California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

# **MEMORANDUM**

**DATE:** June 25, 2018

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

**FROM:** TOM TORLAKSON, State Superintendent of Public Instruction

**SUBJECT:** State Legislative Update, Including, but not Limited to, Information on the 2017–18 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 (23 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 12, 2018.**

## Accountability and School Improvement

**AB 1661 (Limón)** **– School Accountability: Federal Compliance with Accountability Requirements**

On December 10, 2015, the Every Student Succeeds Act (ESSA) reauthorized the federal Elementary and Secondary Education Act (ESEA) and replaced the No Child Left Behind Act. This bill would align certain programs in state law to the ESSA and make various nonsubstantive changes. Specifically, AB 1661 would do the following:

* Update the English Learner and Immigrant Pupil Federal Conformity Act by conforming the definitions of English learner (EL) and immigrant children and youth, adding EL with a disability to the definitions, and conforming services local educational agencies (LEAs) provide to ELs and immigrant children and youth to ESSA.
* Require school districts and local child welfare agencies to enter into an agreement that districts will assume part or all transportation costs consistent with federal law when there is a change of placement of a foster youth and the foster youth continues his or her education in the school of origin.
* Update the migrant education program by conforming definitions of migratory child, former migratory child, migratory agricultural worker, migratory fisher, and qualifying move to ESSA and other conforming programmatic changes to ESSA, such as replacing the state master plan with the state ESSA plan for migrant education.
* Update parental involvement programs by replacing "parental involvement" with "parental and family engagement."

Status: Senate Education Committee

**AB 2878 (Chávez) – Local Control and Accountability Plans: Annual Goals: State Priorities: Family Engagement**

Existing law requires local control and accountability plans (LCAPs) to include a description of the annual goals to be achieved for each of the state priorities such as parent involvement. This bill would add family engagement to the enumerated state priorities and state that family engagement includes efforts that the school district and each individual school site make to apply research-based practices such as welcoming all families into the school community and treating families as partners to inform, influence, and create practices.

Status: Senate Education Committee

**AB 3096 (Rubio) – School Accountability Report Card**

This bill would require the SSPI to develop a standardized School Accountability Report Card (SARC) and to annually complete a SARC for each school and post the SARC on the Internet by February 1. The bill would revise the provisions requiring specified information to be included in the SARC and remove certain data from the SARC such as the annual number of school days dedicated to professional development, school facilities, and instructional materials sufficiency.

AB 3096 would require the SSPI to report to the Department of Finance and the Legislature the reasons why the required data, as specified, are not included in the SARC as well as a description of corrective actions.

The bill would also require school districts connected to the Internet to provide a link to the information contained in the SARC developed by the SSPI and require the governing board of each school district to annually publicize the availability of the SARC for each school in the school district, and notify parents or guardians of pupils that a hard copy will be provided upon request.

Status: Senate Education Committee

**AB 3188 (Thurmond) – LCAPs: State Priorities: Pupil Achievement**

Existing law requires Local Control and Accountability Plans (LCAPs) to include a description of the annual goals to be achieved for each state priority, including pupil achievement. Pupil achievement is measured by, among other criteria, the percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California (UC) and the California State University (CSU), or career technical education (CTE) sequences or programs of study.

This bill would instead require pupil achievement to be measured by the percentage of pupils who have successfully completed (1) courses that satisfy the requirements for entrance to the UC and the CSU, or (2) CTE sequences or programs of study, or (3) to the extent possible, both (1) and (2).

Status: Senate Education Committee

**AB 3233 (Kiley) – Pupil assessment: Performance Standards**

This bill would require grade 11 performance standards for the academic indicator on the California School Dashboard to incorporate results from the CAASPP assessments.

AB 3233 would further provide that nationally recognized high school assessments that meet specified federal requirements may be reported on the California School Dashboard as a local academic indicator if administered to all grade 11 students within a LEA.

Status: Senate Education Committee

**AB 3216 (Kiley) – School Accountability Report Card**

Existing law requires the governing board of each school district maintaining an elementary or secondary school to develop a School Accountability Report Card (SARC) for each school in the school district. Commencing with the 2019–20 school year, this bill would have required each school district to make hard copies of its annually updated SARC and require each school district connected to the Internet to make its annually updated SARC available on the Internet by March 1 of each year.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**SB 720 (Allen) – Evaluation Rubrics: California School Dashboard**

Existing law required the SBE to adopt evaluation rubrics by October 1, 2016. Pursuant to this requirement, the SBE adopted evaluation rubrics in September 2016 and created the California School Dashboard. This bill would replace references to “evaluation rubrics” in the code with references to “evaluation rubrics, as displayed on the California School Dashboard and would make conforming changes.

Status: Assembly Education Committee

**SB 1203 (Berryhill) – Pupil attendance: School Districts of Choice**

Existing law requires, for a school district of choice that is a basic aid school district, as defined, that the apportionment of state funds for average daily attendance of pupils admitted by that school district of choice that is credited pursuant to a specified statute shall be 25 percent of the school district local control funding formula base grant. This bill would instead provide that the apportionment of state funds for average daily attendance for pupils admitted by a school district of choice that is credited pursuant to a specified statute shall be 70 percent of the school district local control funding formula base grant, as specified. The proposed 70 percent apportionment of state funds reflects the funding level that was in effect prior to enactment of the 2017–18 Budget Act.

