
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: SB 1181 **Hearing Date:** May 12, 2020
Author: Committee on Education
Version: February 20, 2020
Urgency: No **Fiscal:** No
Consultant: Lynn Lorber

Subject: Elementary and secondary education: omnibus bill.

SUMMARY

This bill is the annual K-12 education policy omnibus bill, which makes technical, clarifying, conforming, and other non-controversial revisions to a number of provisions in the Education Code.

BACKGROUND

The Education Code includes numerous references to the Superintendent of Public Instruction relative to regulations, role on the State Board of Education, role as designated state official, role on educational advisory committees, the destruction of school district records, forms for severance aid, notice by school district governing boards of the employment of people requiring certification qualifications, and violations of the employment of minors. (Education Code § 1703, § 12501, § 33004, § 33501, § 35253, § 41962, § 44843, § 49180)

Existing law:

- 1) Prohibits a person from being eligible from holding a position as city superintendent, district superintendent, deputy superintendent, associate superintendent, or assistant superintendent of schools unless "he" is the holder of both a valid school administration certificate and a valid teacher's certificate. (EC § 35028)
- 2) Authorizes the county auditor to examine each order and requisition on school district funds transmitted to "him" by the county superintendent of schools. (EC § 42639)

ANALYSIS

This bill makes technical changes to various sections of the Education Code to remove gendered references to the Superintendent of Public Instruction, one gendered reference to the county auditor, and one gendered reference to a city superintendent, district superintendent, deputy superintendent, associate superintendent, or assistant superintendent of schools.

STAFF COMMENTS

- 1) **Purpose of the elementary and secondary education omnibus bill.** Each year, there is typically a K-12 education omnibus bill that makes various technical, conforming, clarifying, and non-controversial revisions to the Education Code. Typically, staff with the Senate and Assembly education policy, fiscal and budget committees (and their minority consultants), the Department of Finance, the California Department of Education, the Legislative Analyst's office, and other similarly situated state government offices, identify statutes in existing law which need updating or correcting and propose corrections.

Custom and practice provide that if offices or entity object to a proposed provision in the omnibus bill, that particular provision is prohibited from inclusion.

- 2) **Updated terminology.** Gendered references, particularly to positions of power, are outdated and inappropriate. These references can easily be replaced by stating the position or office rather than the gender of a person who may occupy that position or office.
- 3) **Necessary to accomplish this Session?** No. Gendered references are outdated and inappropriate but it is not critical that those statutory changes occur this year. As part of the process described in #1 above, legislative and agency staff will continue to review additional technical and non-controversial proposals to determine if those statutory changes must occur this legislative session. Once proposals have been identified and agreed upon for inclusion in this omnibus bill, those proposals will replace the current contents of this bill.
- 4) **Fiscal impact.** This bill has been keyed as non-fiscal by the Office of Legislative Counsel.

SUPPORT

None on file

OPPOSITION

None on file

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