

Vice-Chair
Ochoa Bogh, Rosilicie

Members
Cortese, Dave
Dahle, Brian
Glazer, Steven M.
McGuire, Mike
Pan, Richard

California State Senate

EDUCATION



CONNIE LEYVA
CHAIR

Staff Director
Lynn Lorber

Principal Consultant
Brandon Damell
Olgalilla Ramirez
Ian Johnson

Committee Assistant
Lauren Robinson
Irma Kam

State Capitol, Room 2083
(916) 651-4105
FAX: (916) 324-0917

AGENDA

Wednesday, June 9, 2021
9 a.m. -- John L. Burton Hearing Room (4203)

MEASURES HEARD IN FILE ORDER

- | | | | | |
|-----|--------|---------|---|--|
| 1. | AB 39 | Chau | California-China Climate Institute. | |
| 2. | AB 251 | Choi | Public postsecondary education: admission by exception. | |
| * | 3. | AB 306 | O'Donnell | School districts and community college districts: employee housing. |
| * | 4. | AB 337 | Medina | Board of Governors of the California Community Colleges. |
| * | 5. | AB 543 | Davies | Public postsecondary education: student orientation: CalFresh. |
| * | 6. | AB 643 | Ramos | Apprenticeship programs: career fairs. |
| * | 7. | AB 856 | Maienschein | Pupil health: COVID-19 Youth Health Information Act.(Urgency) |
| * | 8. | AB 1039 | Nguyen | Model curricula: Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies. |
| * | 9. | AB 1383 | Carrillo | Community colleges: academic employees: involuntary administrative leave. |
| * | 10. | ACR 53 | Ward | Purple Star School Program. |
| 11. | SCA 5 | Glazer | University of California: regents: student members. | |

*Proposed Consent

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No:	AB 39	Hearing Date:	June 9, 2021
Author:	Chau		
Version:	March 25, 2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: California-China Climate Institute.

Note: This bill has been referred to the Committees on Education, Environmental Quality; and Natural, Resources and Water. A "do pass" motion should include referral to the Committee on Environmental Quality.

SUMMARY

This bill authorizes the Regents of the University of California (UC) to establish the California-China Climate Institute in partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University and other entities and institutions in China and California.

BACKGROUND

Existing law:

- 1) Under the California Constitution, establishes the UC as a public trust to be administered by the Regents of the UC with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university, and such competitive bidding procedures as may be made applicable to the university for construction contracts, selling real property, and purchasing materials, goods and services. (Constitution of California, Article IX, Section 9).
- 2) Under the California Constitution, states that the university be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs. (Constitution of California, Article IX, Section 9 (f)).
- 3) Provides that statutes related to UC (and most other aspects of the governance and operation of UC) are applicable only to the extent that the Regents of UC make such provisions applicable. (EC § 67400)
- 4) Declares the UC as the primary state-supported academic agency for research. (EC § 66010.4 (c))

ANALYSIS

This bill:

- 1) Authorizes the Regents of the UC to establish the California-China Climate Institute, a UC-wide initiative to accelerate climate action through cooperative efforts and exchange between two of the world's largest economic powers.
- 2) Requires the institute work closely with UC campuses, departments, and leaders to accomplish its work.
- 3) Requires the institute operate in partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University and other entities and intuitions in China and California.
- 4) Provides that to the extent possible, the institute receive guidance and support from expert policy, government, business, academic and climate leaders and advisory committees, including, but not necessarily limited to, the following state entities:
 - a) The California State Assembly.
 - b) The California State Senate.
 - c) The Office of the Governor.
 - d) The California Environmental Protection Agency.
 - e) The Natural Resources Agency.
 - f) The UC.
- 5) Specifies that the duties of the institute include all of the following:
 - a) Fostering collaboration among government, business, academic institutions, and civil society to inform and shape national and subnational climate policy and advance the goals of the Paris Agreement.
 - b) Advancing joint policy research on major climate issues, as specified.
 - c) Supporting high-level subnational climate dialogue between top government, business, and climate leaders from throughout the United States and China with respect to climate policy, investment and finance.
 - d) Providing training to Californian and Chinese researchers, scientists, technical experts, policy makers, and other leaders to advance critical climate and environmental policies, including, but not necessarily limited to, air quality, carbon pricing, carbon emissions, clean energy, and innovation.

STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "The California-China Climate Institute was created through private agreements. It is not statutorily created and can be

dissolved despite its important research and without any involvement of the legislature that has placed a high priority on addressing climate change issues. AB 39 will formalize in statute the California-China Climate Institute to make this important research institute permanent.”

- 2) *About the California-China Climate Institute.* In September 2019, former California Governor Edmund G. Brown Jr. helped launch the California-China Climate Institute to promote climate action through joint research, training and dialogue between California and China. The Institute is jointly located at the UC Berkeley, School of Law and the College of Natural Resources. The Institute has a partnership with the Institute of Climate Change and Sustainable Development at Tsinghua University in China.

Governor Brown leads the institute in partnership with Xie Zhenhua, China’s Special Representative for Climate Change Affairs. Governing the institute is a board of top university and government officials, and a network of expert policy and operations staff, business, academic and climate advisory committees helps provide guidance and support.

This Institute is tasked with informing policy makers, promote communication and cooperation, and advance the implementation of climate solutions at all levels government and society. It will provide strategic advice for California’s general engagement with China on climate, energy and environment, as well as cover economic development, cultural and education matters by linking climate research with national and subnational climate decision-making processes. This bill essentially codifies existing practice.

- 3) *Codifying UC research initiatives.* It would seem that legislation is unnecessary to authorize the UC establish a research institute given the UC’s constitutional autonomy as noted in the background of this analysis. However, have become common practice. In prior years, the Legislature acted to address statewide needs by funding various research initiatives at UC. Most recently, these initiatives include among other things, the firearm violence research at UC, Davis, California mosquito surveillance and research at UC, Davis and dyslexia research at UC, San Francisco. A notable difference between related initiatives and this measure is that activity is limited to California.

According to the Assembly Appropriations Committee’s fiscal analysis, the climate institute is funded with philanthropic funds. If enactment of this measure is a priority of the Legislature and, should state funding be appropriated in future years to the UC for the stated purpose, it is incumbent upon the Legislature to establish intent and goals for those funds through legislation.

SUPPORT

Environmental Defense Fund
Natural Resources Defense Council
Governor Edmund G. Brown Jr.

OPPOSITION

None received.

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 251 **Hearing Date:** June 9, 2021
Author: Choi
Version: March 8, 2021
Urgency: No **Fiscal:** No
Consultant: Olgalilia Ramirez

Subject: Public postsecondary education: admission by exception

SUMMARY

This bill prohibits certain senior administrators from being one of the three senior administrators tasked with approving students' admission by exception applications to a campus within the California State University (CSU) and if adopted by the University of California (UC) Board of Regents, the UC system.

BACKGROUND

Existing law:

- 1) Establishes the UC as a public trust to be administered by the Regents and grants the Regents full powers of organization and governance subject only to legislative control as necessary to ensure the security of funds, compliance with terms of its endowments, and the statutory requirements around competitive bidding and contracts, sales of property, and the purchase of materials, goods, and services (Article IX, Section (9)(a) of the California Constitution).
- 2) Provides that statutes related to UC (and most other aspects of the governance and operation of UC) are applicable only to the extent that the Regents of UC make such provisions applicable. (EC § 67400)
- 3) Establishes the CSU system, made of 23 campuses, and bestows upon the CSU Trustees, through the Board of Trustees, the power, duties, and functions with respect to the management, administration, and control of the CSU system (EC Section 66606 and 89030 et. Seq.).
- 4) Prohibits a campus of the CSU and, if adopted by the Regents of the UC by appropriate resolution, the UC, from admitting an applicant by admission by exception, as defined, unless the admission by exception has been approved, before the student's enrollment, by at least 3 senior campus administrators, the applicant is a California resident who is receiving an institution-based scholarship to attend the campus, or the applicant is accepted by an educational opportunity program for admission to the campus. (Education Code § 66022.5 et. al.)

