California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

# **MEMORANDUM**

**DATE:** October 24, 2023

**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 2023–24 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 (13 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 and location of each bill is provided as of October 20, 2023.**

## Accountability & Assessments

**AB 368 (Holden) – College and Career Access Pathways Partnership**

The bill requires the governing board of a community college district participating in a College and Career Access Pathways (CCAP) partnership to enroll high school pupils in any course that is part of a CCAP partnership offered at a community college campus, and expressly authorizes courses to be offered at the community college campus or the participating high school campus, in order to increase participation in dual enrollment programs among pupils who are underrepresented in higher education. The bill adds clarity to existing sections of the CCAP partnerships defining “underrepresented in higher education" to include first-time college students, low-income students, students who are current or former foster youth, homeless students, students with disabilities, and students with dependent children.

Signed by the Governor on October 8, 2023. Chapter 521, Statutes of 2023.

**AB 370 (Addis) – Pupil instruction: State Seal of Biliteracy**

This bill changes the criteria a pupil needs to meet to demonstrate both proficiency in English and in one or more languages other than English to be awarded the State Seal of Biliteracy.

Signed by the Governor on October 7, 2023. Chapter 326, States of 2023.

**AB 535 (Irwin) – School accountability: Statewide School Library Lead**

This bill would, contingent upon an appropriation for these purposes, require the SSPI, on or before July 1, 2024, 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 and to establish library and literacy services that support the statewide system of support.

Location: Senate Floor. May be acted upon in January 2024.

**AB 598 (Wicks) – Sexual health education and human immunodeficiency virus prevention education: school climate and safety: California Healthy Kids Survey**

This bill would require local educational agencies (LEAs) to provide pupils in grades 7 through 12 with physical and digital information about local resources related to sexual health, upon the completion of applicable comprehensive sexual health education and would require the CDE to ensure the California Healthy Kids Survey includes questions about sexual and reproductive health care as a core survey module for pupils in grades 7, 9, and 11. The bill would require each school district serving pupils in any of grades 5, 7, 9, or 11 to administer the California Healthy Kids Survey to pupils in the applicable grades

Location: Senate Education Committee. May be acted upon in January 2024.

**SB 293 (Grove) – Pupil assessments: California Assessment of Student Performance and Progress: statewide results**

This bill requires the CDE to make statewide summative California Assessment of Student Performance and Progress results publicly available by October 15 each year and would require the SBE’s calendar for delivering results to the department to be consistent with that deadline.

Signed by the Governor September 8, 2023. Chapter 117, Statutes of 2023.

**SB 609 (Caballero) – Local control and accountability plans: California School Dashboard**

This bill eliminates the provision that requires the SSPI to post local control and accountability plans (LCAPs). Instead, the bill would require LEAs to post their current year LCAP on the California School Dashboard and mandate the CDE to notify and ensure LEAS meet this requirement.

Signed by the Governor October 10, 2023. Chapter 494, Statutes of 2023.

**SB 739 (Alvarado-Gil) – School accountability: charter schools: terms of operation**

This bill would require all charter schools whose terms end on or between January 1, 2024, and June 30, 2027, to have their term extended by one additional year.

Location: Assembly Education Committee. May be acted upon in January 2024.

## Curriculum

**AB 10 (Lowenthal) – Pupils: body-shaming model policy and resources**

This bill requires the CDE, on or before June 30, 2025, to create and post an online model policy with resources regarding body shaming.

Signed by the Governor on October 13, 2023. Chapter 791, Statutes of 2023.

**AB 71 (Rodriguez) – Pupil instruction: bleeding control**

This bill would require the CDE to provide an online list of resources and instructional materials on bleeding control. Additionally, when the Health Framework for California Schools is next revised after January 1, 2024, the Instructional Quality Commission (IQC) would be required to consider including information on bleeding control in that framework.

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 285 (Rivas, Luz) – Pupil instruction: science requirements: climate change**

This bill requires the science area of study for grades 1 through 12 to include an emphasis on the causes and effects of climate change and methods to mitigate and adapt to climate change. Appropriate coursework would be required to be offered to pupils as soon as possible, no later than the start of the 2024–25 school year.

Signed by the Governor on October 8, 2023. Chapter 426, Statutes of 2023.

**AB 446 (Quirk-Silva) – Pupil instruction: handwriting**

This bill requires handwriting instruction for grades 1 through 6 to include instruction in cursive or joined italics in the appropriate grade levels.

Signed by the Governor on October 13, 2023. Chapter 804, Statutes of 2023.

