple Subject Credential holders as well as for Child Development Teacher Permit holders with a bachelor's degree. The PK-3 ECE Specialist Credential is an opportunity to advance best practices in child development in the current TK-12 education system. The PK-3 ECE Specialist Credential is a unique opportunity that has not been available in California for decades and may not be again.

Current early childhood educators who want to work in TK classrooms and those teachers and teachers-to-be who want to teach preschool to grade 3 in public schools are potential candidates for PK-3 ECE Specialist Credential. While Multiple Subject Credential holders are already authorized to serve in grades PK-3, this credential will be available to help them meet a requirement that they complete 24 units of child development or ECE coursework required to teach in TK. This credential will also be an option for Child Development Teacher Permit holders as well as other individuals interested in a career in teaching in ECE who want to teach in grades PK-3. Beginning in early 2023, CTC accredited institutions may apply to offer a PK-3 Specialist Instruction Program.

- 3) ***Learning Policy Institute (LPI) report.*** The LPI's 2016 report, "Addressing California's Emerging Teacher Shortage: An Analysis of Sources and Solutions" included the following summary: "After many years of teacher layoffs in California, school districts around the state are hiring again. With the influx of new K-12 funding, districts are looking to lower student-teacher ratios and reinstate classes and programs that were reduced or eliminated during the Great Recession. However, mounting evidence indicates that teacher supply has not kept pace with the increased demand." The report included the following findings:
 - a) Enrollment in educator preparation programs has dropped by more than 70 percent over the last decade.

- b) In 2014-15, provisional and short-term permits nearly tripled from the number issued two years earlier, growing from about 850 to more than 2,400.
- c) The number of teachers hired on substandard permits and credentials nearly doubled in the last two years, to more than 7,700 comprising a third of all the new credentials issued in 2014-15.
- d) Estimated teacher hires for the 2015-16 school year increased by 25 percent from the previous year while enrollment in the University of California and the California State University teacher education programs increased by only about 3.8 percent.

The LPI report offered several policy recommendations for consideration, including the creation of more innovative pipelines into teaching.

- 4) ***Legislative Analyst Office (LAO) assessment.*** As part of the Proposition 98 Education Analysis for the 2016-17 Governor's Budget released in February 2016, the LAO included a section on teacher workforce trends in which it examined evidence for teacher shortages in specific areas, identified and assessed past policy responses to these shortages, and raised issues for the Legislature to consider going forward in terms of new policy responses. In the report, the LAO indicated that the statewide teacher market will help alleviate existing shortages over time and that the shortages may decrease without direct state action. However, the LAO noted there are perennial staffing difficulties in specific areas, such as special education, math, and science, for which they encouraged the Legislature to address with narrowly tailored policies rather than with broad statewide policies.
- 5) ***Already weak teaching pipeline further damaged by COVID-19 education disruptions.*** A March 2021 report by the LPI raised concerns about the effects of the COVID-19 pandemic on the teacher shortage in California:
 - a) Teacher shortages remain a critical problem. Most districts have found teachers to be in short supply, especially for math, science, special education, and bilingual education. Shortages are especially concerning as a return to in-person instruction will require even more teachers to accommodate physical distancing requirements. Most districts are filling hiring needs with teachers on substandard credentials and permits, reflecting a statewide trend of increasing reliance on underprepared teachers.
 - b) Teacher pipeline problems are exacerbated by teacher testing policies and inadequate financial aid for completing preparation. Many districts attributed shortages to having a limited pool of fully credentialed applicants, with more than half reporting that testing requirements and lack of financial support for teacher education pose barriers to entry into teaching.

- c) Teacher workload and burnout are major concerns. The transition to online and hybrid learning models has had a steep learning curve and poses ongoing challenges that have been a primary contributor to some teachers' decisions to retire earlier than previously planned. With district leaders estimating that teacher workloads have at least doubled, many were concerned that the stressors of managing the challenges of the pandemic on top of the challenges of an increased workload could lead to teacher burnout and increased turnover rates.
 - d) Growing retirements and resignations further reduce supply. In some districts, retirements and resignations are contributing to shortages, while in others, these retirements and resignations offset the need for anticipated layoffs due to expected budget cuts this school year. District leaders anticipate higher retirement rates next year, which could exacerbate teacher shortages.
- 6) **Technical amendments.** The author has proposed, and staff concurs with, the following technical amendments that address concerns expressed by the California Department of Education:
- a) Remove the language about priorities from sections (a) and (b) and instead use sections (e) and (f) to describe the first and second priorities.
 - b) Add linguistically responsive pedagogy in the statutory language for faculty being hired and trained for programs funded through this grant.
 - c) Add language on academic supports and tuition and non-tuition assistance for teacher candidates in the planning grants.

SUPPORT

The Education Trust - West (sponsor)
California Association for Bilingual Education
Californians Together
Catalyst California
EdVoice
Los Angeles County Office of Education
Peach
Unite-LA

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1127	Hearing Date:	June 21, 2023
Author:	Reyes		
Version:	February 15, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Teachers: professional development: Bilingual Teacher Professional Development Program

SUMMARY

This bill extends the performance and reporting period for the Bilingual Teacher Professional Development Program (BTPDP) from 2024 to 2029, and requires the California Department of Education (CDE), when administering the BTPDP, to meet quarterly with grant recipients to share promising practices and resources.

BACKGROUND

Existing law:

- 1) Establishes the BTPDP, to be administered by the CDE, in consultation with the Commission on Teacher Credentialing (CTC). Requires the CDE to issue grants to applicants through a competitive process. Establishes the project performance period for the BTPDP as January 1, 2018, to June 30, 2021. (Education Code (EC) 52202)
- 2) Requires the CDE to allocate grant funding to eligible local educational agencies (LEAs), including county offices of education (COEs), school districts, charter schools, and consortia of LEAs, for purposes of providing professional development services to teachers or paraprofessionals. Requires the CDE to issue a minimum of five grants under the program.
- 3) Makes the following individuals eligible for support under the program:
 - a) Teachers possessing a teaching credential or an education specialist credential and who either:
 - i) Possess an authorization to provide instruction to English learners and have provided instruction solely in English-only classrooms for three years or more; or
 - ii) Are fluent in a language other than English, and are seeking a bilingual authorization; and
 - b) Paraprofessionals who are fluent in a language other than English, and who seek to work with English learners or in a bilingual program, and who

intend to enter a pathway to become a credentialed teacher who holds a bilingual authorization.

- 4) Requires the CDE to ensure that an applicant indicates how it plans to increase the number of teachers who obtain a bilingual authorization as a result of participation in the program and increase the number of teachers with a bilingual authorization who return to teaching in a bilingual or multilingual setting.
- 5) Requires grant recipients, by January 1, 2022, to provide a final report to the CDE on the number of participants who were issued bilingual authorizations, the number of previously authorized teachers who have participated in the program and subsequently returned to bilingual teaching assignments, and the number of teachers who are still working at least 50% of the time in a bilingual setting.
- 6) Requires that public schools ensure that students obtain English language proficiency. Requires school districts to solicit parent and community input in developing language acquisition programs. Requires instruction to ensure English acquisition as rapidly and effectively as possible. Authorizes school districts to establish dual-language immersion programs for both native and non-native English speakers. (EC 305)
- 7) Establishes authorizations for teachers to teach English learners in their primary languages. (EC 44253.4)
- 8) Requires the CTC to develop objective and verifiable standards for an authorization for bilingual-cross-cultural competence for holders of an appropriate credential, certificate, authorization, or permit who will be serving English learners. (EC 44253.7)
- 9) Requires that candidates for the bilingual authorization, by oral and written examination, or by completing an approved program that consists of coursework or a combination of coursework and examinations, demonstrate all of the following:
 - a) Competence in both the oral and written skills of a language other than English;
 - b) Competence in both the oral and written skills in the English language. States that a passing score on the reading and writing portions of the basic skills proficiency test satisfies the written skills portion of this requirement;
 - c) Knowledge and understanding of the cultural and historical heritage of the limited-English-proficient individuals to be served; and
 - d) Ability to perform the services the candidate is certified or authorized to perform in English and in a language other than English. (EC 44253.7)
- 10) Authorizes a teacher who possesses a credential or permit and is able to present a valid out-of-state credential or certificate that authorizes the instruction of

English language learners or to teach in a bilingual setting in students' primary language to qualify for the authorization by submitting an application and fee to the CTC.

