California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

# **MEMORANDUM**

**DATE:** June 23, 2022

**TO:** MEMBERS, State Board of Education

**FROM:** TONY THURMOND, State Superintendent of Public Instruction

**SUBJECT:** State Legislative Update, Including, but not Limited to, Information on the 2021–22 Legislative Session

## Summary of Key Issues

The California Department of Education (CDE) Government Affairs Division has identified bills that may affect policy related to the State Board of Education (SBE). Inclusion in this list does not constitute an SBE or State Superintendent of Public Instruction (SSPI) position for the legislation.

## Attachment(s)

Attachment 1: Legislative Update (9 pages)

# **Attachment 1: Legislative Update**

**These bills address relevant policy areas and/or impact the role of the State Board of Education (SBE). Inclusion in this list does not constitute an SBE or State Superintendent of Public Instruction (SSPI) position for the legislation.**

**The status of each bill is provided as of June 20, 2022.**

## Accountability and School Improvement

**AB 2121 (Garcia, Eduardo) – School accountability: California Collaborative for Educational Excellence: special education resource leads**

This bill would authorize county offices of education and consortia of county offices of education to be eligible for selection to serve as special education resource leads pursuant to the existing process established by the California Collaborative for Educational Excellence.

Senate Appropriations Committee

**SB 3 (Caballero) – Local Control and Accountability Plan Portal**

This bill would require the CDE to design and implement a Local Control and Accountability Plan (LCAP) portal by July 1, 2023. The portal is intended to collect and make available data collected from LCAPs. Specifically, the portal would be required to have the following functionalities:

* Identify the local education agency (LEA) actions that supported local goals for each state priority
* Support community engagement by providing standardized and customizable query tools for parents and education partners
* Provide information to the Legislature and Administration on whether Local Control Funding Formula (LCFF) supplemental and concentration grant funds are being used to increase and improve services as required by statute

Assembly Education Committee (two-year bill)

**SB 997 (Pan) – Local control and accountability plans: parent advisory committee: student advisory committee**

This bill would require school districts serving middle or high school students and county offices of education (COEs) to either include two students on an existing parent advisory committee or establish a student advisory committee to develop and adopt the LCAP.

Assembly Education Committee

## Assessments

**AB 2774 (Weber) – Education finance: local control funding formula: supplemental grants: lowest performing pupil subgroup or subgroups.**

Augments the definition of "unduplicated pupil" for LCFF purposes by adding a pupil who is classified as a member of the lowest-performing subgroup or subgroup commencing with the 2023–24 fiscal year.

Senate Education Committee

## Career Technical Education

**AB 2058 (O’Donnell) – Career technical education: California Career Technical Education Incentive Grant Program: Strong Workforce Program**

This bill would provide, for the 2022–23 fiscal year, and each fiscal year thereafter, that $450 million shall be made available to the CDE upon appropriation by the Legislature for the program. In addition, the bill would reduce the proportional match for the 2022–23 fiscal year, and each fiscal year thereafter, to $1 for regional occupational centers or programs operated by a joint powers authority or those operated by COEs, and to $1.50 for LEAs. This bill would also require the SSPI to establish, in collaboration with the executive director of the SBE, a stakeholder workgroup on or before September 30, 2022, to consider and provide recommendations on methods to simplify the allocation of funding under the program and maximize career technical education opportunities for pupils, as provided, and to report those recommendations to the policy and fiscal committees of the Legislature, the Department of Finance, and the Governor by March 30, 2023.

Senate Education Committee (Urgency Clause)

## Charter Schools

**AB 2484 (Bonta) – Charter School Facility Grant Program**

This bill would change the program requirements of the Charter School Facility Grant Program when related parties own the facilities used by charter schools, and changes the procedures for any remaining net assets after a charter school closes.

Senate Education Committee

## Early Education

**SB 70 (Rubio) – Elementary education: Kindergarten**

This bill would, beginning with the 2024–25 school year, require a child to have completed one year of kindergarten before being admitted to the first grade at a public elementary school.

Assembly Appropriations (two-year bill)

**SB 976 (Leyva) – Universal Preschool Act**

This bill would establish a free universal preschool system by expanding access to the California State Preschool Program to all three- and four-year-old children, regardless of family income, and expands the types of childcare providers who may be eligible to offer state preschool.

Assembly Human Services Committee

**AB 22 (McCarty) - California Longitudinal Pupil Achievement Data System: Data Collection**

This bill would require transitional kindergarten and preschool pupil data to be collected in the California Longitudinal Pupil Achievement Data System (CALPADS) as a separate program from kindergarten. It would also require the collection of teacher data for transitional kindergarten to align with what is already collected from educators in the K–12 classroom setting.

Senate Education Committee

## English Learners

**AB 1868 (Rivas) – School accountability: English language acquisition status: data**

This bill would the CDE to annually report on its website specified data on English learners (ELs), including enrollment data by English language acquisition status and disability and specified student performance and outcome data by English language acquisition status.