**AB 714 (McCarty) – Pupil instruction: Newcomer pupils: curriculum frameworks: coursework and graduation requirements: exemptions and alternatives**

This bill requires the CDE to curate and maintain on its internet website information regarding requirements, best practices, and available state and federally funded programs for newcomer pupils, and publicly report on an annual basis on its internet website the enrollment of newcomer pupils.

Signed by the Governor on October 7, 2023. Chapter 342, Statutes of 2023.

**AB 787 (Gabriel) – Pupil instruction: digital citizenship and media literacy: survey**

This bill would require the SSPI, on or before January 1, 2025, in consultation with the SBE, to survey teacher librarians, principals, and technology directors on their current work to integrate digital citizenship and media literacy education into their curriculum, and to convene an advisory committee to develop best practices and recommendations for instruction in digital citizenship and literacy. The bill would require the SSPI to convene and consult with an advisory committee consisting of specified representatives to develop best practices and recommendations for instruction in digital citizenship and media literacy and to share survey results with the advisory committee. The bill would require, on or before January 1, 2026, the SSPI, in consultation with the SBE, to submit a report to the appropriate fiscal and policy committees of the Legislature on strategies to implement those best practices and recommendations statewide.

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 873 (Berman) – Pupil instruction: media literacy: curriculum frameworks**

This bill requires the IQC to consider adding the Model Library Standards in the next English Language Arts/English Language Development curriculum framework revision after January 1, 2024, and consider incorporating media literacy content at each grade level. Additionally, the bill requires the Commission to consider media literacy content in the mathematics, science, and history-social sciences framework when they are next updated after January 1, 2024.

Signed by the Governor on October 13, 2023. Chapter 815, Statutes of 2023.

**AB 915 (Arambula) – Pupil health: drug education: opioid overdose certification and training program**

This bill would require school districts, county offices of education, and charter schools that voluntary determine to make naloxone hydrochloride or another opioid antagonist available on campus to ensure that naloxone hydrochloride or another opioid antagonist is placed in an appropriate location that is widely known and easily accessible, both during school hours and after school hours. The bill would require naloxone hydrochloride or another opioid antagonist in at least one of several specified locations, along with other related provisions.

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 1054 (Berman) – Pupil instruction: high schools: computer science education courses**

This bill would require LEA governing boards, maintaining any of grades 9 through 12, by January 1, 2025, to adopt a plan at a regularly scheduled public meeting to offer at least one course in computer science education pursuant to a specified timeline, to post the plan to its internet website, and, on or before May 31, 2025, and annually thereafter, to review the plan at a regularly scheduled public meeting and report to the public on the plan’s implementation, as provided. The bill would, among other things, specify that a computer science education course means a computer science course that is aligned to the computer science academic content standards adopted by the SBE and in which pupils do not merely use technology as passive consumers, but understand why and how computing technologies work, and then build upon that conceptual knowledge by creating computational artifacts. The bill would require school districts and charter schools to describe in the plan their planned efforts to increase the computer science course enrollment of female pupils, pupils with disabilities, pupils who belong to ethnic and racial groups, and pupils eligible for free or reduced-priced meals that are underrepresented in the field of computer science.

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 1071 (Hoover) – Teen dating violence prevention education: online information and resources**

This bill would require the CDE to create online resources on abuse and teen dating violence prevention, information on hotlines and services for youth experiencing dating violence, and other materials for guardians and caretakers.

Signed by the Governor on July 13, 2023. Chapter 65, Statutes of 2023.

**AB 1078 (Jackson) – Instructional materials: diversity**

The Safe Place to Learn Act makes various changes to the requirements on local school governing boards regarding the adoption of instructional materials for use in schools, including a provision that would prohibit a governing board from disallowing the use of an existing textbook, other instructional material, or curriculum that contains inclusive and diverse perspectives. The bill also requires the CDE, as part of its regular monitoring and review of an LEA, to assess whether the LEA has, among other things, adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on specified protected characteristics. This bill requires that policy to include a statement that the policy applies to all acts of the governing board or body of the LEA, the superintendent of the school district, and the county superintendent of schools in enacting policies and procedures that govern the LEA.

*Sponsored by SSPI Thurmond*

Signed by the Governor on September 25, 2023. Chapter 229, Statutes of 2023.

**AB 1354 (Fong, Mike) – Pupil instruction: Asian Americans and Pacific Islanders**

This bill requires the IQC to consider including the historical, social, economic, and political contributions of Asian Americans, Native American, and Pacific Islanders and give examples of racism, discrimination, and violence perpetrated against these groups, in its next revision of the history-social science curriculum framework, related evaluation criteria, and accompanying instructional materials.