- 11) Establishes the Bilingual Teacher Training Assistance Program (BTTP), administered by the CDE in consultation with the CTC and representatives of bilingual educators, for teachers who are granted waivers and who are enrolled and participating in a program leading to a bilingual specialist credential or a certificate of competence for bilingual-crosscultural competence. (EC 52180)

ANALYSIS

This bill:

- 1) Extends the project performance period for the BTPDP grant, from January 1, 2024 to June 30, 2029.
- 2) Extends the dates, from January 1, 2024 to June 30, 2029, by which BTPDP grant recipients must report to the CDE on the number of participants who were issued bilingual authorizations, the number of previously authorized teachers who have participated in the program and subsequently returned to bilingual teaching assignments, and the number of teachers who are still working at least 50% of the time in a bilingual setting.
- 3) Requires the CDE, when administering the BTPDP, to meet quarterly with grant recipients to share promising practices and resources, and to resolve issues of implementation.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "California not only faces a teacher shortage, but a bilingual teacher shortage. If we do not address these two critical issues simultaneously, over 1.1 million English learners in our state will be left without the support they need to succeed. This important measure will ensure some of our most vulnerable students are not left out of the teacher shortage solution."
- 2) ***Results from the first grant cycle of this program.*** The 2017 state budget provided \$10 million for the BTPDP (AB 99, Committee on Budget, Chapter 15, Statutes of 2017). According to the CDE, eight grants of approximately \$625,000 were awarded through the program.

According to the CDE, this program increased the number of teachers issued bilingual teaching authorizations, the number of teachers previously authorized who participate in the program and subsequently returned to bilingual teaching assignments, administrators seeking a bilingual authorization and inclusion in professional learning, and paraprofessionals that received a teaching credential and bilingual authorization. A report on the BTPDP provided by the CDE indicates the following:

- a) Over 400 teachers have received their bilingual authorization.
- b) Over 200 teachers and preservice students are still working on their teaching credential and bilingual authorization.
- c) Over 3,000 teachers and other school personnel were supported through professional learning, community outreach events, coaching, and enrollment in university level courses in bilingual education.
- d) Over 500 paraprofessionals were supported to receive professional learning, coursework towards earning their teaching credential, and support towards earning a bilingual authorization. Some of the programs supported professional learning only and others supported higher education coursework towards a degree and/or authorization.
- e) Over 1,000 administrators and other school staff participated in professional learning, some of whom earned their bilingual authorization as a result.
- f) Over 500 previously authorized teachers participated in professional learning and support services with the intention to remain in or return to a bilingual setting.
- g) Over 200 previously authorized teachers specifically returned to a bilingual setting as a result of participating in this program.

According to the CDE, although the grantees demonstrated high levels of success, each of them mentioned that they could expand their work and outreach further if there were additional funds to continue this program or another one very similar to this one. Each of the grantees have participants still in the process of furthering their education, professional learning, and interest in continuing this program. They also report having new participants interested in participating if new funding becomes available.

- 3) **Arguments in support.** Californians Together writes, “AB 1127 updates the BTPDP by recognizing the creation of Universal Transitional Kindergarten (UTK) and the impact its expansion is having on California’s need for more bilingual teachers for our students in preschool or UTK, while creating a new timeline for grant recipients to report the number of participants affected by the program by 2029. According to a March 2021 study by the Learning Policy Institute (LPI), California continues to experience an ongoing teacher shortage, exacerbated by the COVID-19 pandemic, resulting in more under-prepared teachers teaching California students who would benefit from this program. LPI highlights California’s difficulty in finding teachers for special education, math, science, and bilingual education—categories that have historically had teacher shortages. Compounding the current shortage of bilingual teachers is the interest in and growth of bilingual and dual-language immersion programs in California schools due to the passage of Proposition 58 in 2016, which was supported by 73.52 percent of voters. Districts across the state are also scrambling for bilingual teachers in multiple languages to staff bilingual classrooms where other

languages are taught. This need is specifically seen in California's top five languages (Spanish, Vietnamese, Arabic, Cantonese, and Filipino), as well as a number of other languages. The BTPDP program would increase the capacity of bilingual teachers, thereby supporting LEAs in their quest to hire bilingual teachers for their bilingual and dual-language immersion programs. This is a "win-win" situation for all—for our students, for parents seeking bilingual programs for their children, and for our LEAs."

SUPPORT

State Superintendent of Public Instruction Tony Thurmond (co-sponsor)
California Association for Bilingual Education (co-sponsor)
Californians Together (co-sponsor)
Catalyst California
Los Angeles County Office of Education
Los Angeles Unified School District
Public Advocates Inc.
The Education Trust - West

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No: AB 1138
Author: Weber
Version: June 12, 2023
Urgency: No
Consultant: Lynn Lorber

Hearing Date: June 21, 2023

Fiscal: Yes

Subject: Postsecondary education: sexual assault and sexual violence prevention: transportation services.

SUMMARY

This bill requires the California State University (CSU) and University of California (UC) to include administration of sexual assault forensic medical evidence kits in the services referred or made available to students, or provide free transportation to and from an exam center to administer the sexual assault forensic medical evidence kit.

BACKGROUND

Existing law requires the governing board of each community college district, the Trustees of the CSU, the Regents of the UC, and the governing boards of independent postsecondary institutions, in order to receive state funds for student financial assistance, to:

- 1) Adopt a policy concerning sexual assault, domestic violence, dating violence, and stalking involving a student, both on and off campus. Existing law requires the policy to include specified components. (Education Code (EC) § 67386)
- 2) Adopt detailed and victim-centered policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards. Existing law requires the policies and protocols to cover specified components. (EC § 67386)
- 3) Enter into memoranda of understanding, agreements, or collaborative partnerships (to the extent feasible) with existing on-campus and community-based organizations, including rape crisis centers and domestic violence centers, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, and including resources for the accused. (EC § 67386)
- 4) Implement comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking. Existing law requires a comprehensive prevention program to include a range of prevention strategies, including, but not limited to, empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction. Existing law requires outreach programs to be provided to make students aware of the institution's policy on sexual assault, domestic violence,

dating violence, and stalking. Existing law requires outreach programming to be included as part of every incoming student's orientation. (EC § 67386)

ANALYSIS

This bill requires the CSU and UC to include administration of sexual assault forensic medical evidence kits in the services referred or made available to students, or provide free transportation to and from an exam center to administer the sexual assault forensic medical evidence kit. Specifically, this bill:

- 1) Requires, in order to receive state funds for student financial assistance, the Trustees of the CSU and the Regents of the UC, to the extent feasible, include administration of sexual assault forensic medical evidence kits in the services referred or made available to students.
- 2) Requires, in order to receive state funds for student financial assistance, if the sexual assault forensic medical evidence kit is not administered on campus pursuant to agreements entered into, the Trustees of the CSU and the Regents of the UC to provide to students free of charge, and, to the extent possible, in a manner that protects student confidentiality, transportation to and from a local SAFE or SART exam center for a qualified health care provider to administer the sexual assault forensic medical evidence kit.
- 3) Requires transportation services to be funded by the institution or as part of the services that the rape crisis center provides pursuant to the memoranda of understanding, agreement, or collaborative partnership.
- 4) Authorizes transportation services to include a staff member of a campus health center or a staff member of a local SAFE exam center, SART exam center, or rape crisis center that is under a contract, memoranda of understanding, agreement, or collaborative partnership transporting the student to and from a local SAFE or SART exam center for a qualified health care provider to administer the sexual assault forensic medical evidence kit.
- 5) Prohibits transportation services from including transportation by law enforcement or ride share services.
- 6) Requires, in order to receive state funds for student financial assistance, on or before June 30, 2025, and on or before each June 30 thereafter, the Trustees of the CSU and the Regents of the UC to submit a report to the Legislature on whether their respective institutions have provided transportation to students and the manner in which students received the transportation to a local SAFE or SART exam center for a qualified health care provider to administer the sexual assault forensic medical evidence kit.
- 7) Defines the following:
 - a) "SAFE" means a Sexual Assault Forensic Examination.
 - b) "SART" means a Sexual Abuse Response Team.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Victims of sexual assault should have immediate assistance from organizations dedicated to provide resources and services. But for many college students these resources are not located on campus. Some of the resources can be more than an hour away. This bill would help students who might not have access to a car or reliable transportation, receive the help they need after a sexual assault.”
- 2) ***Expands services to students.*** Existing law requires the governing board of each community college district, the Trustees of the CSU, the Regents of the UC, and the governing boards of independent postsecondary institutions, in order to receive state funds for student financial assistance, to enter into memoranda of understanding, agreements, or collaborative partnerships (to the extent feasible) with existing on-campus and community-based organizations, including rape crisis centers and domestic violence centers, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, and including resources for the accused. This bill adds to those services the administration of sexual assault forensic medical evidence kits, or transportation to and from a center for the administration of a sexual assault forensic medical evidence kit.
- 3) ***Access to sexual assault forensic medical evidence kits.*** Sexual assault forensic evidence kits must be administered by a qualified health care provider. As noted in the Assembly Higher Education Committee’s analysis, while the majority of CSU and UC campuses have a health center, not every campus has a qualified medical examiner on staff who can administer the sexual assault forensic evidence kit.

