California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

# **MEMORANDUM**

**DATE:** April 8, 2019

**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 2019–20 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 (10 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 April 8, 2019.**

## Accountability and School Improvement

### AB 982 (Holden) Pupils: Homework Assignments for Suspended Pupils

This bill requires a teacher to provide homework to a pupil, in grades one to 12, who has been suspended from school for two or more schooldays, upon the request of the parent, legal guardian, or other person holding the educational rights for the pupil; or the affected pupil.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

### SB 419 (Skinner) Pupil Discipline: Suspensions: Willful Defiance

SB 419 would prohibit the suspension of a pupil enrolled in a school district or charter school in any of grades 4 to 8, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill, until January 1, 2025, would prohibit the suspension of a pupil enrolled in a school district or charter school in any of grades 9 to 12, inclusive, for those acts. This bill would apply those provisions to charter schools.

***Status:*** *Senate Education Committee; Hearing Scheduled for April 10, 2019*

## Assessments

### AB 1233 (Smith) Advanced placement examinations: Fees

Existing law allows districts to help pay partial to all costs for advanced placement examinations for economically disadvantaged students.

This bill would establish a grant program that would award eligible low-income high school students to pay for these advanced placement examinations.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

## Charter Schools

### AB 1505 (O'Donnell) Charter schools: Petitions

This bill would repeal provisions authorizing the State Board to approve a petition to establish a charter school. The bill would specify that a petition to establish a charter school may be submitted only to the school district or county office of education. The boundaries within which the charter school would be located and would provide that, commencing January 1, 2020, a county board of education could approve a petition for a countywide charter only under specified conditions and pursuant to a specified procedure. Conditions include requiring the petitioner to obtain the approval from each of the school districts where the charter school petitioner proposes to operate a facility. The bill would provide that charter schools operating under a charter approved by the State Board may continue to operate under those charters only until the date on which the charter is up for renewal.

Additionally, this bill would authorize the governing board of a school district to also deny a petition if it makes written factual findings, specific to the particular petition, setting forth certain facts to support one or more specified findings. Finally, the bill will require teachers in charter schools to hold the Commission on Teacher Credentialing certificate, permit, or other certificate, permit, or other document required for the teacher’s certificated assignment.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 1506 (McCarty) Charter schools: Statewide Total

This bill would authorize the operation of a maximum total number of charter schools in the state equal to the total number of charter schools authorized and operating as of January 1, 2020. The bill would require the Department to post on its internet website the statewide limit of charter schools authorized to operate in the state. The bill would prohibit a school district, a county office of education, or the State Board from authorizing a charter school above the number of operating charter schools authorized by the respective entity as of January 1, 2020. The bill would authorize a school district, a county office of education, or the State Board to only authorize one charter school after one charter school closes in its respective jurisdiction. The bill would require a school district, a county office of education, or the State Board to give priority to a charter petition to establish a charter school that will not be operated by an entity that is operating another charter school.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### **AB 1507 (**[**Smith**](https://a38.asmdc.org/) **D) Charter schools: Location**

This bill would remove a charter school’s authority to locate outside the jurisdiction of the chartering school district if the charter school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

**AB 1508 (Bonta) Charter schools: Petitions**

This bill would add to the list of reasons justifying denial of a charter petition that the governing board of the school district finds that the petition does not contain a clear explanation of why the proposed model cannot be accomplished within the school district structure of neighborhood public schools and that the charter school would have a negative financial, academic, or facilities impact on neighborhood public schools or the school district.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 24, 2019*

## Early Education

### AB 6 (Reyes D) Early childhood education: Office of Early Childhood Education

Current law designates the CDE responsible for the promotion, development, and provision of early childhood.

This bill would establish the Early Childhood Education Branch to support the implementation of early childhood education programs and universal preschool. The bill would require this office to work with California Department of Social Services and the California Health and Human Services to ensure children are receiving the appropriate social and health services. This bill would identify families eligible for early childhood education financial assistance.

***Status:*** *Assembly Human Services Committee; Hearing Scheduled for April 9, 2019*

## English Learners

### SB 594 (Rubio) Pupil instruction: English Learner Roadmap Initiative

This bill would establish the English Learner Roadmap Initiative and would require the CDE and the California Collaborative for Educational Excellence to work together to determine criteria that would be used to award starting with the 2020–21 school year, grants to county offices of education, school districts, consortia of charter schools, and nonprofit organizations with demonstrated expertise in English learner instruction.