*Supported by SSPI Thurmond*

Signed by the Governor on September 1, 2023. Chapter 140, Statutes of 2023.

**AB 1445 (Arambula) – The Neng Thao Drowning Prevention Safety Act**

This bill authorizes specified organizations to provide electronic or physical instructional materials to public elementary schools regarding drowning prevention and allow a public elementary school to provide the materials to parents, legal guardians, or caregivers of pupils in grades K through 3 at enrollment and at the beginning of each school year.

Signed by the Governor on October 7, 2023. Chapter 370, Statutes of 2023.

**AB 1473 (Maienschein) – School curriculum: health framework: physical education framework: compression-only cardiopulmonary resuscitation: automated external defibrillators**

This bill would require the IQC to consider increasing content related to compression-only cardiopulmonary resuscitation and the use of an automated external defibrillator when the state's health curriculum framework and the physical education curriculum framework are next revised after January 1, 2024.

*Supported by SSPI Thurmond*

Location: Senate Appropriation Committee Suspense File. May be acted upon in January 2024.

**SB 369 (Nguyen) – Pupil Instruction: model curricula: Vietnamese American refugee experience: Cambodia and the Cambodian American refugee experience**

This bill modifies the model curriculum regarding the Vietnamese American refugee experience to cover the period from the Vietnam War and Fall of Saigon in 1975 to the year 2000. The bill would also modify the model curriculum on the Cambodian Genocide to instead focus on Cambodian culture, history, heritage, and the Cambodian American refugee experience by September 1, 2024.

Signed by the Governor on October 10, 2023. Chapter 711, Statutes of 2023.

## Educator Preparation, Retention, and Support

**AB 377 (Muratsuchi) – Career technical education: California Career Technical Education Incentive Grant Program: Strong Workforce Program**

This bill would, beginning with the 2024–25 fiscal year, and each fiscal year after, that $450 million shall be made available to the CDE upon appropriation by the Legislature, for the Career Technical Education Incentive Grant Program.

Location:Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 1127 (Reyes) – Teachers Profession.al Development: Bilingual Teacher Professional Development Program**

This bill expands the scope of eligibility for the Bilingual Teacher Professional Development Program, with the goal of increasing bilingual teachers in multiple languages to staff bilingual classrooms.

*Supported by SSPI Thurmond*

Signed by the Governor on October 13, 2023. Chapter 830, Statutes of 2023.

**SB 765 (Portantino) – Teachers: retired teachers: compensation**

This bill modifies the calculation so the limitation of postretirement compensation, in any school year, is instead an amount calculated by State Teachers’ Retirement System each July 1 equal to 70 percent of the median final compensation of all members who retired for service during the fiscal year ending in the previous calendar year.

*Supported by SSPI Thurmond*

Signed by the Governor on October 13, 2023. Chapter 885, Statutes of 2023.

## Equity and Inclusion

**AB 5 (Zbur) – The Safe and Supportive Schools Act**

This bill establishes the Safe and Supportive Schools Program to support the needs of lesbian, gay, bisexual, transgender, queer, questioning, and other (LGBTQ+) pupils by requiring LEAs to annually offer one hour of LGBTQ+ cultural competency training for educators and other certificated staff. The bill requires the LEA to maintain documentation on the completion of the training by each employee and mandates the CDE to finalize development of an online training curriculum and online delivery platform by July 1, 2025.

*Supported by SSPI Thurmond*

Signed by the Governor on September 23, 2023. Chapter 220, Statutes of 2023.

**SB 760 (Newman) – School facilities: all-gender restrooms**

This bill requires California public schools to offer at least one all-gender restroom available for pupil use, on or before July 1, 2026.  The bill would require the all-gender restroom to meet certain requirements, including, among other things, that it has signage identifying the bathroom facility as being open to all genders and is unlocked, unobstructed, and easily accessible by any pupil.

*Supported by SSPI Thurmond*

Signed by the Governor on September 23, 2023. Chapter 227, Statutes of 2023.

## Health and Wellness

**AB 483 (Muratsuchi) – Local educational agency: Medi-Cal billing option**

This bill requires the State Department of Health Care Services (DHCS) when conducting an audit of a Medi-Cal Billing Option claim, to complete the audit and notify the LEA of the findings within 18 months of the date that the Cost and Reimbursement Comparison Schedule (CRCS) is submitted. The bill requires the department to provide an interim settlement or final settlement within 12 months of the March 1 due date for the CRCS and to update and distribute the program guide to all participating LEAs by July 1, 2024. Additionally, the bill requires DHCS’ summary of activities in an annual report to the Legislature to include training for LEAs and a summary of the number of audits conducted of Medi-Cal Billing Option claims.