Existing law requires CSU campuses to provide information on their websites about campus and community resources to those who are victims of sexual violence and sexual assault. While not required by state law, each campus of the UC also provides information on campus and community resources to victims of sexual assault and sexual violence. Furthermore, at each campus of the CSU and the UC, there are designated staff who provide confidential emotional support and assistance to students who are experiencing sexual harassment, sexual assault, or sexual violence. These staff are known as CARE advocates at the UC and as campus advocates at the CSU. Based on the information provided by the CSU and UC, only a few UC campuses offer transportation to students who require a sexual assault forensic evidence kit. Furthermore, the advocates who are provided on campus are not available 24/7 and therefore often address emergency situations such as sexual assaults to the local or campus police force.

- 4) ***Parameters.*** As noted in the Assembly Higher Education Committee analysis, this bill is silent as to how transportation to and from the medical exam can be provided to students in a safe and confidential manner. The bill does not address factors such as what should occur if a student is off-campus and calls for transportation, or what should transpire if the student is suffering from an

injury that requires immediate medical attention, or who is liable if the transporting method is involved in an accident on the way to the medical exam. *To what extent should CSU and UC be responsible for transporting victims of sexual assault?*

- 5) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose the following costs:
- a) Ongoing, General Fund costs to UC to provide transportation to students, including potentially hiring staff to provide transportation to students. Ongoing General Fund costs, likely in the tens of thousands of dollars annually, to the Regents of the UC to collect data from UC's 10 campuses annually and submit a report to the Legislature.
 - b) Ongoing, potentially significant, General Fund costs to CSU to provide transportation to students, including potentially hiring staff to provide transportation to students. Ongoing General Fund costs, likely in the tens of thousands of dollars to low hundreds of thousands of dollars annually, to the Trustees of the CSU to collect data from CSU's 23 campuses and annually submit a report to the Legislature.

SUPPORT

Generation Up (Sponsor)
Alliance for Girls
California Association of Christian Colleges and Universities
California Faculty Association
California Sexual Assault Forensic Examiner Association
California Teachers Association

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1466	Hearing Date:	June 21, 2023
Author:	Weber		
Version:	February 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil discipline: restraint and seclusion: reporting

SUMMARY

This bill requires each Local Educational Agency (LEA), as specified by federal law, to post the same data that LEAs are currently required to share with the California Department of Education (CDE) on their websites related to restraint and seclusion.

BACKGROUND

Existing Law:

Federal Law

- 1) LEA means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary schools or secondary schools. (34 Code of Federal Regulation (CFR) 300.28)

State law

- 2) Requires LEAs that meet the definition of a “local educational agency” specified in Section 300.28 of Title 34 of the CFR to collect and, no later than three months after the end of a school year, report to the CDE annually on the use of behavioral restraints and seclusion for students enrolled in or served by the LEA for all or part of the prior school year. (Education Code (EC) 49006)
- 3) Permits an educational provider from using seclusion or behavioral restraint only to control behavior that poses a clear and present danger of serious physical harm to the student or others that a less restrictive response cannot immediately prevent. (EC 49005.4)
- 4) Requires the information reported to CDE to be disaggregated by race or ethnicity and gender, with separate counts for students with Section 504 plans, Individualized Education Programs (IEPs), and those without IEPs and includes the following:

- a) The number of students subjected to mechanical restraint;
 - b) The number of students subjected to physical restraint;
 - c) The number of students subjected to seclusion;
 - d) The number of times mechanical restraint was used on students;
 - e) The number of times physical restraint was used on students; and
 - f) The number of times seclusion was used on students. (EC 49006)
- 5) States that the data collection and reporting is in compliance with federal data reporting requirements and shall not be construed to impose a new program or higher level of service on LEAs or non-public, nonsectarian schools (NPSs) or nonpublic agencies (NPAs). (EC 49006.2)

ANALYSIS

Requires each LEA, as specified by federal law, to post the same data that LEAs must share with the CDE on their websites related to restraint and seclusion.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Current state law requires local educational agencies to submit their restraint and seclusion data to the California Department of Education annually. AB 1466 strengthens that provision by requiring local educational agencies to post that same data on their website. Increasing transparency and allowing all families to easily access critical data relevant to their children’s school environment.”
- 2) ***When Are Restraint and Seclusion of a Student Permissible?*** According to the the U.S. Department of Education Office (USDOE’s), *Restraint and Seclusion: Resource Document*, “Physical restraint or seclusion should not be used except in situations where the child’s behavior poses an imminent danger of serious physical harm to self or others and restraint and seclusion should be avoided to the greatest extent possible without endangering the safety of students and staff. In addition, schools should never use a drug or medication to control behavior or restrict freedom of movement unless it is (1) prescribed by a licensed physician or other qualified health professional acting under the scope of the professional’s authority under State law; and (2) administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional’s authority under State law.”
- 3) ***Current Reporting Requirement to CDE.*** AB 2657 (Shirley Weber), Chapter 998, Statutes of 2018, requires the CDE to collect and report the data outlined in the statute. This data collection is based, in part, on a similar data collection conducted by the USDOE of Civil Rights (OCR) in which schools are required to report aggregate data to the OCR about the use of restraint and seclusion through the biannual Civil Rights Data Collection (CRDC). The data collection authorized by

AB 2657 differs from the federal CRDC in that it is an annual collection of information about the use of restraint and seclusion in both traditional and NPS settings. While the law did not specify the exact collection methodology, the CDE decided to collect these data at the student level through the California Longitudinal Pupil Achievement Data System (CALPADS). The following information is collected:

- a) The number of students subjected to mechanical restraint;
- b) The number of students subjected to physical restraint;
- c) The number of students subjected to seclusion;
- d) The number of times mechanical restraint was used on students;
- e) The number of times physical restraint was used on students; and
- f) The number of times seclusion was used on students.

Restraint and seclusion data are required to be disaggregated with separate counts for pupils with a plan under Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils with an individualized education program, and pupils who do not have a plan under Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or an individualized education program. While not required by law, the CDE reports these data separately for English learners, socioeconomically disadvantaged students, and migrant, foster, and homeless students.

This bill would require LEAs to post similar information currently submitted to CDE on their website.

- 4) ***Students Restrained or Secluded in California.*** In the 2021-22 school year, the data showed 44881 unduplicated students restrained and 5,137 unduplicated students secluded in all educational environments (public school, NPS, etc.). Some data was redacted for several LEAs to comply with privacy protections in state and federal law.

It is important to note that some data may be redacted to comply with existing privacy requirements to prevent individual students from being identifiable.

5) ***Related Legislation***

AB 2657 (Shirley Weber), Chapter 998, Statutes of 2018, prohibits the use of restraint or seclusion on any student, except in specified circumstances; establishes parameters and procedures for situations in which restraint or seclusion may be used; requires data collection and reporting to the CDE.

SB 483 (Cortese, 2023) would prohibit the use of prone restraint for any period by LEAs, charter schools, the State Special Schools for the Blind and the Deaf, and NPS/A. *This bill is in Senate Education Committee.*

AB 611 (Akilah Weber, 2023) would require that a contracting LEA inform parents and guardians of students who attend a NPS/Aof the change in its certification status within 14 days of becoming aware of any change to the certification status.

AB 1172 (Frazier), Chapter 454, Statutes of 2019, requires that LEAs that send students to non-public NPSs conduct on-site monitoring visits; requires that NPSs notify the CDE of any student-involved incident in which law enforcement is contacted; requires the CDE if an investigation conducted by the CDE results in a finding that student health or safety has been compromised, to suspend or revoke the school's certification immediately; requires that an NPS serving students with significant behavioral needs to have an individual on site who is qualified to implement behavior interventions, and requires that administrators of NPSs hold or be working toward specified credentials or licenses; requires that NPSs train specified staff in evidence-based practices and interventions specific to students' unique behavioral needs.

SUPPORT

Association of Regional Center Agencies
California Association for Behavior Analysis
California Health Coalition Advocacy

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1283	Hearing Date:	June 21, 2023
Author:	Chen		
Version:	May 1, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil health: emergency stock albuterol inhalers.