Senate Appropriations Committee

## Fiscal and Funding

**AB 2774 (Weber) – Education finance: local control funding formula: supplemental grants: lowest performing pupil subgroup or subgroups**

This bill would augment the definition of "unduplicated pupil" for LCFF purposes by adding a pupil who is classified as a member of the lowest-performing subgroup or subgroups, based on the most recently available mathematics or English language arts results on the California Assessment of Student Performance and Progress (CAASPP), commencing with the 2023–24 fiscal year.

Senate Education Committee

**SB 309 (Leyva) – A–G Completion Improvement Grant Program**

This bill would create the A-G Completion Improvement Grant Program to provide additional support to LEAs to help increase the number of high school students graduate meeting A-G subject matter requirements.

* Funds would be required to be used for activities that directly support pupil access to and completion of A-G subject matter requirements.
* The bill would also require COEs and charter schools serving students in grades 7 through 12 to include A-G subject matter requirements.
* The bill requires reporting on the impact of these funds to be reported to CDE and SBE.

Assembly Education Committee (two-year bill)

**SB 830 (Portantino) – Education finance: additional education funding**

This bill would define “average daily membership” as the quotient of the aggregate enrollment days for all pupils in a school district, COE, or charter school, from transitional kindergarten to grade 12 divided by the total number of instructional days for the LEA in an academic year. The bill would require an LEA’s average daily membership to be calculated using data from the same fiscal year or years that the LEA used to calculate its ADA for purposes of state apportionment. For any fiscal year before the 2022–23 fiscal year for which average daily membership data is not available, the bill would require the SSPI to use an LEA’s census day enrollment count.

Assembly Education Committee

## Professional Learning and Evaluation

**AB 2565 (Rubio) – School employees: professional development: mathematics and science**

This bill would require the SSPI, in consultation with the executive director of the SBE, to designate at least one COE to serve as the fiscal agent for the California Partnership for Math and Science Education (CAPMSE) and to allocate $62 million over three fiscal years to CAPMSE to support professional development to strengthen the statewide infrastructure and capacity to support teacher professional development in science and mathematics.

Senate Education Committee

## School Climate and School Safety

**AB 452 (Friedman) – Pupil safety: parental notification: firearm safety laws**

This bill would require a school district, county office of education, and charter school to inform parents and guardians of pupils at the beginning of each semester or quarter of the regular school term of California’s child access prevention laws and laws relating to the safe storage of firearms.

Senate Floor

**AB 2598 (Weber) – Pupil rights: restorative justice practices**

This bill would require the CDE, by June 1, 2024, to consult with stakeholders to develop and post evidence-based best practices for restorative justice practice implementation on a school campus for use by LEAs to improve campus culture and climate.

Senate Education Committee

**SB 906 (Portantino) – School safety: mass casualty threats**

This bill would require LEAs to annually provide information to parents or guardians about California’s child access prevention laws and laws relating to the safe storage of firearms. The bill would also require school officials to report to law enforcement any threat or perceived threat of an incident of mass casualties; and would require law enforcement or the school police to conduct an investigation and threat assessment, including a review of Department of Justice’s firearm registry and a search of the school and/or students’ property by law enforcement or school police.

Assembly Appropriations Committee

**SB 1273 (Bradford) – School safety: mandatory notifications**

This bill would eliminate criminal penalties for “willful disturbance” of a school or school meeting for students and grants a school principal discretion to report an incident to law enforcement if it does not include a firearm and weapon, as specified.

Assembly Public Safety and Education Committees

## Special Education

**SB 291 (Stern) – Advisory Commission on Special Education: pupil advisory council**

This bill would add youth representation to the Advisory Commission on Special Education by providing two additional appointments by the SBE. The appointments would be two pupils with exceptional needs who are 16 to 24 and would serve a one-year term.

Assembly Appropriations Committee

**SB 1016 (Portantino) – Special education: eligibility: fetal alcohol spectrum disorder**

This bill would require the SBE to include “fetal alcohol spectrum” in the definition of “other health impairment” in regulations adopted by the SBE.

Assembly Education Committee

## Standards, Curriculum Frameworks, and Instructional Materials

**AB 1718 (Boerner Horvath) – Elementary and secondary education: visual and performing arts and world languages: instructional materials: professional development**

This bill would require the SSPI, subject to an appropriation of one-time funds for this purpose in the Budget Act or another statute, to allocate funding for the purchase of standards-aligned instructional materials in visual and performing arts and world languages in kindergarten and grades 1 through 12, and for professional development in those subjects. The bill would state the intent of the Legislature that these materials and professional learning opportunities reflect the cultural diversity of the state and of the world, consistent with state law, and that the professional learning opportunities be of high quality.

Senate Education Committee

**AB 1939 (Rivas, Luz) – Pupil instruction: science requirements: climate change**

This bill would require the science instruction to include an emphasis on the causes and effects of climate change and methods to mitigate and adapt to climate change. The bill would require that appropriate coursework including this material be offered to pupils as soon as possible, commencing no later than the 2023–24 school year.