***Status:*** *Senate Education Committee; Hearing Scheduled for April 10, 2019*

## Fiscal and Funding

### AB 39 (Muratsuchi) Education finance: Local Control Funding Formula: Funding Increase

This bill would specify new, higher base grant amounts for the 2019–20 fiscal year, which would also increase the supplemental and concentration grant amounts and result in various other changes to funding calculations.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 428 (Medina) Special Education Funding

This bill requires special education funding rates be equalized to the 95th percentile the year after the Local Control Funding Formula (LCFF) is fully funded, creates a funding mechanism for state support of special education preschool, establishes a high cost service allowance to provide supplemental funding on the basis of the number of students with severe disabilities, and changes the calculation of the declining enrollment adjustment to be based on school district enrollment, rather than Special Education Local Plan Area (SELPA) enrollment.

***Status:*** *Assembly Appropriation Committee; Suspense File*

## Nutrition

### AB 354 (Quirk-Silva) School Meals: Free or Reduced-Price Meals: Annual Report

Requires a school district, county office of education, or charter school that voluntarily opts out of the federal National School Lunch Program to annually report to the California Department of Education (CDE) and the Legislature, identifying an alternative meal program it will follow to ensure that each needy pupil is provided with a free or reduced-price meal each school day.

***Status:*** *Assembly Appropriations Committee; Suspense File*

### AB 958 (Aguiar-Curry D) The California Organic-to-School Pilot Program.

This bill would create the California Organic-to-School Pilot Program, and would be administered by the Secretary of Food and Agriculture, through the Office of Farm to Fork. The bill would require the Secretary of Food and Agriculture to work with the CDE to determine those awarded and the grants amounts.

***Status:*** *Assembly Agriculture Committee; Pending Hearing*

### AB 1377 (Wicks) CalFresh

The bill would require school district or county office of education to provide information regarding the child’s eligibility for the School Lunch Program to the local agency that determines CalFresh program eligibility, on and after July 1, 2020. Specifically, if a county is informed that a child meets federal eligibility criteria for free and reduced-price meals, the child to be categorically eligible for the CalFresh program and their parent or guardian would be notified of this eligibility. The bill would also require the State Department of Education and the State Department of Social Services to work together with stakeholders, including, but not limited to, representatives of school nutrition programs and representatives of the local agencies that determine CalFresh program eligibility, to develop a statewide process for implementing the Automatic Student Eligibility for CalFresh Program

***Status:*** *Assembly Human Services Committee; Hearing Scheduled for April 23, 2019*

### AB 1663 (Rivas) District Libraries: Summer Meals Program

The bill would appropriate $1,000,000 from the General Fund to the CDE to develop a grant program and distribute funds to a library district for a summer meal program for students who live in a low-income community.

***Status:*** *Assembly Education Committee; Pending Hearing*

### SB 499 (McGuire D) School meals: California-Grown for Healthy Kids Program

This bill would establish the California-Grown for Healthy Kids Program, and would require the CDE to administer this program to increase free school meals made with California-grown fresh fruits and vegetables. This bill would allow schools who participate in these federal school meals programs to establish a base year by carrying over the number of student who were eligible for free or reduced-price meals from the school year. The bill would require California-grown fruits and vegetables be provided to all students free of charge.

***Status:*** *Senate Appropriations Committee; Pending Hearing*

## Professional Learning and Evaluation

### AB 493 (Gloria ) Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources

This bill would require schools to annually provide training for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students. This bill would require 7 to 12 grade teachers and certificated employees to take this training in order to increase awareness and establish support for LGBTQ students.