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

SUMMARY

This bill authorizes a local educational agency (LEA), county offices of education (COE), and charter schools to make available emergency stock albuterol inhalers available at school sites and allows school nurses or trained personnel who have volunteered to administer an albuterol inhaler.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Authorizes a pupil who is required to take, during the regular schoolday, medication prescribed for the pupil by a physician or surgeon, to be assisted by the school nurse or other designated school personnel or may carry and self-administer inhaled asthma medication if the school district receives the appropriate written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil requesting that the school district assist the pupil in the matters set forth in the statement of the physician or surgeon. (EC § 49423.1)
- 2) Specifies in order for a pupil to carry and self-administer prescription inhaled asthma medication, the school district shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer inhaled asthma medication, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction by taking medication pursuant to this section. (EC § 49423.1)

- 3) Establishes the Office of School-Based Health at the California Department of Education (CDE) for the purpose of assisting LEAs regarding the current health-related programs under the purview of the CDE, and requires the scope of the office to include collaborating with the Department of Health Care Services (DHCS) and other departments in the provision of school-based health services, and assisting LEAs with information on, and participation in specified school-based health programs. (EC § 49419)
- 4) Requires the governing board of any school district to give diligent care to pupils' health and physical development and authorizes it to employ properly certified persons to conduct this work. (EC § 49400)

California Code of Regulation (CCR)

- 5) Specifies that school districts are not precluded from utilizing community-based service providers, including volunteers, individuals completing counseling-related internship programs, and state-licensed individuals and agencies to assist in providing pupil personnel services, provided that such individuals and agencies are supervised in their school-based activities by an individual holding a pupil personnel services authorization. (CCR, Title 5, § 80049.1(c))

Government Code (GOV)

- 6) Under the Government Tort Claims Act, specifies rules of civil liability that apply to public entities and public employees in California. (GOV § 810)

ANALYSIS

This bill authorizes LEAs, COEs, and charter schools to make available emergency stock albuterol inhalers available at school sites and allows school nurses or trained personnel who have volunteered to administer an albuterol inhaler. Specifically, this bill:

Public and Private Elementary and Secondary Schools

- 1) Allows each public and private elementary and secondary school in the state to determine whether or not, with no state funds specifically for the purpose, to make available emergency stock albuterol inhalers and trained personnel available at its school based on the emergency medical response time to the school and whether initiating emergency medical services is an acceptable alternative to stock albuterol inhalers and trained personnel.
- 2) Encourages and recommends that each public and private elementary and secondary school in the state have at least two trained school employees available to administer an albuterol inhaler but allows each public and private elementary and secondary school to designate one or more volunteers to receive initial and annual refresher training, as specified, regarding the storage and emergency use of a stock albuterol inhaler from the school nurse or other qualified person designated by an authorizing physician and surgeon.

- 3) Specifies that a school nurse or, if the school does not have a school nurse or the school nurse is not onsite or available, a school employee who has volunteered to administer an albuterol inhaler may administer a stock albuterol inhaler to a person exhibiting potentially life-threatening symptoms of respiratory distress at school or school activity when a physician is not immediately available.
- 4) Specifies if the stock albuterol inhaler is used; it shall be restocked as soon as reasonably possible but no later than two weeks after it is used. Stock albuterol inhalers shall be restocked before their expiration date.
- 5) Requires a school employee who has volunteered to administer an albuterol inhaler to initiate emergency medical services or another appropriate medical follow-up in accordance with the training materials retained by the school.
- 6) Authorizes a state agency, the department, or a public school may accept gifts, grants, and donations from any source for the support of the public school carrying out the provisions of this section, including, but not limited to, the acceptance of stock albuterol inhalers from a manufacturer or wholesaler.

Civil Protections

- 7) Specifies an LEA, COE, or charter school electing to utilize stock albuterol inhalers for emergency aid shall ensure that each employee who volunteers under this section will be provided defense and indemnification by the LEA for any and all civil liability, as specified in Government Code, and should be reduced to writing provided to the volunteer, and retained in the volunteer's personnel file.

Minimum Standards of Training

- 8) Requires the Superintendent of Public Instruction (SPI) to post on the CDE's internet website the minimum training standards for the administration of stock albuterol inhalers every five years, or sooner as deemed necessary by the SPI in consultation with organizations and providers with expertise in administering stock albuterol inhalers and administering medication in a school environment, including, but not limited to, the State Department of Public Health, the Emergency Medical Services Authority, the American Academy of Allergy, Asthma and Immunology, the California School Nurses Organization, the California Medical Association, the American Academy of Pediatrics, the California Society of Allergy, Asthma and Immunology, the American College of Allergy, Asthma and Immunology, and others. The training shall include the following:
 - a) Techniques for recognizing symptoms of respiratory distress.
 - b) Standards and procedures for storing, restocking, and emergency using stock albuterol inhalers.
 - c) Emergency follow-up procedures, including calling emergency 911 telephone number and contacting, if possible, the pupil's parent or guardian and physician.

- d) Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.
 - e) Written materials.
- 9) Specifies training established by the SPI must be consistent with the most recent guidelines for medication administration issued by the CDE, must be provided to a volunteer during the volunteer's regular working hours, and at no cost to the volunteer, and retain written records.

General Provisions

- 10) Requires a qualified supervisor of health at a LEA electing to utilize stock albuterol inhalers for emergency aid to obtain from an authorizing physician and surgeon a prescription, filled by local or mail order pharmacies, or stock albuterol inhaler manufacturers, for each school for stock albuterol inhalers and responsible for stocking the stock albuterol inhalers and restocking it if it is used.
- 11) Clarifies that an authorizing physician and surgeon shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the issuance of a prescription or order related to an albuterol inhaler for school purposes unless the physician and surgeon's issuance of the prescription or order constitutes gross negligence or willful or malicious conduct.
- 12) Specifies that if an LEA does not have a qualified supervisor of health, an administrator at the LEA agency shall carry out the duties of a qualified supervisor of health.
- 13) Requires each LEA, COE, and charter school electing to utilize stock albuterol inhalers for emergency aid shall distribute a notice at least once per school year to all staff that contains the following information:
- a) A description of the volunteer request stating that the request is for volunteers to be trained to administer a stock albuterol inhaler to a person if the person is suffering, or reasonably believed to be suffering, from respiratory distress.
 - b) A description of the volunteer's training.

Definitions

- 14) "Albuterol" means a bronchodilator used to open the airways by relaxing the muscles around the bronchial tubes.
- 15) "Authorizing physician and surgeon" may include, but is not limited to, a physician and surgeon employed by, or contracting with, a LEA, a medical director of the local health department, or a local emergency medical services director.
- 16) "Inhaler" means a device for the delivery of prescribed asthma medication that is inhaled.

- 17) "Local educational agency" means a school district, COE, or charter school.
- 18) "Metered-dose inhaler (MDI)" means a pressurized sprayer that delivers a measured amount of a medication.
- 19) "Qualified supervisor of health" may include, but is not limited to, a school nurse.
- 20) "Respiratory distress" means the sudden appearance of signs and symptoms of difficulty breathing. Signs and symptoms of respiratory distress may include one or more of the following:
 - a) Complaints of a tight chest or chest pain.
 - b) Wheezing or noisy breathing.
 - c) Persistent coughing.
 - d) Difficulty breathing.
 - e) Appears to be in distress.
 - f) Lips or fingernails turning blue.
 - g) Shortness of breath.
- 21) "Stock albuterol inhaler" means albuterol medication in the form of a MDI that is ordered by a health care provider and is not prescribed for a specific person and also includes, if necessary, a single-use disposable holding chamber.
- 22) "Volunteer" or "trained personnel" means an employee who has volunteered to administer stock albuterol inhalers to a person if the person is suffering, or reasonably believed to be suffering, from respiratory distress, has been designated by a school and has received training.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author "Asthma is a problem that effects many children who attend schools in the state. Schools should always be ready when an emergency falls up on a student. If a child has an Asthma attack, there should be someone on campus trained, stocked, and ready to assist. This is what AB 1283 aims to do. We want to make sure that our schools in California are well stocked and prepared to handle this type of emergency."
- 2) ***Asthma In School-Aged Children.*** According to the California Asthma Dashboard, in 2019-2020, an estimated 12% of California children ages 1-17 had been diagnosed with asthma at some point in their lives, a decrease from 16% in 2005. While asthma does not result in hospitalization for most children, there were 7,670 hospitalizations for asthma among children ages 0-17 statewide in 2019.

Asthma is one of the most common chronic diseases among children in the U.S. and a leading cause of pediatric hospitalization. It also is the top reason for missed

school days, accounting for more than 5.2 million absences annually. Asthma rates vary by region, demographics, environment, physician diagnostic practices, and access to care. Although identifying the impact of independent risk factors for asthma is difficult, children of color and those from low-income families are disproportionately at high risk for severe symptoms, missed school days, and hospital visits.

By race and ethnicity, African Americans in California suffer the most severe disparities. Compared to non-Hispanic Whites, asthma prevalence among African Americans is 40% higher, rates of emergency department (ED) visits and hospitalizations are about 4 times higher, and death rates are about 2 times higher. California's American Indian\Alaska Native, Pacific Islander, and Filipino populations also are more adversely affected by asthma compared to non-Hispanic Whites.

- 3) ***The Management Of Asthma In California Schools.*** The California Department of Public Health (CDPH) "Guidelines for the Management of Asthma in California Schools" and "Asthma Action Plan for Schools and Families" assist schools in effectively managing this chronic disease. The "Guidelines for the Management of Asthma in California Schools" were developed jointly by health professionals in the CDE and the California Asthma Public Health Initiative in statewide collaboration with asthma experts and stakeholders.

Further, the asthma program in the CDPH, California Breathing, works to improve the respiratory health of Californians and reduce asthma-related health disparities through education and environmental interventions where we live, work, learn, and play. Strategic Plan guides its work for Asthma in California, a document encompassing all aspects of asthma-related research, policy, and services.

This bill allows trained personnel or school staff who volunteer to administer albuterol inhaler in the event a student is suffering, or reasonably believed to be suffering, from respiratory distress in the similar manner as existing law allows a trained personnel or school staff who volunteer to administer naloxone, anti-seizure medication, and epinephrine.