Senate Education Committee

**AB 2051 (Cunningham) – Pupil instruction: financial literacy: instructional materials: professional development**

This bill would require the SSPI to allocate funding to school districts, COEs, charter schools, and the state special schools to purchase standards-aligned instructional materials in financial literacy for kindergarten and grades 1 to 12 and for professional development in that content.

Senate Education Committee

**AB 2215 (Rubio) – Pupil instruction: financial education**

This bill would require the CDE to develop, among other things, curriculum, instructional materials, and professional development resources related to personal finance topics.

Senate Education Committee

**AB 2284 (Gabriel) – Pupil instruction: digital literacy and media literacy grant program**

This bill would, subject to an appropriation, require the SSPI to allocate funding to school districts, county offices of education, charter schools, and the state special schools for the purchase of standards-aligned instructional materials in media literacy and digital literacy for kindergarten and grades 1 to 12, and for professional development in that content.

Senate Education Committee

**SB 1363 (Nielsen) – Adopted course of study: Asian Americans and Pacific Islanders**

This bill would encourage the instruction in the social sciences area of study to include Asian American and Pacific Islander individual and community contributions.

Assembly Education Committee

## Other Notable Bills

**AB 1810 (Levine) – Pupil health: seizure disorders**

This bill would, if a pupil diagnosed with seizures, a seizure disorder, or epilepsy has been prescribed an emergency anti-seizure medication by the pupil’s health care provider, authorize the pupil’s local educational agency, to designate one or more volunteers at the pupil’s school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication. The bill would require the SSPI to establish minimum standards of training for the administration of emergency anti-seizure medication.

Senate Judiciary Committee

**AB 2116 (McCarty) – Service learning: California Serves Pilot Program**

This bill would require the department, in partnership with CaliforniaVolunteers and stakeholders, to review available evidence on ways to incorporate effective service learning for pupils in grades 9 to 12 and develop uniform metrics for the measurement of pupil progress toward academic, civic engagement, and other learning objectives, including awarding of the State Seal of Civic Engagement. The bill would require the department, on or before January 1, 2024, to provide recommendations to the Legislature on, and post on the department’s internet website information related to, evidence-based strategies to expand access to high-quality service learning programs.

Senate Appropriations Committee

**AB 2501 (Carrillo) – Before and after school programs: California Universal Afterschool Program Workgroup**

This bill would establish the California Universal Afterschool Program Workgroup within the CDE composed of certain members, including a member appointed by the SBE, to evaluate policy and regulatory impediments to ensuring the quality of and increased access to after school programs and any access impediments faced by pupils and their families, develop legislative and regulatory recommendations and specific proposals to reduce those impediments, and develop a roadmap for providing universal access to after school programs to all school-age children.

Senate Education Committee

**SB 876 (Becker) – Educational technology: Digital Education Equity Program: county offices of education**

This bill would establish the Digital Education Equity Program (DEEP), to be administered by the CDE as a grant program to support the planned implementation of educational technology services by all COEs. The bill would require the DEEP to provide technical assistance and teacher professional development to school districts, COEs, and charter schools on the implementation of educational technology as set forth in the policies of the SBE. In addition, the bill would require the CDE, on or before January 31, 2023, and in consultation with the executive director of the SBE, to authorize grants of up to 3 years in duration and eligible for renewal to fund all COEs that develop educational technology plans.

Assembly Education Committee

## State Superintendent of Public Instruction Sponsored Bills

**AB 2465 (Bonta) – Pupil instruction: third-grade literacy: literacy grant program**

This bill would create the Family and Community Literacy: Supporting Literacy and Biliteracy in Schools, Families, and Communities Grant Program. The bill supports the goal of all of California’s pupils reading at grade level by third grade and engaging families at every stage of that process.

Senate Education Committee

**AB 2694 (Rubio) – Teacher credentialing: teacher induction programs: Beginning Teacher Retention and Support Grant**

This bill would establish the Beginning Teacher Retention and Support Grant Program under the administration of the Commission on Teacher Credentialing to allocate grants to beginning teacher induction programs.

Senate Education Committee

**AB 2794 (Gipson) – School safety: school climate: professional development: training materials**

This bill would allocate funding for professional development for staff in methods to improve school safety and school climate, including, but not limited to, de-escalation training.

Senate Education Committee

**SB 952 (Limón) – Pupil instruction: dual language programs: Expanding Culture and Language Learning in Schools Grant Program**

This bill would establish the Expanding Culture and Language Learning in Schools Grant Program to grow the capacity for high-quality dual language learning in preschools, transitional kindergarten, kindergarten, and grades 1 to 12.

Assembly Appropriations Committee

**SB 1229 (McGuire) – Mental Health Workforce Grant Program**

This bill would award up to 10,000 grants to postgraduate students over a 3-year period in amounts of up to $25,000 each for students pursuing mental health professional pathways in eligible postgraduate or credential programs.

Assembly Higher Education Committee