***Status:*** *Assembly Appropriations Committee; Hearing Scheduled for April 10, 2019*

## School Climate and School Safety

### AB 34 (Ramos) Pupils: Bullying

This bill would, commencing with the 2020–21 academic year, require each local educational agency, as defined, to prepare a bullying and harassment prevention handbook to deliver to parents and guardians within one month of the beginning of the school year, and to post and annually update the handbook on its internet website. This bill would require the handbook to include specified State Department of Education policies and the policies adopted by a local educational agency relating to hate violence, bullying, harassment, discrimination, and suicide prevention, and resources relating to these topics. The bill would require the handbook to be distributed in the same manner as other certain materials distributed by a local educational agency. By requiring school districts, county offices of education, and charter schools to create, distribute, post, and update the handbook, the bill would impose a state-mandated local program.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 503 (Flora R) Gun-Free School Zone

This bill would exempt a person who holds a valid concealed carry license who is carrying the firearm on the grounds of a public or private school that is providing instruction in K-12, inclusive, if the person has the written permission of the school authority and subject to specified conditions.

***Status:*** *Assembly Public Safety Committee; Pending Hearing*

### AB 543 (Smith) Education: Sexual Harassment: Written Policy: Posters

This bill would require a campus or school to create an age-appropriate poster with the written policy on sexual harassment and be displayed in a specified public and private areas on campus. Specifically, the poster would be no smaller than 8.5 by 11 inches and 12 point font, and display the rules and procedures for reporting charges of sexual harassment.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

### AB 989 (Gonzalez) Child Abuse and Neglect Reporting Act: Public School Ombudsperson

AB 989 would require, on or before July 1, 2020, school districts, county offices of education, and charter schools to establish a toll-free telephone reporting hotline monitored by the designated Title IX coordinator for the purpose of filing complaints of harassment and discrimination on the basis of sex. It would include the reporting hotline telephone number in the information that public schools, school districts, county offices of education, and charter schools are required to post on their internet websites. The bill would also require a public school to forward and report any complaint it receives alleging a Title IX violation to the Title IX coordinator for the school district or county office of education for recordkeeping. By imposing additional duties on public schools, school districts, county offices of education, and charter schools,

***Status:*** *Assembly Education Committee; Pending Hearing*

### AB 1085 (McCarty) After School Programs: Substance Use Prevention: Funding: Cannabis Revenue

This bill encourages after school programs to establish programs that are designed to educate about and prevent substance use disorders (SUDs) or to prevent harm from substance abuse. Authorizes the Department of Health Care Services (DHCS) to consider selecting those programs for funding from the Youth Education, Prevention, Early Intervention, and Treatment Account (YEPEITA), established by Proposition (Prop) 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA).

***Status:*** *Assembly Health Committee; Hearing Scheduled for April 9, 2019*

### **SB 541 (Bates R) School Safety: Lockdown Drills**

This bill requires every public school, including charter schools, and every private school that has an enrollment of 50 or more pupils or more than one classroom, that provides educational services to pupils in kindergarten or in any of grades 1 to 12, inclusive, to conduct a lockdown drill at least twice per school year. Status: Senate Education Committee-Hearing April 3, 2019

## Standards, Curriculum Frameworks, and Instructional Materials

### AB 20 (Berman) Computer Science Strategic Implementation Plan: California Computer Science Coordinator

This would create the California Computer Science Coordinator at the CDE to provide statewide coordination in implementing the computer science strategic implementation plan once it has been adopted by the State Board and submitted to the Legislature.

Specifically, the California Computer Science Coordinator would advance the mission of the computer science strategic implementation plan and provide support for initiatives related to 4 specified overarching strategies for implementing computer science education across the state.

***Status:*** *Assembly Appropriations Committee; Suspense File*

AB 28 (Obernolte) High School Diplomas: State Seal of STEM

This bill would establish a State Seal of Science, Technology, Engineering, and Mathematics (STEM) to recognize high school graduates who have attained a high level of proficiency in science, technology, engineering, and mathematics fields. The bill would establish criteria for the State Seal of STEM.

This bill would require the SSPI to prepare and deliver to participating school districts an appropriate badge for a student’s diploma or transcript. This bill would require participating school districts to maintain appropriate records on these state seals.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

### AB 52 (Berman) Computer Science Strategic Implementation Plan.

Current law requires the SSPI to develop a computer science strategic implementation with the support of a computer science strategic implementation advisory panel, and requires the SBE to consider adopting a computer science strategic implementation plan.

This bill would additionally require the computer science strategic implementation plan to be updated in unspecified intervals.