*Supported by SSPI Thurmond*

Signed by the Governor on October 8, 2023. Chapter 527, Statutes of 2023.

**SB 502 (Allen) – Medi-Cal: children: mobile optometric office**

This bill requires the DHCS to file all necessary state plan amendments to exercise the Health Services Initiative option made available under the federal Children’s Health Insurance Program provisions to cover vision services provided to low-income children statewide through a mobile optometric office.

*Supported by SSPI Thurmond*

Signed by the Governor on October 8, 2023. Chapter 487, Statutes of 2023.

**SB 551 (Portantino) – Mental health boards**

This bill would establish requirements based on county size for local mental health board membership to include individuals employed by an LEA and members under 25.

*Supported by SSPI Thurmond*

Location: Assembly Floor. May be acted upon in January 2024.

##  School Finance

**AB 247 (Muratsuchi) – Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024**

This bill would place a $14 billion bond on a 2024 state ballot to construct and modernize education facilities. This bond act would become operative only if approved by the voters at an unspecified 2024 statewide election.

*Supported by SSPI Thurmond*

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**AB 938 (Muratsuchi) – Education finance: local control funding formula (LCFF): base grants: classified and certificated staff salaries**

This bill establishes higher LCFF funding target levels for the 2030–31 fiscal year with the purpose of increasing school site employee salaries to close the wage gap by that year.

*Supported by SSPI Thurmond*

Location: Senate Floor. May be acted upon in January 2024.

**AB 1192 (McCarty) – Kindergarten: transitional kindergarten: admission: birth dates: classroom ratios: teacher aide requirements**

This bill would extend current requirements and authorizations regarding kindergarten age requirements to charter schools. Additionally, beginning in the 2025–26 school year, this bill would require LEAs to maintain an average of at least 1 adult for every 10 pupils in transitional kindergarten classrooms and require adults, with certain exceptions, assigned to a transitional kindergarten classroom be provided with 48 hours of professional development related to early childhood development over two years.

Location: Senate Appropriations Committee. May be acted upon in January 2024.

**AB 1604 (Bonta) – Charter schools: school facilities: Charter School Facility Grant Program: conduit financing**

This bill would have provided clarifications to the Charter School Facility Grant Program administered by the California School Finance Authority, about required admissions preferences, requirements for related parties, declaring nonprofit status, and how charter school properties are sold and leased.

Vetoed by the Governor on October 7, 2023. For the Governor’s veto message, visit: <https://www.gov.ca.gov/wp-content/uploads/2023/10/AB-1604-Veto.pdf>

**SB 28 (Glazer) – Education finance: school facilities**: **Public Preschool, K–12, and College Health and Safety Bond Act of 2024**

This bill, the Public Preschool, K–12, and College Health and Safety Bond Act of 2024 would place a $15.5 billion state general obligation bond on a 2024 state ballot to construct and modernize public preschool, K–12, California Community College, University of California, and California State University facilities.

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**SB 98 (Portantino) – Education finance: additional education funding.**

This bill would provide additional LCFF to LEAs, based on the difference between their enrollment and their average daily attendance that was used to calculate their LCFF entitlement. A portion of the funds would be allocated to addressing chronic absenteeism.

*Supported by SSPI Thurmond*

Location: Assembly Education Committee. . May be acted upon in January 2024.

##  Special Education

**AB 438 (Rubio) – Pupils with exceptional needs: individualized education programs: postsecondary goals and transition services**

This bill would require an individualized education program (IEP), starting 1, 2025, to include measurable postsecondary goals and transition services beginning when an individual with exceptional needs enters grade 9.

Location: Senate Floor. May be acted upon in January 2024.

**AB 1517 (Gallagher) – Special education: special education local plan areas: local plans**

This bill would have required that when an LEA qualifies for Differentiated Assistance on the basis of the performance of students with disabilities, the county superintendent of schools include the administrator of its Special Education Local Plan Area (SELPA) on its expert technical assistance team; requires that the superintendent of a school district consult with their SELPA administrator prior to adoption of an LCAP; and makes changes to required elements of local plans and annual assurances support plans.

Vetoed by the Governor on October 8, 2023. For the Governor’s veto message, visit: <https://www.gov.ca.gov/wp-content/uploads/2023/10/AB-1517-VETO.pdf>

**SB 354 (Ochoa Bogh) – Special education: inclusive education: universal design for learning: inclusive practices**

This bill would have required the California Commission on Teacher Credentialing (CTC), on or before June 30, 2025, to revise its administrative services credential standards and performance expectations to include and strengthen preparation for inclusion, with a focus on universal design for learning.