Status: Assembly Education Committee

**SB 1368 (Moorlach) – Pupil Enrollment: Statewide Open Enrollment Act**

This bill would have enacted the Statewide Open Enrollment Act to permit any student subject to compulsory education to be admitted to a school in any school district, without regard to residency or school district boundaries. Specifically, SB 1368 would have prohibited a school district from restricting students residing within the school district’s boundaries from enrollment in another school district and prohibits a school district from restricting students residing outside of the school district’s boundaries from enrollment in the school district.

However, this bill would have authorized the governing board of a school district to restrict enrollment by students residing outside the school district’s boundaries if the governing board makes a finding that it is necessary to restrict enrollment for any of the following reasons:

* The financial health of the school district
* The quality of the education provided to pupils
* The need to avoid overcrowding, in light of the available space in the school district
* Compliance with a court-ordered or voluntary desegregation plan of the school district
* Compliance with federal law

SB 1368 would have limited a restriction for a period no longer than two years, as specified, and require a school district that restricts enrollment pursuant to an exception to give priority for admission to students who reside in the school district, children of military families, foster youth, and children living in poverty.

Status: Senate Education Committee – Bill failed to pass out of the policy committee before the deadline

## Assessments

**AB 1951 (O’Donnell) – Pupil Assessments: Pathways to College Act**

This bill would require, pursuant to the ESSA, the SSPI to approve a nationally recognized high school assessment that a local educational agency (LEA) may administer commencing with the 2020–21 school year in lieu of the California Assessment of Student Performance and Progress (CAASPP) assessments for grade 11.

AB 1951 would require a nationally recognized high school assessment to meet specified requirements, including alignment with the academic content standards adopted by the SBE, be at least as rigorous as CAASPP assessments, and produce individual pupil scores that can be linked to scores from the CAASPP assessments.

This bill would deem a nationally recognized high school assessment that has been approved for use by any state that has adopted the Common Core State Standards and that meets federal requirements to have met the specified requirements, and require the SSPI to approve these assessments for use by a LEA.

AB 1951 would permit a LEA to administer a nationally recognized high school assessment only if the LEA’s governing board approves the use at a public meeting. A LEA that administers a nationally recognized high school assessment is required to comply with the following:

* Notify the SSPI and the parents and legal guardians of its students entering grade 11 that it will be administering an assessment that is different from the CAASPP at the beginning of each school year during which the assessment will be administered to those pupils.
* Administer the assessment free of charge to all pupils in grade 11.
* Administer the assessment to individuals with exceptional needs with appropriate accommodations, where necessary, and provide an alternate assessment to individuals with exceptional needs who are unable to participate in testing, even with accommodations.
* Administer the assessment to ELs with appropriate accommodations, where necessary.
* Report scores and pupil participation data to the CDE.

 AB 1951 requires the SSPI to apportion to the LEA the lesser of the actual cost of administering a nationally recognized high school assessment and the amount that would have been apportioned to the LEA if it had administered the CAASPP for grade 11. The SSPI would also be required to report to the SBE on an annual basis an analysis of the summative results and test scores of the nationally recognized high school assessment.

Lastly, this bill would require the CDE to monitor LEAs that administer a nationally recognized high school assessment, including ensuring that LEAs report valid individual student results to the parent or guardian of the student.

Status: Senate Education Committee

**SB 949 (Allen) – Pupil Assessment: Academic Achievement**

Existing law requires the SBE to adopt statewide academically rigorous content standards in the core curriculum areas of reading, writing, and mathematics. Existing law makes these provisions inoperative on July 1, 2011. This bill would have repealed this provision. Existing law requires the CDE to develop a 3-year plan of activities, with the approval of the SBE, supporting the development and administration of the California Assessment of Student Performance and Progress System (CAASPP).

Existing law also requires the CDE to contract for a 3-year independent evaluation of the computer-adaptive assessments in ELA and mathematics as well as independent evaluation reports and specified interim annual reports. These provisions become inoperative on July 1, 2021, and as of January 1, 2022, are repealed. SB 949 would have eliminated the sunset on these provisions.

Status: Senate Judiciary Committee

**SB 1349 (Stern) – Diploma Alternatives: Certificate of Proficiency: High School Equivalency Certificate**

Existing law requires the SBE to award a certificate of proficiency under the California High School Proficiency Examination (CHSPE) program to students 16 years of age or older, who demonstrate proficiency in basic skills taught in public high schools. This bill would have specified that students who choose to take the CHSPE test to show proficiency in ELA, mathematics, science, and history-social science, and require the SSPI to consider existing tests that assess these four subject areas.

Existing law requires the SSPI to issue a high school equivalency (HSE) to a person who has not completed high school and who meets specified requirements, including, having taken a HSE test that has been approved by the SBE.

Existing law authorizes the SSPI to charge an examinee a one-time administrative fee to pay costs related to administering the HSE program. SB 1349 would have increased the statutory maximum administrative fee for the HSE from $20 to $40.

Status: Senate Appropriations Committee – Held Under Submission

## Career Technical Education

**AB 1577 (Gipson) – Career Technical Education: Access Plan**

This bill would require the CDE, in collaboration with the California Workforce Development Board and the California Community Colleges Chancellor’s Office, to develop a plan to ensure access to CTE programs at every K–12 school in California. AB 1577 would also require the CDE to report the plan to the Legislature by January 1, 2020.

Status: Bill was amended and is no longer education-related

**AB 1743 (O’Donnell) – Career Technical Education Incentive Grant**

This bill would appropriate $500 million a year for the purpose of continuing the CTE Incentive Grant to provide funding for CTE programs through a competitive grant process administered by the CDE*.*

Status: Senate Education Committee

**ACR 164 (Cunningham) – Career Technical Education Month**

This resolution would declare the month of February as CTE Month in the State of California.