- 4) **School-Based Health Centers (SBHC).** According to the California School-Based Health Alliance, SBHCs are uniquely situated to bring healthcare professionals and educators together to address the multifaceted needs of children, youth, and families. Some SBHCs serve only students, while others benefit family members or the school community. SBHCs offer a range of health services, with the most common being primary medical services. Many SBHCs play an essential role in managing students' chronic illnesses, such as asthma and diabetes, and in responding to acute injuries or illnesses on campus. Some SBHCs in secondary schools offer reproductive health services, such as abstinence counseling, pregnancy prevention, and STD/HIV testing and treatment. Other services provided by SBHCs include dental care, mental health counseling, and youth development programs. Local school boards give final approval to the services provided by the SBHC. Standard services provided by SBHCs in California, and the percentage of SBHCs offering them, include:

- Medical services 85%;
- Mental health services 70%;
- Reproductive health 60%;
- Dental prevention 65%;
- Dental treatment 35%; and
- Youth engagement programs 51%

California SBHCs are funded through various sources that depend on their lead agencies, student populations, communities, and local resources. These funding sources include reimbursement from Medi-Cal and other third-party payers; local, state, and federal grants; private foundation or corporate grants; subsidies from their lead organizations; donations; and/or in-kind contributions from school districts and other partners.

- 5) ***Committee Amendment.*** The committee recommends, and the author has agreed to, the following amendment:
- a) Provide a local educational agency that elects to utilize stock albuterol inhalers for emergency aid from being liable in a civil action for the administration by its employees.
- 6) **Related Legislation**

AB 738 (Huff) Chapter 132, Statutes of 2015, requires a school district to accept the written statement from a physician who is contracted with a binational health plan for the purposes of authorizing a pupil to carry and self-administer inhaled asthma medication that the pupil is required to administer during the regular schoolday.

AB 2132 (Reyes) Chapter 832, Statutes of 2004, authorizes a pupil to carry and self-administer medication, including inhaled asthma medication or to receive assistance from school personnel, if the school district receives written statements, as specified.

AB 2185 (Frommer) Chapter 711, Statutes of 2004, requires specified health care service plans to provide coverage for equipment for treating pediatric asthma and coverage for pediatric asthma outpatient self-management training and education.

AB 2367 (Chan, 2004) would have required school districts that receive an asthma action plan to maintain the plan on file and provide it to teachers. *This bill was held in Assembly Appropriations Committee.*

SUPPORT

American Lung Association in California
California School Nurses Organization
Health Officers Association of California

OPPOSITION

California Teachers Association

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1370	Hearing Date:	June 21, 2023
Author:	Ta		
Version:	March 28, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: California Community Colleges Economic and Workforce Development Program.

SUMMARY

This bill makes various changes to several provisions of the California Community Colleges (CCC) Economic and Workforce Development Program (EWDP), including repealing the sunset on the current program and repealing the Job Development Incentive Training Program portion of the program.

BACKGROUND

Existing law:

- 1) Establishes the CCC EWDP to, among other things, advance California's economic growth and global competitiveness through education, training, and services that contribute to continuous workforce improvement. Additionally, the CCC EWDP:
 - a) Authorizes the CCC Board of Governors (BOG) of the CCC to award grants and project funds for the program, as specified.
 - b) Establishes the Job Development Incentive Training Program as a component of the CCC EWDP.
 - c) States the intent of the Legislature that the Job Development Incentive Training Program provide training on a no-cost or low-cost basis to participating employers who create employment opportunities at an acceptable wage level for the attainment of self-sufficiency by specified groups.
 - d) Requires the CCC EWDP to be implemented only during those fiscal years for which funds are appropriated for its purposes.
 - e) Repeals the CCC EWDP on January 1, 2025.

ANALYSIS

This bill:

- 1) Revises and recasts some provisions of the EWDP, specifying that the program operate according to certain principals, including:
 - a) Be responsive to the needs of employers, incumbent workers, and students;
 - b) Develop strong partnerships with the private sector, ensuring industry involvement in needs assessment, planning, work-based experiences, and program evaluation; and,
 - c) Adopt continuous improvement processes.
- 2) Revises and recasts some provisions of the EWDP mission statement, as specified.
- 3) Affirms that the CCC BOG may establish an advisory committee for the EWDP, as specified.
- 4) Specifies that, at a minimum, the decision criteria for allocating grants and project funds to colleges will be based on each of the following:
 - a) An assessment of how the funding results in measurable job placement and work-based learning outcomes that are evidence based and scalable for students and dislocated and incumbent workers;
 - b) An evaluation of the relevance of the funding to the labor market needs of the state and relevant region's competitive and emerging industry sectors and industry clusters, or to the state's need to fill skills gaps and skills shortages in the economy, including skills gaps and emergency labor shortages at the state and regional level;
 - c) An assessment of the past performance of the college on student outcomes, as measured based on achievement of the systemwide goals identified in the Vision for Success adopted by the BOG in 2017;
 - d) An assessment of the college's performance on student outcomes and contractual financial management based on previous funding;
 - e) An assessment of the college's past performance on establishing effective and collaborative regional partnerships with key stakeholders, including, but not limited to, other colleges within the defined region, local workforce investment boards, economic development organizations, adult education providers, and other organizations with related career mobility missions;
 - f) An assessment of the grantee's capacity to identify, collect, analyze, disaggregate, and interpret relevant labor market information, wage data, college performance, and student-centered data to inform decision-making and equity-centered results.

- g) An assessment of the college's capability to identify effective partner organizations and contractually manage subawards in order to reach stated student-centered outcomes and overall performance.
- 5) Specifies that the CCC Chancellor's Office must provide systemwide oversight and assessment of the economic and workforce development program, and will evaluate projects and programs to assess whether awardees achieved their stated student-centered outcomes and the overall effectiveness of the projects and programs.
- 6) Establishes that the CCC chancellor may establish program requirements, awardee eligibility requirements, and performance standards in the administration of the economic and workforce development program, and distribute funds as appropriate to implement the program.
- 7) Declares that the CCC chancellor may provide technical assistance to community colleges for the purpose of improving the data and outcomes of their proposals.
- 8) Requires the CCC chancellor, in awarding funds, to take into account colleges serving economically disadvantaged students in economically distressed urban and rural areas.
- 9) Revises and recasts various definitions.
- 10) Establishes that EWDP centers and CCC participation in industry-driven regional collaboratives may provide specified services and functions as participants of networks.
- 11) Repeals the Job Development Incentive Training Program.
- 12) Requires the CCC chancellor to implement funding analysis and performance accountability outcome measures for the economic and workforce development program, as specified.
- 13) Repeals the January 1, 2025, EWDP sunset.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "AB 1370 would modernize the [CCC EWDP] and prioritize equitable student outcomes, work-based learning, and career and economy mobility. AB 1370 ultimately would put the money that's currently allocated to this program to modernize this program and give students the tools to choose to go into a workforce that is in great need of new workers."
- 2) ***Vision for success and the Governor's Roadmap.*** In 2017, the CCC BOG adopted the Vision for Success, a comprehensive framework to improve student outcomes by closing achievement gaps, increasing degree and certificate attainment, increasing transfers to four-year institutions, reducing excess unit accumulation by students, and provides the necessary skills for gainful

employment. The Vision for Success has acted as the foundation supporting financial and educational decisions of the system to produce student-driven results. Incorporated within the Vision for Success was the implementation of Guided Pathways across all community college campuses.

The Vision for Success included the following five primary goals:

- a) Increase completion of degrees, credentials, and job-specific skill sets by 20% by 2022.
- b) Increase transfers to the University of California (UC) and California State University (CSU) by 35% by 2022.
- c) Decrease the average number of units accumulated by associate degree earners to 79 units by 2022 (down from an average of 87 units in 2017).
- d) Increase the number of exiting Career Technical Education students employed in their field of study to 76% by 2022 (up from 60% in 2017).
- e) Reduce equity gaps by 40% across all of the above measures by 2022, and fully close those gaps by 2027; including regional gaps.

Governor Newsom and the CCC Chancellor's Office entered into a multi-year roadmap containing mutually prioritized goals, expectations, and accompanying outcome measures. These expectations are modeled after the Vision for Success, and include:

- a) Increase the percentage of students earning degrees, certificates and specific skill sets for in-demand jobs by 20% by 2026.
- b) Increase the percentage of TK-12 students who graduate with 12 or more college units earned through dual enrollment by 15%.
- c) Focus on establishing or expanding programs that address workforce needs in healthcare, climate action, education, and early education.
- d) Increase the number of transfers to the UC or CSU in proportion to enrollment growth in those systems.
- e) Annually publish, for all colleges, the 2-year associate degree graduation rate and the share of first-time students who have successfully completed at least 30 units before entering their second year, disaggregated for underrepresented and Pell students.
- f) Establish pathways in those fields from high school through university, including development of Associate Degree for Transfer and transfer pathways along with dual enrollment opportunities that ensure transfer of community college credits toward degree programs.