ANALYSIS

This bill prohibits certain senior administrators from being one of the three senior administrators tasked with approving students' admission by exception applications to a campus within the CSU and if adopted by the UC Board of Regents, the UC system. Specifically, for purposes related to admission by exception decisions, this bill defines a "senior campus administrator," to mean staff that are *not associated* with campus development, external affairs, fundraising, donor relations, alumni relations or alumni outreach.

STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "AB 251 builds upon the solution enacted by AB 1383 by prohibiting senior campus administrators who engage in the admission by exception approval process from working in various departments identified by the California State Auditor's audit of UC Admissions as improperly influencing admissions procedures. By closing this loophole, AB 251 will not only restore the public's trust in the college admission process, but will also ensure there is a procedure in place to verify that prospective students are admitted by merit and not by who they know."
- 2) *Admission gaming.* In 2019, the Department of Justice charged several dozen individuals accused of cheating and accepting bribes to gain students' unlawful admission to top universities, including to UCs. Athletic coaches from Yale, Stanford, University of Southern California, Wake Forest and Georgetown, among others, were implicated, as well as parents and exam administrators. In response, the Legislature approved AB 1383 (McCarty, Chapter 522, Statutes of 2019) which required approval from three campus administrators prior to UC or CSU admitting a student through their respective admission by exception policies. Although the CSU had no part in the scandal, the CSU is subject to the provisions established by AB 1383 and this bill.
- 3) *California State Audit of the University of California Admission Process.* In September 2020, the California State Auditor (Auditor), published an audit report which reviewed the general admission practices and the admission of athletes at three UC campuses: UC, Berkeley, UC, Los Angeles, UC, San Diego, and the admission of athletes at UC, Santa Barbara. The report concluded that, over a six-year period, the identified campuses admitted 64 applicants based on their personal or family connections to donors and university staff. Campuses admitted 22 students through their student-athlete admissions process, despite those students lacking the athletic qualifications required to compete at the university. UC, Berkeley admitted the remaining students, most of whom were referred to the admissions office because of their families histories as donors or because they were related or connected to university staff. The Auditor's report asserts that their records did not demonstrate competitive qualifications for admissions to UC, Berkeley.

Additionally, the report identified cases in which the admission office of a campus actively engaged with development offices to ensure students who were connected to donors or potential donors would receive admission to the university. The Auditor's report issued 12 recommendations to UC, including a recommendation related to this bill, to establish protocols for admissions

processes that prohibit communication between a campus's development office and its admissions office about applicants and prospective applicants. The CSU was included in the audit.

- 4) *UC's response to the audit.* In their August 2020 letter, the UC stated it is committed to safeguarding the integrity of its admissions practices and will take prompt action to address issues raised in the State Auditor's draft report. It further states that many of the report's recommendations are similar to those that UC internal audits identified and presented to the Board of Regents over the past year, and that UC campuses and the Office of the President have largely implemented. This bill seeks to establish firmer parameters around which types of senior administrators may be tasked with approving UC and CSU students' admission by exception applications.
- 5) *Related legislation.* AB 233 (Boerner Horvath, 2021) requests the UC Regents to require the UC Office of the President to establish systemwide protocols based to the California State Auditor recommendations related to the student admissions processes by April 15, 2022. AB 233 is pending referral in Senate Rules Committee.

AB 1215 (Boerner Horvath, 2021) also requests the UC Regents to adopt a policy directing the UC Office of the President implement other various California State Auditor recommendations related to the student admission process to be effective for the UC's 2023 admissions cycle. AB 1215 is pending in the Senate.

SUPPORT

None received.

OPPOSITION

None received.

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No:	AB 306	Hearing Date:	June 9, 2021
Author:	O'Donnell		
Version:	April 5, 2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: School districts and community college districts: employee housing

SUMMARY

This bill exempts school and community college district employee housing architectural plans from the requirement to receive approval from the Department of General Services' (DGS) Division of State Architect (DSA).