Status: Chaptered

## Charter Schools

**AB 276 (Medina) – Charter Schools**

This bill would have expressly stated that charter schools are subject to either the Brown Act or Bagley-Keene Open Meeting Act, to the California Public Records Act, and the Political Reform Act of 1974.

Status: Senate Education Committee

**AB 406 (McCarty)** **– Charter Schools: Operation**

This bill would prohibit a petitioner that submits a charter petition for the establishment of a charter school or a charter school that submits a charter renewal or material revision application from operating as, or being operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. AB 406 would also allow a charter school to elect to operate as, or be operated by, a nonprofit public benefit corporation, pursuant to the Nonprofit Public Benefit Corporation Law.

Lastly, this bill would require that a representative of the chartering authority sit on the board of directors of the nonprofit public benefit corporation and exempts the chartering authority from being liable for the debts or obligations of the charter school if the chartering authority has complied with all oversight responsibilities required by law.

Status: Senate Education Committee

**AB 1528 (Acosta) – Virtual or Online Charter Schools: Average Daily Attendance: Report**

This bill would extend the sunset on the provision allowing a virtual or online school to claim independent study average daily attendance (ADA) for a pupil who moves outside of the geographic boundaries of the school from January 1, 2018 to January 1, 2021. AB 1528 would also require the CDE to conduct an assessment of the need for a virtual or online charter school to claim the independent study ADA and submit the report to the Legislature, the Department of Finance, and the Legislative Analyst’s Office (LAO) on or before December 31, 2019.

Status: Senate Appropriations Committee – Held Under Submission

**AB 1871 (Bonta) – Charter Schools: Free and Reduced–Price Meals**

Beginning in the 2019–20 school year**,** this bill would require a charter school to provide each needy pupil with one nutritionally adequate free or reduced-price meal during each school day. The meal must qualify for reimbursement under the federal child nutrition program regulations. This section would not apply to a charter school that offers exclusively non-classroom-based or non-site-based instruction. This also excludes a charter school that offers both classroom-based or site-based instruction and non-classroom-based or non-site-based instruction to provide a meal to pupils enrolled in exclusively non-classroom-based or non-site-based instruction.

Status: Senate Education Committee

**AB 2011 (Kiley) – Charter Schools: Facilities Used For Fulfilling State Educational Mandates: Geographical Restrictions**

Existing law requires a charter school to operate within the geographic boundaries of the school district that authorized its charter, unless otherwise specified. This bill would have exempted a charter school facility from the geographical restrictions that would otherwise apply if all of the pupils attending the charter school attend through nonclassroom-based instruction and the facility is used for purposes of fulfilling state educational mandates, including administering academic assessments and state-mandated tests, delivering special education and related services and assessments to individuals with exceptional needs, English language development programs, and for conducting laboratory science courses required for graduation or fulfilling a-g course requirements.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2575 (Santiago) – High School and Community College Dual Enrollment: College and Career Access Pathways Partnerships**

This bill would have authorized a charter school or private school, including a parochial school, to enter into a College and Career Access Pathways (CCAP) partnership agreement with the governing board of a community college district.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2891 (Holden) – High School and Community College Dual Enrollment: College and Career Access Pathways Partnerships**

This bill would have authorized a charter school to enter into a CCAP partnership agreement with the governing board of a community college district.

Status: Assembly Appropriations Committee – Held Under Submission

**AB 3058 (O’Donnell) – Charter Schools: Notification of Each School Site Location**

Existing law requires a charter school to notify the county superintendent of schools of the county in which it is located of the location of the charter school, including the location of each site, prior to commencing operations. This bill would have required the notification to be made at least 60 calendar days before commencing operations.

Status: Bill was amended and is no longer education-related

**AB 3167 (O’Donnell) – Charter Schools: Inquiries**

The Charter Schools Act of 1992 requires a charter school to promptly respond to all reasonable inquiries from its chartering authority, the county office of education that has jurisdiction over the chartering authority, or the SSPI. This bill would require a charter school to respond to these inquires within 30 calendar days of receipt.

Status: Senate Floor

**SB 765 (Weiner) – School Facilities: Surplus Real Property: Charter Schools**

This bill would require school districts seeking to sell, lease, exchange, or jointly occupy property to first offer the property to a charter school, except property intended to be used for teacher housing in the least affordable counties of the state. SB 765 would also specify that proceeds from the sale or lease of surplus property to a charter school may be used by the school district for any one-time general fund purpose.

Status: Assembly Education Committee

**SB 1362 (Beall) - Charter Schools: Petitions: Fiscal Impact on a School District: Charter School Special Education Local Plan Area Study by the Legislative Analyst**

This bill would have required charter petitions to include information on how the charter school will achieve a racial and ethnic balance among its pupils, including a balance of pupils receiving special education services that is reflective of the general population residing in the district. SB 1362 would also have authorized a governing board of a school district to deny a petition for a charter school if it met one of the following negative fiscal impacts to the school district, including:

* The school district has experienced a decline in pupil enrollment in each of the previous three school years.
* The petitioner operates another charter school within the school district, or a neighboring school district, that provides instruction in the same grades as the proposed charter school and has a current pupil enrollment of less than 90 percent of the estimated enrollment described in its charter school petition.
* There is a charter school within the school district that provides a similar academic program and has a current pupil enrollment of less than 90 percent of the estimated enrollment described in its charter school petition.