- g) Decrease the median units to completion in excess of 60 by 15% of the units, and establish systemwide stretch goals regarding the number of students completing or transferring within the minimum amount of time necessary.
 - h) Establish a baseline for credit for prior learning (CPL) offerings and increase these offerings annually. Increase systemwide access and enrollment into direct-assessment competency based education (CBE) programs by 15%.
 - i) Improve systemwide graduation rates, transfer rates, and time to completion among underrepresented, Pell Grant recipients, and disabled students to meet the average of all students by 2026.
 - j) Close equity gaps in access to dual enrollment programs.
 - k) Increase the percentage of completing students who earn a living wage by 15%.
- 3) ***Arguments in support.*** The Student Senate for the California Community Colleges writes, “AB 1370 requires the effective use of data to guide the EWD Program’s work and help it grow California’s middle-class. A data-informed approach will assist employers in need of skilled workers, and will allocate resources to fill high-demand occupations, particularly in moments of emergency labor shortages. We support AB 1370’s commitment to put data at the center of the EWD Program so that it is focused on both present and future market needs.”

“This bill will better connect students, employers, and workers to each other in the communities where they live. Under AB 1370, regional centers will work with small businesses and employers to enable greater competitiveness and career mobility, not just for students, but also for dislocated and incumbent workers in a modern economy, including through remote employment and networking opportunities.”

SUPPORT

Office of Lieutenant Governor Eleni Kounalakis
 California Chamber of Commerce
 North Orange County Community College District
 Pasadena Area Community College District
 San Jose-evergreen Community College District
 Student Senate for California Community Colleges

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair
2023 - 2024 Regular

Bill No:	AB 1473	Hearing Date:	June 21, 2023
Author:	Maienschein		
Version:	May 1, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: School curriculum: health framework: physical education framework: compression-only cardiopulmonary resuscitation: automated external defibrillators.

SUMMARY

This bill requires the Instructional Quality Commission (IQC) when the Health and physical education Framework is next revised after January 1, 2024, to consider increasing content related to instruction in performing compression-only cardiopulmonary resuscitation (CPR), including the use of an automated external defibrillator (AED).

BACKGROUND

Existing Law:

Education Code (EC)

- 1) If the governing board of a school district or the governing body of a charter school requires a course in health education for graduation from high school, the governing board of a school district or the governing body of a charter school shall include, commencing with the 2018–19 school year, instruction in performing compression-only CPR. (EC 51225.6 (a))
- 2) The adopted course of study shall provide instruction at the appropriate elementary and secondary grade levels and subject areas in personal and public safety and accident prevention, including emergency first aid instruction, instruction in hemorrhage control, treatment for poisoning, resuscitation techniques, and CPR when appropriate equipment is available; fire prevention; the protection and conservation of resources, including the necessity for the protection of our environment; and health, including venereal disease and the effects of alcohol, narcotics, drugs, and tobacco upon the human body. (EC 51202)
- 3) A public school may solicit and receive nonstate funds to acquire and maintain an AED. (EC 49417(a))
- 4) The governing board of a school district or the governing body of a charter school is encouraged to provide to pupils general information on the use and importance of an AED. (EC 51225.6(c))

- 5) Commencing July 1, 2019, if a school district or charter school elects to offer any interscholastic athletic program, the school district or the charter school shall acquire at least one AED for each school that participates in the program within the jurisdiction of the school district or the charter school. (EC 35179.6(b)(1))

ANALYSIS

This bill requires the IQC when the Health and physical education Framework is next revised after January 1, 2024, to consider increasing content related to instruction in performing compression-only CPR, including the use of an AED.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author “Sudden cardiac arrest is the number one killer of student athletes and leading cause on school campuses. Alarming, 70% of Americans feel helpless to act during a cardiac emergency because they do not know how to perform CPR. AB 1473 would require the IQC to consider increasing and including instruction related to the use of CPR and AED training during the next revision of Health and physical education frameworks.”
- 2) ***How Curriculum, Standards, Frameworks, and Model Curricula Are Created and Adopted.*** The Legislature has vested the IQC and State Board of Education (SBE) with authority to develop and adopt state curricula and instructional materials. The IQC develops curriculum frameworks in each subject by convening expert panels, developing drafts, and holding public hearings to solicit input. Changes are frequently made in response to public comments. The SBE then adopts the frameworks in a public meeting. The SBE also adopts, in a public process, instructional materials aligned to those frameworks for grades K-8. School district governing boards and charter schools adopt instructional materials aligned to these standards and frameworks. This process occurs on a regular schedule, giving schools a predictable timetable to plan and budget for changes to the curriculum. Local adoption of new curricula involves significant local costs and investment of resources in professional development.

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

Model curricula were first developed in the 1990s to provide educators the means to teach about a topic in an in-depth manner voluntarily. At that time, few Internet resources were available for this purpose. Until 2016, only two model curricula were required to be developed.

Recent legislation has required the development of numerous model curricula. In 2021, the state changed the process for developing model curricula through the budget. COEs are now responsible for producing model curricula through open-source, accessible resources available to California schools. The IQC and SBE no longer develop or approves model curricula.

The committee on March 15, 2023, adopted the joint Assembly and Senate curriculum policy of 2023-24 that discourages the introduction of policy bills that propose to require, or require consideration of, modifications to state curriculum frameworks to require that specified content be taught or to require the development of new model curricula. This bill does not violate the joint curriculum policy as it requires the IQC to consider including information related to CPR and the use of an AED in the next revision of the Health Framework.

- 3) **The Health Framework Mentions CPR, But Not The Use of AEDs** The health education standards shape the direction of health education instruction for children and youths in California's public schools: they provide local educational agency with fundamental tools for developing health education curricula and improving student attainment in this area, and they help ensure that all students in kindergarten through high school receive high-quality health education instruction, providing students with the knowledge, skills, and confidence to lead healthy lives. Health education has undergone a paradigm shift over the last 15 years. Data from national and state surveys, including the California Healthy Kids Survey, indicated that although youths knew what was harmful to their health, they did not have the skills to avoid risky behaviors. The current Health Education Framework, adopted by the SBE in 2019, contains numerous references to CPR, and notes in the 7th-8th grade section:

Prompt initiation of CPR by trained bystanders can double survival rates. Research confirms that schools are able to offer CPR to students despite time and budget constraints (Hoyme and Atkins, 2017). California Education Code Section 51225.6 supports students learning hands-only (chest compressions-only) CPR at the high school level, but CPR training can be provided to students in grade levels seven and eight. Schools and districts should consider providing funding for this potentially life-saving instruction.

In the 9th to 12th grade section, the Framework notes:

In districts that require students to complete a health education course to graduate from high school, student must receive CPR instruction prior to high school graduation. Districts are encouraged to provide training to all students even if the district is not required to by statute. Contact local chapters of such organizations as the American Red Cross or the American Heart Association and your local emergency medical service providers who may be able to provide CPR training at low or no cost. A credentialed school nurse or other school staff member may also be able to provide CPR training if they are certified to teach CPR.

The use of AEDs are rarely mentioned in the Health Framework. In the elementary grades, the Health Framework encourages schools to teach students where the nearest AED is located and how to retrieve it. There is no mention of AEDs or education in their use in the secondary grades.

Current law also permits school districts to establish local graduation requirements that exceed the state's. Some school districts, like the Los Angeles Unified School

District, require a course in health for graduation. No statewide data is collected on the number of school districts that require a health course.

4) Related Legislation

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

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

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

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

SUPPORT

American Heart Association
California Teachers Association
Los Angeles County Office of Education
Sudden Arrhythmia Death Syndromes Foundation
1 individual

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1503	Hearing Date:	June 21, 2023
Author:	Lee		
Version:	February 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: Pupil attendance: excused absences: religious retreats.

SUMMARY

This bill extends the excused absences for a pupil to attend a religious retreat from four hours (half day) to one day (full day).

BACKGROUND

Existing Law

Education Code (EC)

- 1) Clarifies that excused absences are deemed to be absences in computing average daily attendance (ADA) and shall not generate state apportionment payments. (EC § 48205)
- 2) Provides a list of reasons that constitute an excused absence, which include, among others that the absence of a student is to be excused when the absence is due to any of the following:
 - a) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health; quarantine under the direction of a county or city health officer; have a medical, dental, optometric, or chiropractic services during school hours.
 - b) For the purpose of attending the funeral services of a member of the pupil's immediate family or spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services.
 - c) Jury duty or justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.
 - d) Attending a naturalization ceremony to become a United States citizen; participating in a cultural ceremony or event.