***Status:*** *Assembly Appropriations Committee; Suspense File*

### AB 337(Medina) Ethnic Studies Graduation Requirement

The bill would authorize local educational agencies, including charter schools, to require a full-year course in ethnic studies at their discretion, as specified. The bill would authorize, subject to the course offerings of a local educational agency, including a charter school, a pupil to satisfy the ethnic studies course requirement by completing either an ethnic studies course or an ethnic studies course taught as a course in another subject, including, but not limited to, subjects that are required for a diploma of graduation from high school.

***Status:*** *Assembly Appropriations Committee; Suspense File*

### AB 852 (Burke) Pupil Instruction: Academic Content Standards: Update of Adopted Standards

This would require the SSPI recommendation to the State Board to review and update academic content standards in all subject areas that have been adopted by board. This bill would align to the curriculum framework updates and instructional materials adoptions to its current eight-year cycle.

The Instructional Quality Commission (IQC) would work with an academic content standards advisory committee comprised of expert who would provide recommendations to its proposed updates to the IQC.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

### AB 1087 (Cunningham) Pupil Instruction: Requirements for Graduation: Economics

This bill would require course in economics incorporate certain topics on financial literacy including fundamentals of banking for personal use, principles of budgeting and personal finance, employment and factors that affect net income, and uses and effects of credit.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 1334 (Choi) Pupil instruction: History-Social Science Curriculum Framework: Korean-American Experience

The bill would delete the definition of, and references to, the term “low-achieving school” in the act. The bill would instead generally revise the terminology of the act to specify that the parent of a pupil enrolled in a school district of residence, as defined, is authorized to submit an application for the pupil to attend a school district of enrollment, as defined. The bill would also delete from the act obsolete references to the Academic Performance Index and to the federal Race to the Top Fund.

***Status:*** *Assembly Education Committee; Pending Hearing*

### AB 1393 (Weber) Pupil Instruction: Model Curriculum: Laotian History and Cultural Studies

This bill would require the Instructional Quality Commission to develop and submit to the SBE a model curriculum relative to the history and cultural study of Laotian refugees. The bill would require the model curriculum to be posted on the CDE’s website for use on a voluntary basis by educators. The bill would encourage LEAs to use the model curriculum to provide instruction in K-8, and offer to students in grades 9 to 12.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 1552 (Limón) Pupil instruction: Native American Studies: Model Curriculum

This bill would appropriate $800,000 from the General Fund to the SBE to fund the development of a model curriculum in Native American studies.

***Status:*** *Assembly Education Committee; Hearing Scheduled for April 10, 2019*

### AB 1617 (Reyes D) Pupil instruction: High School Graduation Requirements: Financial Aid Applications

Starting with the 2021-21 school year, this bill would require a school district, county office of education, or charter school to ensure 12th grade students who do not opt out, to complete and submit a Free Application for Federal Student Aid or a California DREAM Loan Program application as an additional graduation requirement.

***Status:*** *Assembly Education Committee; Pending Hearing*

## Other Notable Bills

### [AB 16](http://ctweb.capitoltrack.com/public/publishbillinfo.aspx?bi=Gl6iKUZ1JOxkQqfibrPM7L3cQ0C0UJ3bRHUS7FGXgkeNeJybDjUdrf%2Bdy93cO%2F7T) (Rivas) Homeless children and youths: Reporting

This bill would require LEAs to ensure each school in their jurisdiction identifies all homeless students and affords these students with all the necessary services to support their basic and educational needs. The bill also requires the CDE to hire additional staff as Homeless Coordinators to provide guidance and establish three technical assistance centers for schools.

***Status:*** *Assembly Appropriations Committee; Pending Hearing*

### SB 2 (Glazer) Statewide Longitudinal Student Database

This bill would establish the Statewide Longitudinal Student Database to collect and store data regarding individual students as they enter through P–20 and the workforce. The bill would require the California Postsecondary Education Commission to advise on the establishment, implementation, funding, and ongoing administration of the database.

***Status:*** *Assembly Education Committee; Pending Hearing*

### **SB 346 (Jackson) After School Programs: Distinguished After School Health** Recognition Program

This would reestablish the Distinguished After School Health (DASH) Recognition Program to recognize after school programs that meet specific health and wellness, nutrition, and physical activity requirements and standards. The bill would require the CDE to develop a process to recognize after school programs that meet identified requirements.

***Status:*** *Senate Appropriations Committee; Hearing Scheduled for April 22, 2019*