BACKGROUND

Existing law:

- 1) Prohibits the State Allocation Board (SAB) from apportioning funds to any school district that has not received approval from the DSA that the project meets Field Act requirements. (Education Code § 17074.15 and 17072.30)
- 2) Requires the DSA, under the police power of the state, to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building to ensure that plans and specifications comply with existing law and Title 24 regulations (California Building Standards Code and EC § 17280)
- 3) Specifies that "school building" means and includes any building used, or designed to be used, for elementary or secondary school purposes and constructed, reconstructed, altered, or added to, by the state or by any city or county and county, or by any political subdivision, or by any school district of any kind within the state, or by any regional occupational center or program created by or authorized to act by an agreement under joint exercise of power, or by the United States government, or any agency thereof. (EC § 17283)
- 4) Requires the DGS, under the police power of the state, to supervise the design and construction of any school building or the reconstruction or alteration of, or addition to, any school building, if not exempted under existing law, to ensure that plans and specifications comply with specified rules and regulations and building standards published in Title 24 of the California Code of Regulations, and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property. (EC § 81130)
- 5) Defines "school building" as any building used, or designed to be used, for community college purposes and constructed by the state, by any city, county, or

city and county, by any district of any kind within the state, by any regional occupational center or program created by or authorized to act by an agreement under joint exercise of power, or by the United States government, or any agency thereof. (EC § 81050)

- 6) Requires each school building constructed, reconstructed, modified, or expanded after July 1, 2006, on a community college campus to be built according to the Field Act or according to the California Building Standards Code, as adopted by the California Building Standards Commission. (EC § 81052)
- 7) Prohibits contracts to be awarded for the construction of elementary school, secondary school, or community college buildings and facilities until the DGS has issued written approval stating that the plans and specifications comply with the intent of specified provisions in the Government Code, when funds from the state, county, municipalities, or other political subdivisions are used. (Government Code § 4454)

ANALYSIS

This bill exempts school and community college district employee housing architectural plans from the requirement to receive approval from the DSA. This bill further defines residential housing as any building used as a personal residence by a teacher or employee of a school district or community college district, with the teacher's or employee's family, if applicable.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, this bill is necessary in order to help school districts and community college districts expedite the availability of housing for teachers and other school staff. The author states, "School buildings are required to be constructed with more stringent requirements under the Field Act in order to protect children during earthquakes. As long as employee housing projects comply with local building codes, it is unnecessary to consider residential projects for adults as 'school buildings' and be required to comply with the Field Act. AB 306 will help expedite the development of school district and community college district employee housing projects, which are becoming more important for teacher recruitment and retention."
- 2) ***Teacher housing and affordability.*** The Teacher Housing Act of 2016 authorizes school districts to establish and implement programs that address the housing needs of teachers and school district employees who face challenges in securing affordable housing. School districts can utilize these programs as an additional incentive for teachers to enter and stay in their schools. School districts located in high cost areas have had particular challenges attracting and retaining teachers and other school staff. Some districts report that teachers commute long distances because they cannot afford to live in the areas where they teach.
- 3) ***Learning Policy Institute (LPI) report.*** The LPI's 2016 report, "Addressing California's Emerging Teacher Shortage: An Analysis of Sources and Solutions"

included the following summary: "After many years of teacher layoffs in California, school districts around the state are hiring again. With the influx of new K-12 funding, districts are looking to lower student-teacher ratios and reinstate classes and programs that were reduced or eliminated during the Great Recession. However, mounting evidence indicates that teacher supply has not kept pace with the increased demand." The report included the following findings:

- a) Enrollment in educator preparation programs has dropped by more than 70 percent over the last decade.
- b) In 2014-15, provisional and short-term permits nearly tripled from the number issued two years earlier, growing from about 850 to more than 2,400.
- c) The number of teachers hired on substandard permits and credentials nearly doubled in the last two years, to more than 7,700 comprising a third of all the new credentials issued in 2014-15.
- d) Estimated teacher hires for the 2015-16 school year increased by 25 percent from the previous year while enrollment in the University of California and the California State University teacher education programs increased by only about 3.8 percent.

The Learning Policy Institute (LPI) report offered several policy recommendations for consideration, including the creation of more innovative pipelines into teaching.