- e) A middle school or high school pupil engaging in a civic or political event provided that the pupil notify the school ahead of the absence. (EC § 48205)
- 3) Provides that a valid excuse may include other reasons that are within the discretion of school administrators and based on the facts of the pupil's circumstances. (EC § 48260)
- 4) Clarifies each person between the ages of 6 and 18 years subject to compulsory full-time education and each person subject to compulsory continuation education must attend the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district where the parent or guardian is located. (EC § 48200)

ANALYSIS

This bill extends the excused absences for a pupil to attend a religious retreat from half day to a full day.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "California is home to the most diverse population in the nation and became the first to become a "minority-majority" state in 2000. With a broad and diverse range of religious traditions and faiths, our state's schools should better accommodate excused absences for religious reasons. AB 1503 is an attempt to recognize the State's rich diversity by providing students a full-day excused absence for any religious reason. Every student, regardless of their background, should be able to spend quality time with their families, and celebrate long-lasting traditions.
- 2) ***Unexcused Absences Trigger Truancy Provisions.*** While excused and unexcused absences may be treated the same for funding purposes, they are not treated the same for attendance purposes. A student absent from school without a valid excuse on any day or tardy for more than 30 minutes, or any combination thereof, for three days in a school year is considered a truant. By adding to the list of excused absences from school that a pupil is excused from school to receive services or to attend a funeral or grieve, this bill could reduce the number of unexcused absences and therefore reduce the number of trancies.
- 3) ***Excused Absences Do Not Generate ADA.*** In California, school funding is primarily calculated using ADA. Each time a student is absent, that absence negatively impacts the local educational agency (LEA's) ADA, ultimately reducing their overall funding. While each absence may be insignificant relative to overall funding levels, absences affect overall funding in the aggregate. Under current law, all absences, whether excused or unexcused, reduce overall ADA.
- 4) ***Chronic Absenteeism.*** The table below represents the chronic absentee data from the 2018-19 and 2021-22 school years (SY). The data shows significant differences amongst racial/ethnic groups, comparing the percentages of absences designated as excused vs. unexcused and in the overall average number of

absences. The data shows that while unexcused and excused among race and ethnicity have primarily decreased slightly across the board, the average days absent have increased by 6.9% statewide.

Race/Ethnicity	Avg. Days Absent		Excused %		Unexcused%	
	2018-19 SY	2021-22 SY	2018-19 SY	2021-22 SY	2018-19 SY	2021-22 SY
African American	13.2%	22.3%	38.1%	35.5%	52.7%	48.2%
American Indian or Alaska Native	13.6%	23.4%	45.2%	42%	43.9%	42.9%
Asian	6.2%	9.6%	66.3%	65.6%	31%	28.4%
Filipino	7.3%	11.2%	64.2%	67.5%	32.1%	26.3%
Hispanic or Latino	10.3%	18.3%	51.1%	49.2%	42.7%	40.2%
Pacific Islander	12.3%	21.4%	49.1%	47.7%	44.9%	42.2%
White	9.1%	14.3%	64%	58.8%	29.4%	32.7%
Two or More Races	9.3%	14.9%	58.4%	56.8%	33.5%	33.5%
Not Reported	10.3	16.7%	50.8%	50.1%	38%	38.6%
Statewide	9.8%	16.7%	54.1%	51.3%	39.5%	38.6%

NOTE: As a result of the statewide physical school closures that occurred in February/March 2020 due to the COVID-19 pandemic, the California Department of Education (CDE) has determined that the 2019–20 absenteeism data are not valid and reliable for the 2019–20 academic year; therefore, the CDE has not processed this data and are unavailable for public release (Source: CDE – Data Quest).

For the first time in November of 2020, the CDE released statewide absenteeism data that provides information about the types of reasons students are absent. This data is disaggregated by race/ethnicity, gender, program subgroup, and grade span for multiple academic years. The reports also include filters that allow the data to be viewed along various dimensions, including by school type (charter and non-charter schools), alternative and traditional schools, chronically absent and non-chronically absent students, and gender.

According to the CDE, the absentee by reason report categories are excused absences, unexcused absences, absences due to out-of-school suspension, and incomplete independent study absences. Even if a student has excused absences, they are considered chronically absent if they miss 10 percent of the days they were expected to attend school.”

5) Related Legislation

SB 350 (Ashby, 2023) Adds, to the list of excused absences from school, that a pupil can be excused from school 1) the ability to miss school to receive victim services, grief support services, or attend safety planning, as specified; and 2) to

attend a funeral or to grieve for no longer than five days, as specified. *This bill is in Assembly Education Committee.*

SB 955 (Leyva), Chapter 921, Statutes of 2022, permits students in grades 6 – 12 to have one excused absence per year to participate in a civic or political event.

SB 14 (Portantino), Chapter 672, Statutes of 2021, includes, among other things, “for the benefit of the behavioral health of the pupil” within the “illness” category for excused absences for purposes of school attendance.

AB 516 (M. Dahle), Chapter 281, Statutes of 2021, added participation in a cultural ceremony or event to the list of reasons that a pupil must be excused from school.

AB 2289 (Weber and Gonzalez Fletcher), Chapter 942, Statutes of 2018, require, among other things, parenting pupils to be excused from school without a doctor's note for the purpose of caring for their sick children or attending their children's medical appointments.

AB 1593 (Obernolte and Alejo), Chapter 92, Statutes of 2016 permits a pupil's attendance at his or her naturalization ceremony to become a United States citizen to be deemed an excused absence for purposes of computing average daily attendance.

SUPPORT

California Association of Private School Organizations
California Catholic Conference

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair

2023 - 2024 Regular

Bill No:	AB 1543	Hearing Date:	June 21, 2023
Author:	Mike Fong		
Version:	February 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Lynn Lorber		

Subject: Community colleges: student representation fees.

SUMMARY

This bill requires \$1 of the existing \$2 community college student representation fee (unless a student refuses to pay all or part of the fee) to be used to establish and support the operations of local student body organizations that may be stating their positions and viewpoints before city, county, and district governments, and before offices and agencies of state government.

BACKGROUND

Existing law:

- 1) Authorizes the governing board of a community college district to authorize the students of a college to organize a student body association. Existing law requires the association to encourage students to participate in the governance of the college and authorizes the association to conduct any activities, including fundraising activities, as may be approved by the appropriate college officials. Existing law authorizes the association to be granted the use of community college premises and properties without charge, subject to any regulations that may be established by the governing board of the community college district. (Education Code (EC) § 76060)
- 2) Requires, if a student body association has been established at a community college, a student representation fee of \$2 to be collected by the officials of the community college, together with all other fees, at the time of registration or before registration and be deposited in a separate fiduciary fund established per the California Community Colleges Budget and Accounting Manual for student representation fees. Existing law requires the money collected to be expended to provide support for governmental affairs representatives of local or statewide student body organizations who may be stating their positions and viewpoints before city, county, and district governments, and before offices and agencies of state government. (EC § 76060.5)
- 3) Requires that \$1 of every \$2 fee collected be expended to establish and support the operations of a statewide community college student organization, recognized by the Board of Governors (BOG) of the California Community Colleges, with effective student representation and participation in state-level community college shared governance and with governmental affairs

representatives to advocate before the Legislature and other state and local governmental entities. (EC § 76060.5)

- 4) Authorizes a student to refuse to pay the student representation fee, and requires the community college to provide the student a means to refuse to pay the student representation fee on the same form that is used for collection of fees, which, as determined by the community college, shall be as nearly as practical in the same form as a model form prescribed by regulations of the BOG. (EC § 76060.5)
- 5) Requires collected fees to be annually distributed to the BOG before February 1, and requires the BOG to have custody of the moneys and, each year by April 15, distribute the moneys to the recognized statewide community college student organization if the recognized statewide community college student organization satisfies all of the following:
 - a) Is established as a legal entity registered with the Secretary of State.
 - b) Demonstrates compliance with all applicable state and federal laws and reporting requirements.
 - c) Exercises prudent fiscal management by establishing generally accepted accounting controls and procedures.
 - d) Completes an annual independent financial audit and provide results to the BOG. (EC § 76060.5)
- 6) Requires the community college district to annually prepare a summary of all revenue collected from the student representation fee and the expenditures of the proceeds of the student representation fee. Existing law requires the summary to include the amount distributed to the BOG each year. Existing law requires the summary to be presented at the community college district board meeting each year and posted to the community college district internet website. (EC § 76060.5)
- 7) Authorizes the community college district to retain a portion of the fees collected and deposited that is equal to the actual cost of administering these fees up to, but not more than, 7 percent. (EC § 76060.5)

ANALYSIS

This bill:

- 1) Requires \$1 of the existing \$2 community college student representation fee to be used to establish and support the operations of local student body organizations that may be stating their positions and viewpoints before city, county, and district governments, and before offices and agencies of state government.