Lastly, this bill would have required the LAO, by July 1, 2020, to submit a report to the Legislature on the impact that a charter school SELPA serving over 250 charter schools has had on special education services provided to California pupils.

Status: Senate Education Committee – Bill failed to pass out of the policy committee before the deadline

## English Learners

**AB 2514 (Thurmond) – Pupil Instruction: Dual Language Programs: Grant Program**

This bill would establish the Pathways to Success Grant Program with the goal of providing students in preschool, transitional kindergarten, and K–12 with dual language immersion programs, developmental bilingual programs for ELs, or early learning dual language learner programs. AB 2514 would require the CDE to develop and administer the program. Commencing September 1, 2019, the CDE would be required to award a minimum of 10 one-time grants of up to $300,000 per grant, to school districts or consortia composed of school districts in partnership with one or more other school districts or COEs or bilingual teacher programs in schools of education in institutions of higher education for the purposes of the program.

AB 2514 would require a school district that receives an incentive grant to use it for purposes relating to dual language immersion programs, developmental programs for English learners, and early learning dual language learner programs.

This bill would also require the CDE to submit a report to the Legislature detailing the outcomes of the programs funded with the grants by June 30, 2025. AB 2514 would be contingent upon an appropriation in the annual Budget Act or other statute.

Status: Senate Education Committee; Hearing Date: 06/20/2018

**AB 2121 (Caballero) – Coursework and Graduation Requirements: Migrant Children**

This bill would require a school district or a charter school to exempt a student from all coursework and other requirements for high school graduation that are in addition to the statewide coursework requirements, if the student transfers between schools any time after the completion of grade 10, and is a migrant student, unless the school district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school.

Status: Senate Appropriations Committee; Hearing Date: 06/25/2018

**AB 2735 (O’Donnell) – English Learners: Participation in Standard Instructional Program**

This bill, consistent with federal law and commencing in the 2019-20 school year, would prohibit a middle or high school pupil who is classified as an EL, and scores at any proficiency level on the English Language Proficiency Assessments for California (ELPAC), from participation in a school’s standard instructional program by being denied enrollment in courses required to meet state and local graduation requirements, courses required for middle school grade promotion, and courses required for college admission.

Status: Senate Appropriations Committee

**AB 2763 (O’Donnell) – English Learners: Observation Protocol**

Existing law requires that reclassification of an EL use multiple criteria, including teacher evaluation of the pupil’s curriculum mastery. This bill would require the CDE to develop, by June 30, 2020, a standardized English language teacher observation protocol for use by teachers in evaluating a pupil’s English language proficiency. The protocol would be designed to allow teachers to assess language practices across a range of proficiency levels in order to help teachers identify pupils’ performance along the continuum of progress towards proficiency in English. The protocol would also be designed to allow teachers to use it for all ELs, including students with individualized education programs, across content areas, and be aligned to the English language development standards and the performance levels of the ELPAC.

In developing the protocol, AB 2763 would require the CDE to consult with educators and experts, pilot the protocol to refine the instrument and guidelines as needed, and to conduct a validation study. This bill would also require the CDE to provide guidance to LEAs in the use of the protocol.

Status: Senate Education Committee

## Fiscal and Funding

**AB 2228 (Wood) – Education Finance: School Apportionments: Wildfire Mitigation**

This bill would make provisions for a school district, county office of education, or charter school that is located within a county for which a state of emergency was declared by the Governor during the 2017 calendar year that, in response to wildfires, has a decrease in average daily attendance (ADA) attributable to the dislocation of pupils’ families due to the conditions that led to the declaration of a state of emergency.

AB 2228 would allow the SSPI to extend the protections to the 2019–20 fiscal year upon a showing by the LEA that the extension is essential to alleviate continued reductions in average daily attendance attributable to the 2017 wildfires. The bill would also require the SSPI to make a supplemental apportionment to the LEA that is 50 percent of the apportionment it would have received.

Status: Senate Education Committee

**AB 2235 (Quirk-Silva) –** **County Community Schools: Funding**

This bill would require, beginning in the 2019-20 school year, the SSPI to credit full LCFF per-student amounts directly to a county office of education funding for any student attending a county community school, including students who are under the jurisdiction of a school district. AB 2235 would authorize the SSPI to transfer an alternative amount for each student to the school district if the school district and the COE agree to the alternative amount and report it to the SSPI under procedures and timeframes established by the SSPI.

Status: Senate Education Committee; Hearing Date: 06/13/2018

**AB 2808 (Muratsuchi) – Local Control Funding Formula: Funding Increase**

This bill would increase the amounts of the LCFF base grants established in the
2013–14 fiscal year and would specify new, higher amounts beginning in the 2019-20 fiscal year. AB 2808 would also increase the supplemental and concentration grant amounts and result in various other changes to the LCFF funding calculations.

The Senate Budget Subcommittee 1 on Education took action that assumes full funding of the LCFF in the 2018–19 budget, plus additional $1.1 billion above the Governor’s proposed funding. In addition to the increased funding level, the proposal would require school districts to disclose in the LCAP summary actual expenditure information, both budgeted and expended, for services supporting unduplicated pupils.

The Budget Conference Committee approved providing an additional $407 million in ongoing funding for LCFF.