Vetoed by the Governor on October 8, 2023, For the Governor’s veto message, visit: <https://www.gov.ca.gov/wp-content/uploads/2023/10/SB-354-VETO.pdf>

**SB 445 (Portantino) – Special education: individualized education programs: translation services**

This bill would require LEAs, upon a parent’s request, to translate the student’s IEP and other related documents in the native language of the parent within 30 calendar days of the IEP team meeting, and requires translations be conducted by a qualified translator. This bill would also expand the definition of “parent” to include a conservator of a child and clarifies that a person who holds the right to make educational decisions for a student may not necessarily be the guardian, for purposes of existing statutes related to special education.

Location: Assembly Floor. May be acted upon in January 2024.

## Workgroups and Task Forces

**AB 715 (Dahle) – Rural Education Task Force**

This bill would create the Rural Education Task Force in CDE to assist and advise the SSPI on the needs and challenges of rural elementary and secondary schools.

*Supported by SSPI Thurmond*

Location: Senate Appropriations Committee. May be acted upon in January 2024.

**AB 1251 (L. Rivas) – Teacher Credentialing: computer science instruction: workgroup**

This bill requires the CTC, on or before July 1, 2024, to convene a workgroup on credentialing for instruction in computer science to determine, among other things, which credentials should also authorize teaching computer science, and provide a report of the workgroup’s findings.

Signed by the Governor on October 13, 2023. Chapter 834, Statutes of 2023.

**AB 1273 (Bonta) – Classified employees: Classified Employee Staffing Ratio Workgroup**

This bill requires the CDE, in consultation with the Division of Occupational Safety and Health, the Department of Industrial Relations, the Labor Commissioner, and representatives of employee organizations, to convene the Classified Employee Staffing Ratio Workgroup, on or before December 31, 2024. The bill would require the workgroup to group classified assignments, recommend staffing ratios per grouping, and report its recommendations to the Legislature on or before December 31, 2025.The bill would take effect on July 1, 2024.

Signed by the Governor on October 7, 2023. Chapter 364, Statutes of 2023.

**SB 857 (Laird) – Advisory task force: LGBTQ+ pupil needs.**

This bill requires the SSPI, on or before July 1, 2024, to select the members of and convene an advisory task force to identify the statewide needs of LGBTQ+ pupils and to assist in implementing supportive policies and initiatives to address LGBTQ+ pupil education and wellbeing. The bill would require the advisory task force to report their findings and recommendations to the Legislature, the SPPI, and the Governor, on or by January 1, 2026.

*Supported by SSPI Thurmond*

Signed by the Governor on September 24, 2023. Chapter 228, Statutes of 2023.

## Other Notable Bills

**AB 555 (Carrillo, Juan) – California state preschool programs: reimbursement amounts: adjustment factors**

This bill would prioritize the enrollment of three-year olds in state preschool programs by giving equal priority to three-and four-year olds and extends specified adjustment factors to part-day state preschool programs.

*Supported by SSPI Thurmond*

Location: Senate Appropriations Committee Suspense File. May be acted upon in January 2024.

**SB 88 (Skinner) – Pupil transportation: driver qualifications**

This bill establishes requirements for drivers, whether employed by an LEA, contracted by an LEA, or contracted by an entity with funding from an LEA who provide school-related transportation services to students for compensation.

*Supported by SSPI Thurmond*

Signed by the Governor on October 7, 2023. Chapter 380, Statutes of 2023.

**SB 274 (Skinner) – Suspensions and expulsions: willful defiance**

This bill extends the prohibition on suspensions and expulsions of a student enrolled in grades 6 through 12 in a public school, based on willful defiance until July 1, 2029. The bill authorizes employees to refer students to school administrators for in-school interventions or supports and requires that administrators document the actions taken in the student’s record and inform the referring employee of those actions.

*Supported by SSPI Thurmond*

Signed by the Governor on October 8, 2023. Chapter 597, Statutes of 2023.

**SB 348 (Skinner) – Pupil meals**

This bill revises and recasts provisions regarding school meals for needy pupils, including the provision of nutritionally adequate breakfasts and lunches, free of charge during each school day, to any pupil who requests a meal. The bill requires CDE to work in partnership with the State Department of Social Services to maximize participation in the federal Summer Electronic Benefit Transfer program.

*Supported by SSPI Thurmond*

Signed by the Governor on October 8, 2023. Chapter 600, Statutes of 2023.