- 2) Authorizes a student to refuse to pay the \$2 student representation fee and authorizes a student to refuse to pay either \$1 portion of the \$2 student representation fee.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Community college students currently pay a \$2 student representation fee to support the work of both a statewide and a campus-based student organization, with \$1 allocated to the statewide student association and \$1 allocated to the campus-based student body association. If a student does not wish to support either organization, they must opt out of the entire fee. Students should have the opportunity to choose which organization they want their fee dollars to support. AB 1543 will provide students the choice to opt out of either \$1 portion of the student representation fee. This will provide students more choice and greater transparency around how their fee dollars are spent.”
- 2) ***How are the collected fees currently used?*** As noted in the Assembly Higher Education Committee analysis, every single community college has an active student body organization on campus. Established in 2006, the Student Senate for the California Community Colleges operates in conjunction with local student body associations to provide an avenue by which students can participate in the formation of state policies including governance and legislative advocacy. AB 1358 (P. Fong), Chapter 714, Statutes of 2013 established in code the statewide student organization for the community colleges (the Student Senate) and provided a funding mechanism to support the student organization. The governing board of the student senate is the Board of Directors whose membership includes executive officers, ten regional affairs directors, and ten regional legislative affairs directors.

In 2013, the student representation fee was increased to \$2; \$1 of that fee was allocated to the operations of the Student Senate. However, the fees allocated to the Student Senate were only from student representation fees adopted after January 1, 2014. From 2013 to 2019, only 11 out of the existing 115 community colleges had implemented a student representation fee, resulting in roughly \$0.03 per student. In 2019, AB 1504 (Medina), Chapter 523, Statute of 2019, sought to rectify this inequity, by requiring half of the student representation fee, regardless of the year established, to be provided directly to the Student Senate. That bill also deleted the requirement for the student body of campus to hold an election to determine whether a student fee would be charged and instead, the fee would be charged at any community college with a student body association.

While AB 1504 (Medina) retained the ability for a student to “cancel” the charge of the student representation fee, the cancellation extended to both portions of the fee; the local and statewide portions. This bill seeks to return an element of choice to the student by allowing the student discernment in electing to cancel either a portion of the student representation fee or the entire student representation fee. Furthermore, this bill provides additional clarity in how the student representation fee will be used by re-introducing language that requires half the fee to be given to the statewide student body association and the other

half to the local student body association.

- 3) **Author's amendments.** The author has proposed, and staff concurs with, the following amendments:
- a) Clarify that a student may refuse to pay the \$2 fee, or either \$1 portion of the \$2 fee beginning with the 2024-25 academic year.
 - b) Clarify that the model form to opt out of the fee is prescribed by regulations of the office of the Chancellor of the California Community Colleges (rather than regulations of the BOG).
- 4) **Technical amendment needed.** page 3, line 4, reinsert "to" as described below:
“(3) Fees collected pursuant to this subdivision shall be”
- 5) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill would impose:
- a) One-time Proposition 98 General Fund costs of between \$134,780 and \$329,130 for 115 community colleges to update their policies and procedures regarding the collection of the Student Representation Fee.
 - b) The Chancellor's Office estimates costs of \$1,172 and \$2,862 in workload costs per college, based on the costs for similar requirements

SUPPORT

Student Senate for California Community Colleges (Sponsor)
California Community Colleges Chancellor's Office
California Teachers Association

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Josh Newman, Chair
2023 - 2024 Regular

Bill No:	AB 1605	Hearing Date:	June 21, 2023
Author:	Gallagher		
Version:	April 17, 2023		
Urgency:	No	Fiscal:	Yes
Consultant:	Kordell Hampton		

Subject: High schools: military services: United States Space Force.

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

SUMMARY

This bill further defines "Uniformed Services" and "military services" to include "Space Force" and prohibits a local education agency (LEA), county office of education (COE), and charter school offering instruction in any of grades 9 to 12 that provides on-campus access to employers from excluding access to the military services.

BACKGROUND

Existing Law:

Education Code (EC)

- 1) Requires each school district to offer instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, shall not prohibit access to the military services. (EC 49603(a))
- 2) Ratifies the Interstate Compact on Educational Opportunity for Military Children to, among other things, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for removing barriers to their educational success due to the frequent moves and deployment of their parents. The compact defines "Uniformed Services" to mean the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the United States Public Health Services. (EC 49701)
- 3) Defines "a pupil who is a child of a military family" as a school-aged child who is living in the household of an active duty service member. This is the same definition used in current law for purposes of the Interstate Compact on Educational Opportunity for Military Children. (EC § 49701, 51225.1, and 51225.2)
- 4) Requires LEAs), including charter schools, to exempt a student of a military family who transfers between schools any time after the completion of the student's second year of high school from all coursework and other requirements that are in

excess of state graduation requirements, unless the school district makes a finding that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school. (EC § 51225.1)

- 5) Establishes the Interstate Compact on Educational Opportunity for Military Children, which addresses educational transition issues of children of military families. (EC § 49700, et seq.)

ANALYSIS

This bill further defines "Uniformed Services" and "military services" to include "Space Force" and prohibits a LEA, COE, and charter school offering instruction in any of grades 9 to 12 that provides on-campus access to employers from excluding access to the military services.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "AB 1605 is a common-sense bill that updates California Education Code to include the U.S. Space Force. This will ensure that California students have access to all the opportunities the military offers, including unique STEM career paths, and that military families with Space Force members can fully benefit from the military interstate compact. This is a small but important step toward supporting our military and their families."
- 2) **What is Space Force?** According to the United States Space Force (USSF) website, "The U.S. Space Force was established on Dec. 20, 2019, when the National Defense Authorization Act was signed into law, creating the first new branch of the armed services since 1947. The establishment of the USSF resulted from widespread recognition that space is a national security imperative. When combined with the growing threat posed by strategic competitors in space, it became clear that there was a need for a military service focused solely on pursuing superiority in the space domain. While the Space Force is the newest service, the U.S. Air Force has been working in the space domain since 1982, when the Air Force Space Command was activated. It provided military-focused space capabilities with a global perspective to the joint warfighting team until the standup of the Space Force. Investments in space capabilities have increased the effectiveness of operations in every other domain. The U.S. military is faster, better connected, more informed, more precise and more lethal because of its ability to harness space effectively. The Space Force organizes, trains and equips personnel in order to protect U.S. and allied interests in space and to provide space capabilities to the joint forces. To that end, the Space Force manages space launch operations at the East and West Coast Space Launch Deltas. These bases provide services, facilities and range safety control to conduct DOD, NASA and commercial space launches"

This bill updates the definition of "uniformed services" and "military services" to include "Space Force," a new branch that was officially established on Dec. 20, 2019.

- 3) ***Students of military families in California.*** According to the U.S. Department of the Navy, California is home to the largest number of military children, with nearly 58,000 children. Further, the United States Department of Defense states that, “As military Service members and their families move from state to state, providing smooth educational transitions for their children is key to eliminating one of the largest concerns their parents face. Military families transfer duty stations, on average, every two to four years, resulting in military children changing school systems a total of six to nine times before they graduate.”
- 4) ***Interstate Compact on Educational Opportunity for Military Children.*** The United States Department of Defense, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, developed the Interstate Compact on Educational Opportunity for Military Children (Compact) to address educational transition issues of children of military families.

The goal of the Compact is to ensure that the children of military families are afforded the same opportunities for educational success as other children, and are not penalized or delayed in achieving their educational goals. States participating in the Compact work to coordinate graduation requirements, transfer of records, course placement, and other administrative policies. According to the Department of Defense, all 50 States and the District of Columbia participate in the interstate compact. California adopted the Compact in the state’s Education Code in 2009. The Compact addresses a number of topics, including:

- a) Timely enrollment.
- b) Transfer of school records.
- c) School placement.
- d) Eligibility for enrollment and participation in school programs, athletics, and extracurricular activities.
- e) On-time graduation.

The Compact does not speak generally to the right of students to remain in their schools of origin when their parents’ residence changes, but does state that a transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

A 2014 review of the implementation of the Compact in California by the CDE found variations in implementation across districts. The report suggested that California undertake a more comprehensive effort to ensure that school district personnel and military families are maximally familiar with the provisions of the Compact so that its provisions are applied consistently. The report also found that California’s membership in the Compact has substantially aided both school districts and military families by alleviating many of the educational difficulties

military children encounter in their frequent moves from a school in one state to a school in another state.

5) Related Legislation

AB 2949 (Gloria) Chapter 327, Statutes of 2018 requires that a student who is the child of a military family be allowed to remain in his or her school of origin and to matriculate with his or her peers in accordance with the established feeder patterns of school districts.

AB 365 (Muratsuchi) Chapter 739, Statutes of 2017 extends to students from military families certain rights regarding exemptions from local graduation requirements and acceptance of partial credit which are currently afforded to other groups of highly mobile students.

SB 455 (Newman) Chapter 239, Statutes of 2017 establishes that a student whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order has complied with the residency requirements for school attendance in any school district.

AB 2306 (Frazier) Chapter 464, Statutes of 2016 requires school districts to exempt former juvenile court school students who transfer into school districts after their second year in high school from local graduation requirements that exceed those of the state and requires a COE to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school.

AB 306 (Hadley) Chapter 771, Statutes of 2016, prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to a school in any school district if the school district to which the parents of the pupil applies approves the application for transfer.

SUPPORT

None received

OPPOSITION

None received

-- END --