Status: Senate Education Committee

**AB 2635 (Weber, Gipson, and Burke) – Local Control Funding Formula: Supplemental Grants: Lowest Performing Pupil Subgroup or Subgroups**

This bill would, commencing with the 2018–19 fiscal year, adjust the definition of “unduplicated pupils” to include pupils who are included in the lowest performing subgroup or subgroups, as defined, based on the most recently available mathematics or language arts results on the CAASPP, as specified. AB 2635 would also require the SSPI to annually identify the lowest performing pupil subgroup or subgroups.

The Senate Budget Subcommittee 1 on Education took action that would appropriate $150 million in one-time Prop 98 funds for the Low- Performing Students Block Grant. The CDE would administer a competitive grant program to provide funds to LEAs with a specified proportion of enrollment (excluding subgroups otherwise identified for additional funding under LCFF or receiving funding on a per-pupil basis) that is identified as low-performing on state ELA and mathematics assessments.

The Budget Conference Committee approved $300 million in one-time Proposition 98 funding to create a low-performing students block grant.

Status: Senate Education Committee

**AB 3136 (O’Donnell) – Special Education Funding**

This bill would require that special education funding rates be equalized to the 95th percentile the year after the Local Control Funding Formula (LCFF) is fully funded. AB 3136 would create a funding mechanism for state support of special education preschool, establish a high cost service allowance to provide supplemental funding on the basis of the number of students with severe disabilities, and change the calculation of the declining enrollment adjustment to be based on school district enrollment, rather than on Special Education Local Plan Area (SELPA) enrollment. The bill also states intent to implement its provisions over a five-year period.

Status: Senate Education Committee

## Professional Learning and Evaluation

**AB 2168 (Thurmond) – Special Education Teachers: Grant Program**

This bill would establish the Special Education Teacher Grant program and appropriates two million dollars in one time grants to retain and mentor special education teachers.

Status: Senate Education Committee

**AB 2186 (Thurmond) – Golden State Science, Technology, Engineering, and Mathematics (STEM) Teacher Grant Program**

This bill would establish the Golden State Science, Technology, Engineering, and Mathematics (STEM) Teacher Grant Program. Specifically, upon appropriation by the Legislature, AB 2186 would require the Commission on Teacher Credentialing to select a county office of education to administer the program to provide grants to each student enrolled in an approved teacher credentialing program who commits to working in a STEM field at an LEA for 4 years after they receive a preliminary teaching credential

Status: Senate Education Committee

**AB 3048 (Irwin) – Teachers: Teacher Assignment Monitoring**

This bill would have required the Commission on Teacher Credentialing (CTC) to verify that educators serving in assignments that require credentials hold the appropriate authorization commencing with the 2019-20 school year and annually thereafter.

AB 3048 would also have changed the definition of misassignment to mean the placement of a certificated educator in a teaching position for which the employee does not hold a legally recognized credential with the appropriate authorization or the placement of a certificated person in a teaching position that the employee is not otherwise authorized by statute to hold.

This bill would have required the CTC and the CDE to enter into a data-sharing agreement to provide the commission with educator assignment data necessary to annually monitor and review all LEAs and identify misassignments. When the CTC identified a potential misassignment, the LEA responsible for the assignment would have had 30 days to respond to the CTC on whether the educator s otherwise legally authorized for the assignment. If a response was not received within 30 days of the notification, the assignment would be included in the commission’s annual reporting for that year as a misassignment. The administrator responsible for the assignment would have been required to correct the misassignment within 30 days of final notification by the commission and report the correction method to the county office of education (COE) or chartering authority in the case of a charter.

AB 3048 would have also required the CTC to annually publish misassignment data in a searchable, publicly available format and submit biennial reports to the Legislature concerning teacher assignments and misassignments, including the results of all assignment monitoring and reviews. The commission would also have been required to provide reports and recommendations to the Legislature regarding the state’s teacher workforce for purposes of developing and reviewing state policy, identifying workforce trends, and identifying future needs regarding the state’s teacher workforce.

Lastly, this bill would have required LEAs to use the most recent data when reporting a misassignment in a LCAP.

Status: Assembly Appropriations Committee – Held Under Submission

## School Climate and School Safety

**AB 1983 (Waldron) – School Safety: School District Facilities and Emergency Practices: Security Assessment**

This bill would have required the governing board of a school district, COE, and charter school, before the commencement of the 2019–20 school year, to contract with a local law enforcement agency to provide a full security assessment of the school district’s facilities and emergency practices of each school within its jurisdiction.

Status: Assembly Appropriations Committee – Held Under Submission

**AB 2291 (Chiu) – School Safety: Bullying**

Existing law requires the CDE to develop an online training module to assist all school staff, school administrators, parents, pupils, and community members in increasing their knowledge of the dynamics of bullying and cyberbullying. This bill would require the CDE to post on its Internet Web site and annually update a list of available online training modules relating to bullying or bullying prevention, including the online training module it developed.

AB 2291 would also require a school operated by a school district or COE and a charter school to annually make available the online training module developed by the CDE to certificated schoolsite employees and all other schoolsite employees who have regular interactions with pupils.

Status: Senate Education Committee

**AB 2318 (Flora) – Gun–Free School Zone**

Existing law makes it a crime to possess a firearm in a place that the person knows, or reasonably should know, is a school zone. This bill would have exempted from that crime a person who holds a valid concealed carry license who is carrying the firearm to, from, or in a church, synagogue, or building used as a place of worship on the grounds of a public or private school providing K–12 instruction, if the person has the written permission of the school authority.