- 4) **Legislative Analyst Office (LAO) assessment.** As part of the Proposition 98 Education Analysis for the 2016-17 Governor's Budget released in February 2016, the LAO included a section on teacher workforce trends in which it examined evidence for teacher shortages in specific areas, identified and assessed past policy responses to these shortages, and raised issues for the Legislature to consider going forward in terms of new policy responses. In the report, the LAO indicated that the statewide teacher market will help alleviate existing shortages over time and that the shortages may decrease without direct state action. However, the LAO noted there are perennial staffing difficulties in specific areas, such as special education, math, and science, for which they encouraged the Legislature to address with narrowly tailored policies rather than with broad statewide policies.
- 5) **Arguments in support.** The Los Angeles Unified School District, the sponsor of the bill, states, "The Division of the State Architect (DSA) conducts plan review and approval for construction projects done by school districts for classroom buildings. These projects must be completed under robust building code requirements of the Field Act to protect students in school buildings in the event of an earthquake. By contrast, projects done by school districts for employee residential housing are not required to be built to the standard of the Field Act. Historically, these projects have been built to the standards applied to similar residential housing by the local jurisdiction with authority to enforce building code

requirements, typically the local municipality...As school districts explore opportunities to offer housing options to their employees, it is imperative that unnecessary regulatory barriers are eliminated to streamline housing projects, AB 306 aides in achieving this goal.”

SUPPORT

Los Angeles Unified School District (sponsor)
California Apartment Association
California Coalition for Adequate School Housing
California School Boards Association
Community College Facility Coalition
Community College League of California

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 337 **Hearing Date:** June 9, 2021
Author: Medina
Version: January 28, 2021
Urgency: No **Fiscal:** No
Consultant: Lynn Lorber

Subject: Board of Governors of the California Community Colleges.

SUMMARY

This bill converts the non-voting student member position to a voting student member position on the Board of Governors (BOG) of the California Community Colleges (CCC), thereby increasing the voting membership of the BOG from 17 to 18 members.

BACKGROUND

Existing law:

- 1) Establishes the BOG membership as follows:
 - a) Twelve members, each appointed by the Governor with the advice and consent of two-thirds of the membership of the Senate to six-year staggered terms. Two of these members must be current or former elected members of local community college district governing boards.
 - b) One voting student member, and one non-voting student member.
 - c) Two voting tenured faculty members from a community college, who are appointed by the Governor for two-year terms.
 - d) One voting classified employee, who are appointed by the Governor for a two-year term.
 - e) The Lieutenant Governor, who is to be a voting member. (Education Code § 71000)
- 2) Requires student BOG member to be enrolled in a community college:
 - a) With a minimum of five semester units, or its equivalent, at the time of the appointment and throughout the period of the student member's term, or until a replacement has been named.
 - b) At least one semester before the student member's appointment, and must meet and maintain the minimum standards of scholarship prescribed for community college students.

- 3) Prohibits a student BOG member, during the first year of the student member's term, from voting, while authorizing the student member to attend all BOG meetings and its committees, and participate fully in discussion and debate.
- 4) Extends full voting rights to a student BOG member during the second year of the student member's term.

ANALYSIS

This bill converts the non-voting student member position to a voting student member position on the BOG of the CCCs, thereby increasing the voting membership of the BOG from 17 to 18 members. Specifically, this bill:

- 1) Increases the number of voting student BOG members from one to two, thereby increasing the voting membership of the BOG from 17 to 18 members.
- 2) Clarifies that each student member may exercise the same right to attend BOG meetings, and its committees, and have the same right to vote as the other BOG members.
- 3) Strikes references to a non-voting student member and the process allowing the non-voting student to become the voting student should a vacancy for that position occur.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "The Board of Governors of the California Community Colleges sets educational policy and provides leadership and guidance for the 73 districts and 116 colleges comprising the community college system. The legislature also grants the Board of Governors with additional powers, including the ability to select the system Chancellor. The student members of the Board of Governors exercise a critical role of representing more than 2.1 million students at the California Community Colleges. The Board of Governors plays a significant role in shaping the student experience at California Community Colleges, yet lacks adequate student representation. There are currently two student members of the Board of Governors, but only one has the ability to vote. In such an expansive and diverse higher education system, it is simply unfeasible that one student can do justice to represent the plurality of thought and diversity of experience contained in the community college system."
- 2) ***Parity with CSU.*** Existing law grants the two student members of the Board of Trustees of the California State University full voting rights (the conversion of one non-voting student position to a voting student position was made in 2019). This bill provides parity for the student BOG members.
- 3) ***Who currently represents the students?*** As noted in the Assembly Higher Education Committee analysis of this bill, following the cancellation of a Memorandum of Understanding with the California Student Association of Community Colleges (CalSACC) in May 2005 due to a reduction in membership,