Status: Assembly Public Safety Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2497 (Cooper) – Firearms: School Gun Violence Prevention**

This bill would establish in the State Treasury the School Gun Violence Protection Fund for purpose of providing grants to schools to fund school counselors or school resource officers. This bill would impose a tax upon retailers for selling firearms and ammunition in this state and impose a tax on the storage, use, or other consumption in this state of firearms and ammunition by January 1, 2019. The moneys collected pursuant to this bill would be deposited into the School Gun Violence Protection Fund for continuous appropriation by the Department of Justice to provide grants to schools.

AB 2497 would require a school maintaining grades 6 to 8 or grades 7 and 8 to have a school counselor with the primary responsibility of detecting and reporting the early warning signs of threats of violence to the school or its pupils. The bill would authorize schools maintaining grades 6 to 12, as specified, to apply for a grant from the School Gun Violence Protection Fund to fund school counselors as required by this bill or school resource officers.

This bill would require a mandated reporter, including a teacher or classified employee at a school, to report whenever the mandated reporter has knowledge of or observes any threat or perceived threat by a pupil to use a firearm or any other means of force to inflict mass casualties at a school during school hours or after school hours. The bill would make it a misdemeanor for failure of a mandated reporter to report a threat or perceived threat.

Status: Senate Public Safety Committee

**AB 2639 (Berman) – Pupil Suicide Prevention Policies: Evidence-Based Online Training**

This bill would require the California Department of Education (CDE) to identify and make available an evidence-based online suicide prevention training program that school districts serving students in grades 7 through 12 can use to train staff and students. The CDE would be required to award a grant to a county office of education (COE), who will use the grant to purchase and disseminate the online training program to school districts at no cost. AB 2639 would specify that school districts are not required to use the training program.

The Budget Conference Committee approved $1.7 million in one-time Proposition 98 funding to support the selection and purchase of a suicide prevention training program.

Status: Senate Education Committee

**AB 2657 (Weber) – Pupil Discipline: Restraint and Seclusion**

This bill would prohibit schools from using behavioral restraint or seclusion with students in certain circumstances and prohibits the use of certain types of seclusion and restraint techniques. AB 2657 would only allow schools to use behavioral restraint in cases of emergency. In addition, this bill would require schools to schedule a debriefing meeting after a behavioral restraint is used and would require the school to document the meeting in the student’s record. AB 2657 would also require schools to report annually to the CDE on its use of restraints and seclusion and requires CDE to post the information on its website.

Status: Senate Education Committee

**AB 2673 (Reyes) – Educational Equity: Severe Bullying Complaints: Local Educational Agency Protocol**

This bill would have required the SSPI to develop and issue, by May 31, 2019, a mandatory protocol to LEAs regarding how to advise schools within the LEAs jurisdiction to proceed in a situation in which a severe bullying complaint has been substantiated. The protocol would include, but not be limited to, conducting an investigation into the allegation, conflict resolution strategies, and internal review of school compliance with the state’s priorities for school climate.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2691 (Jones-Sawyer) – Pupil Health: Pupil and School Staff Trauma: Trauma–Informed Schools Initiative**

This bill would require the California Department of Education (CDE) to establish, by December 31, 2019, a Trauma–Informed Schools Initiative. AB 2691 would require CDE to provide information regarding the trauma–informed care approach to LEAs, develop a guide for LEAs on how to become trauma–informed schools, offer training on the trauma–informed care approach to LEAs, and develop and post information about the initiative online. This bill would also require LEAs to provide the initiative’s web address to parents and guardians.

Status: Senate Education Committee

**AB 2820 (McCarty)** **– School Accountability: Community Engagement and School Climate for Continuous Improvement Block Grant**

This bill would require the SSPI, by March 1, 2019 to convene a technical design group to develop criteria for vetting and certifying school conditions and climate surveys. AB 2820 would also, upon an appropriation, provide the surveys free of charge to LEAs.

The Assembly Budget Subcommittee No. 2 took action that would modify the Governor’s May Revision proposal to provide $15 million to expand the state’s efforts around a Multi-Tiered System of Support (MTSS). Specifically, the Assembly proposes to increase the funding $20 million and have selected COEs and an institute of higher education vet and certify school climate surveys and to make them available to LEAs at no cost.

The Senate Budget Subcommittee No 1 adopted the Governor’s proposal.

Status: Senate Education Committee

**AB 1747 (Rodriguez) – School Safety Plans**

This bill would place several requirements on schools regarding safety procedures related to active shooters. Specifically, this bill would (a) expand the required elements of school safety plans, including procedures to respond to active shooter situations, (b) require schools to conduct annual active shooter drills, (c) require school districts to expand their consultation for development of the plan and share their procedures with first responders, and (d) expand existing school safety plan requirements and these new requirements to charter schools.

AB 1747 would also require CDE to provide additional guidance and oversight of safety plans, including an annual report to the Legislature with information about the number of schools with approved safety plans.

Status: Senate Education Committee; Hearing Date

**AB 2067 (Gallagher) – Armed Security Guards and School Resource Officers**

This bill would have required a school district or a charter school to hire or contract with at least one armed school resource officer authorized to carry a loaded firearm, to be present at each school of the schooldistrict or charter school during regular school hours and any other time when pupils are present on campus.

Status: Assembly Appropriations Committee – Held Under Submission

**SB 1203 (Bates) – School Safety: Active Threat Drills**

This bill would require every public and private school that provides educational services to pupils in kindergarten or in any of grades 1 to 12, inclusive, and has an enrollment of 50 or more pupils or more than one classroom, to conduct an active threat drill at least once per school year.

Status: Assembly Education Committee

## Standards, Curriculum Frameworks, and Instructional Materials

**AB 1763 (Chu) – High School Graduation Requirements: College and Career Preparedness Education Course**

Commencing with the 2020–21 school year, this bill would have required the governing board of a school district and the governing body of a charter school to ensure that students receive information on college and career preparedness at least once in high school. The information would have included, but not been limited to, the following:

* An overview of the types of higher education available and general application processes.
* Information on available state, federal, and private financial assistance programs.
* Information on college and career options, including CTE opportunities.

Status: Assembly Appropriations Committee – Held Under Submission

**AB 1861 (Rodriguez) – Pupil Instruction: Human Trafficking: Use of Social Media and Mobile Device Applications**

Existing law requires school districts to ensure that all students in grades 7 to 12 receive comprehensive sexual health education and human immunodeficiency virus prevention (HIV) education, including information about human trafficking. This bill would require the information about human trafficking to also include information on how social media and mobile device applications are used for human trafficking.

Status: Senate Appropriations Committee

**AB 1868 (Cunningham) – Pupil Instruction: Sexual Health Education: Sexually Suggestive or Sexually Explicit Materials**

This bill would authorize a school district to provide optional instruction on the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cell phones, social networking, computer networks, or other digital media as part of the comprehensive sexual health education and HIV prevention education.

Status: Senate Education Committee; Hearing Date: 06/13/2018

**AB 2002 (Arambula) – Revised Curriculum Framework: History–Social Science: History of the Hmong and their Contributions to the “Secret War” in Laos**

This bill would have established a model curriculum in Hmong history and cultural studies. AB 2002 would have required the Instructional Quality Commission (IQC) to develop and submit the model curriculum to the SBE by December 31, 2019, and requires the SBE to adopt, modify, or revise the model curriculum by March 31, 2020.

Status: Assembly Appropriations Committee – Held Under Submission

**AB 2239 (Eduardo Garcia) – Foreign Language Course: A–G Course Certification**

This bill would require the CDE to encourage the governing board of a school district or the governing body of a charter school to support their respective schools in submitting any world language courses that is specifically designed for native speakers to the UC for certification and addition to the school’s “A-G” course list.

Status: Senate Education Committee; Hearing Date: 06/13/2018

**AB 2265 (Obernolte) –** **High School Diplomas: State Seal of Science, Technology, Engineering, and Mathematics**

This bill would have established a State Seal of STEM to recognize high school graduates who have attained a high level of proficiency in STEM fields. To receive the State Seal of STEM, a student would have been required to meet the following criteria:

* Attain a 3.0 grade point average for STEM courses.
* Successfully complete four year-long courses in mathematics and four year-long courses in science.
* Attain a certain score or grade indicating that the student has met or exceeded standards on a state-standards-aligned assessment in science and mathematics.

AB 2265 would have become operative after data from the statewide administration of the California Science Assessment were available and the SBE makes a declaration at a public meeting.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2319 (Nazarian) – Foreign Language Education: World Language**

This bill would delete references in the California *Education Code* to the term “foreign language” and would replace it with “world language.” AB 2319 would also provide that the bill shall not be constructed to require local educational agencies to make modifications to their language programs.

Status: Senate Education Committee

**AB 2523 (Grayson) – Computer Science: Content Standards: Digital Literacy**

Existing law requires the Instructional Quality Commission (IQC) to develop and recommend computer science content standards for K–12 to the SBE by July 31, 2019. This bill would have required the IQC to consider content standards for teaching digital literacy when developing and recommending computer science content standards to the SBE.

Status: Assembly Education Committee – Bill failed to pass out of the policy committee before the deadline

**AB 2601 (Weber) – Pupil Instruction: Sexual Health Education: Charter Schools**

Existing law requires school districts to ensure that all students in grades 7 to 12 receive comprehensive sexual health education and HIV prevention education. This bill would require charter schools to ensure that all pupils in grades 7 to 12 receive comprehensive sexual health education and HIV prevention education.

Status: Senate Education Committee; Hearing Date: 6/20/2018

**AB 2644 (Reyes) – Dolores Huerta Day**

This bill would designate April 10 of each year as Dolores Huerta Day and encourage all public schools and educational institutions to conduct exercises remembering the life of Dolores Huerta, recognizing her accomplishments, and familiarizing pupils with the contributions she made to California.

Status: Senate Government Organization Committee

**AB 2683 (Gipson) – Literacy Education: Author Book Publishing Program**

This bill would have created the California Student Author Project and appropriated $1 million from the General Fund to the California State Library in the 2018–19 fiscal year to provide grant awards to nonprofit organizations to support students from extremely low income communities increase literacy, reading and writing. AB 2683 would have also required a grant recipient to establish a student author book publishing program for students in grades 6 to 12 from housing developments as defined. This bill would have required the California State Library to report to the Legislature on the outcomes of the California Student Author Project by January 1, 2022.

Status: Assembly Appropriations Committee – Held Under Submission

**SB 830 (Dodd) – Pupil Instruction: Media Literacy: Model Curriculum**

Contingent upon an appropriation, this bill would establish a model curriculum in media literacy for K–12 for voluntary use by educators. The model curriculum would be designed for the purpose of providing instruction in the safe and responsible use of media and supporting pupils’ use of critical thinking skills when consuming media. SB 830 would require the IQC to develop and submit the model curriculum to the SBE by January 1, 2023, and require the SBE to adopt, reject, or modify the model curriculum by March 31, 2023. Following the adoption of the model curriculum, this bill would require the CDE to make available on its Internet Web site a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers.

Status: Assembly Education Committee

**SB 895 (Nguyen) – Pupil Instruction: Vietnamese American Refugee Experience and Cambodian Genocide: Model Curriculum**

This bill would establish a model curriculum on the Vietnamese American refugee experience and the Cambodian Genocide that began with the fall of Saigon in 1975. SB 895 would require the IQC to develop and submit the model curriculum to the SBE by December 31, 2022, and requires the SBE to adopt, modify, or revise the model curriculum by March 31, 2023. This bill would encourage LEAs to offer pupils a course of study relative to the Vietnamese American refugee experience based on the model curriculum following its adoption by the SBE. Implementation of the bill would be subject to the receipt of grants, donations, or other financial support from private or public sources for its purposes, including, but not limited to, an appropriation in the annual Budget Act or another statute.

Status: Assembly Education Committee

**SB 933 (Allen) – Visual and Performing Arts Education: Grant Program**

Contingent upon an appropriation, this bill would establish the Arts for Every Student Incentive Grant Program to encourage and maintain the delivery of high-quality visual and performing arts education programs and provide a jump start for school districts lacking the capacity to provide access to a visual and performing arts education to every pupil. SB 933 would require the CDE to administer the program, consult with stakeholders that have expertise in visual and performing arts education, and award grants to eligible applicants that demonstrate commitment to high-quality visual and performing arts education and equity.

Status: Assembly Education Committee

**SB 947 (Jackson) – Pupil Instruction: Digital Citizenship and Media Literacy**

This bill would require the SSPI, in consultation with the executive director of the SBE, to identify best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy and report to the Legislature on strategies to implement the best practices and recommendations statewide by December 1, 2019.

SB 947 would state that “digital citizenship” and “media literacy” are broad terms that encompass consumption and production of media and digital products. This bill would require the SSPI to convene and consult with an advisory committee when developing best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy. The bill would also place limitations on the committee.

Status: Assembly Education Committee

**SB 1048 (Allen) – Academic Achievement**

Existing law requires the SBE to adopt statewide academically rigorous content standards in the core curriculum areas of reading, writing, and mathematics to serve as the basis for assessing the academic achievement of individual pupils, and of schools, school districts, and the California educational system. Existing law makes these provisions inoperative on July 1, 2011. This bill would repeal these provisions.

Status: Assembly Education Committee

## Other Notable Bills

**AB 318 (Caballero) – Independent Study: Visual Contact with Pupil**

This bill would prohibit a school district, county office of education, or charter school from being eligible to receive apportionments for independent study unless it has adopted and implemented a written policy that requires a teacher to make visual contact with a pupil in person or by a live visual connection, no less than once every two weeks, to assess whether the pupil is making satisfactory educational progress.

Status: Senate Appropriations Committee – Held In Suspense

**AB 2022 (Chu) – Pupil Health: On-Campus Mental Health Professionals**

This bill would require schools, by December 31, 2021, to have at least one mental health professional who is accessible to students on campus during school hours for every 600 students. Schools with fewer than 600 students may have one mental health professional to serve multiple schools. AB 2022 would also require eligible schools to seek reimbursement for costs of implementing the bill’s provisions through the LEAs Medi-Cal Billing Option Program and the School-Based Medi-Cal Administrative Activities program, when possible. If additional costs remain after Medi-Cal billing, this bill would require costs to be covered by Proposition 64 funds. AB 2022 would also require the CDE to allocate Proposition 64 funds to schools.

Status: Senate Education Committee

**AB 2949 (Gloria) – Pupil residency: Pupils of Military Families**

This bill would require LEAs to allow a pupil who is a child of a military family to continue attending his or her school of origin, regardless of any change in residence of the military family or the end of military service of the pupil’s parent, as specified.

Status: Senate Veterans Affairs Committee

**SB 607 (Skinner) – Pupil Discipline: Suspensions and Expulsions: Willful Defiance**

This bill would eliminate the authority to suspend or recommend for expulsion any pupil in kindergarten through fifth grade who disrupts school activities or otherwise willfully defies the authority of supervisors, teachers, administrators or school officials. SB 607 would also prohibit, until July 1, 2023, the suspension or recommendation for expulsion any pupil in grades 6 through 12 for that same act, the authority to suspend or recommend expulsion, and would extend these provisions to charter schools.

Status: Assembly Inactive File

**SB 1127 (Hill) – Pupil Health: Administration of Medicinal Cannabis: Schoolsites**

This bill would authorize the governing board of a school district, a county board of education, or the governing body of a charter school to adopt a policy that allows a parent or guardian to possess and administer to a pupil medicinal cannabis, but excludes medicinal cannabis in a smokeable or vapeable form. SB 1127 would also authorize the governing board to rescind the policy for any reason.

Status: Assembly Education Committee; Hearing Date: 06/13/2018

**SB 1224 (Glazer) – Statewide Longitudinal Education and Workforce Data System**

This bill would have established a statewide longitudinal education and workforce data system to include data on California students from enrollment in kindergarten to their entry into the workforce. SB 1224 would have required the CDE, the Chancellor of the California Community Colleges, and the CSU, and would request the UC, to set up a data collection system, and would require the Labor and Workforce Development Agency to provide wage record and workforce program data for those students recently entering the workforce. This bill would have also required any research or report developed with the use of the data system to be accessible to the public.

Status: Senate Appropriations Committee – Held In Suspense