BOG formally recognized the Student Senate for the California Community Colleges (SSCCC) in July of 2006 as the representative voice of CCC students. As the student organization recognized by BOG, SSSCC is responsible for submitting the list of names of at least three students for consideration for appointment to BOG by the Governor.

- 4) **Related legislation.** SCA 5 (Glazer) proposes to modify Article IX of the State Constitution to require, rather than authorize, the members of the University of California, Board of Regents to appoint two students enrolled at a UC campus thereby increasing its voting membership from 18 to 20. SCA 5 is scheduled to be heard by this Committee on June 9.

AB 1290 (Lee) expands the student members of the California Student Aid Commission from two to four students, and requires each student to represent a different segment of postsecondary education. AB 1290 is pending in the Senate Education Committee.

- 5) **Prior legislation.** AB 2190 (Medina, 2020) was identical to this bill, and was not heard by the Senate Education Committee due to compressed legislative timelines.

SUPPORT

Generation Up (sponsor)
Student Senate for California Community Colleges (sponsor)
California Teachers Association/Community College Association

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 543 **Hearing Date:** June 9, 2021
Author: Davies
Version: March 25, 2021
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Public postsecondary education: student orientation: CalFresh

SUMMARY

This bill requires the Board of Governors (BOG) of the California Community Colleges (CCC) and the Trustees of the California State University (CSU) and requests the Regents of the University of California (UC) to provide, as a part of campus orientation, information about CalFresh.

BACKGROUND

Existing law:

- 1) Establishes in federal law the Supplemental Nutrition Assistance Program (SNAP) to promote the general welfare and to safeguard the health and wellbeing of the nation's population by raising the levels of nutrition among low-income households. It establishes SNAP eligibility requirements, including adjusted net income that is at or below 100 percent of the federal poverty level and is determined to be a substantial limiting factor in permitting a recipient to obtain a more nutritious diet (Code of Federal Regulations, Title 7 § 271.1; 7 CFR § 273.9)
- 2) Under federal law, prohibits an individual who is enrolled at least half-time in an institution of higher education from eligibility for SNAP benefits, unless the student qualifies for an exemption. To be eligible for an exemption, a student must meet at least one of several criteria prescribed in federal law including, be employed for a minimum of 20 hours per week, participate in federally financed work study program or be enrolled in a job training program, among other things. (7 CFR, 273.5 (a) and (b))
- 3) Establishes the CalFresh program to administer the provisions of federal SNAP benefits to low-income families and individuals meeting specified criteria. (Welfare and Institutions Code § 18900 et seq.)
- 4) States legislative intent to clarify educational policies for purposes of improving access for low-income students to the CalFresh program. (Education Code § 69519.3 (a))
- 5) Establishes the UC, which is administered by the Regents of the UC, the CSU, which is administered by the Trustees of the CSU, and the CCCs, which is

administered by the BOG, as the three segments of public postsecondary education in the state. (EC § 70900, § 89000, § 92000)

- 6) Requires each campus of the CSU and the CCC, and requests each campus of the UC, to include on a website account for enrolled students, a notification of and a link to information on specified public services and programs, including the CalFresh program, county or local housing resources, as specified, and local or county mental health services. (EC § 66027.6).
- 7) Requires the governing board of each community college district and the CSU Trustees, and requests the UC Regents, to provide educational and preventative information about sexual violence to students at all campuses of their respective segment as part of established campus orientations. Current law further requires CSU Trustees and request UC Regents to provide information about cyberbullying to students during campus orientations at their respective segments. (EC § 67385.7 and EC § 66302.5)

ANALYSIS

This bill requires the BOG of the CCCs and the CSU Trustees, and requests the UC Regents, to provide to educational information about and student eligibility requirements for CalFresh, as a part of campus orientation, to all campuses of their respective segments.

STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "There is an estimated \$100 million in benefits unclaimed every month. College students are either not receiving enough information or are unaware of the benefits that are available to them and AB 543 would help fix this. The program is not only a benefit for students, it also helps to benefit community's economies."
- 2) *Shortfall in student aid programs.* Student aid programs like Cal Grant and others largely cover tuition costs but fall short of helping students pay for other costs associated with college attendance such as food and housing. The need gap has had a significant impact on low-income families. The Institute for College Access and Success highlights this point in their report, "Charting the Course for Redesigning Financial Aid in California," released October 2019. According the report, college students in California from families that make \$30,000 or less in household income typically pay no tuition after grants and scholarships, but they still have to spend about half or more of their entire family income for other costs not covered by aid. Estimates by the California Student Aid Commission project that, for 2019-20, non-tuition costs, such as food, books and housing, will exceed \$22,000 for students who live off campus across all types of institutions. These numbers are particularly concerning for community college students where hunger, or food insecurity, affects up to two-thirds of students (based on CCC student survey). The COVID-19 pandemic has exacerbated the need for additional resources. Finding ways to connect students with other social safety

net resources, such as CalFresh benefits, have gained momentum in response to this issue.

- 3) *Federal rules disqualify students from eligibility.* CalFresh is California's version of the federal SNAP program, which provides monthly food benefits to qualified low-income individuals and families to assist them with purchasing the food they need to maintain adequate nutrition levels. It is administered by California Department of Social Services (CDSS) at the state level and California's 58 counties are responsible for administering CalFresh at the local level. CalFresh benefits are 100 percent federally funded and the federal government establishes national income eligibility standards and benefit levels.

However, student eligibility for CalFresh is limited based on a number of factors that essentially disqualify most full-time college students from benefits unless they qualify for one of several exemptions. These exemptions include, being employed at least 20 hours per week, being approved and anticipate participating in a work-study program, being responsible for the care of a child, attending school as part of an employment and training program or participating in a program to improve employability, or receiving TANF funding. The CDSS estimates the annualized average number of students receiving CalFresh food benefits to be 127,630 and the total number of students likely eligible for CalFresh to be between 416,471. Consequently, student eligibility is complicated and presumably contributes to low participation rates.

The COVID-19 relief bill (H.R. 133) passed by Congress in December made it easier, albeit temporarily, for college students to access the CalFresh program for as long as the federal emergency related to COVID-19 is in place.

- 4) *Related CalFresh workgroup findings.* SB 77 (Committee on Budget and Fiscal Review, Ch. 53, Statutes of 2019) directed CDSS in consultation with UC, CSU and CCCs, to assess the effectiveness of the federal CalFresh program in serving low-income college students and provide recommendations. The report included various findings for improving CalFresh access to college students including supporting targeted CalFresh outreach and development of integrated messaging to address food insecurity among students. This bill seems to align with that goal.
- 5) *Impact on student orientation programs.* This bill requires that college orientation programs provide information about CalFresh benefits. Student orientation programs are designed to guide students through their academic career and provide them with relevant information about university and academic requirements, academic advising/planning, and a variety of campus student programs. If this bill were adopted, it would expand on the orientation content prescribed by law. Current law requires college campuses to provide information about cyberbullying and about sexual violence during orientation. With regard to this bill, providing information to students about a public benefit that could help them cover food costs is reasonable. However, as other worthy issues emerge, the committee may wish to consider the extent to which a permanent statutory fix is necessary to prescribe which issues are covered within college orientation and

which circumstances merit a campus decision to ensure students receive information without being overwhelmed.

- 6) *Misplaced authority.* To better align with community college governance structure and its operations, **staff recommends the bill be amended** to make the bill's provisions related to CalFresh information in orientation a requirement of each community college, rather than that of the CCC Board of Governors.

SUPPORT

American Academy of Pediatrics, California
California Catholic Conference
California State Student Association
California Teachers Association
County Welfare Directors Association of California (CWDA)

OPPOSITION

None received.

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No:	AB 643	Hearing Date:	June 9, 2021
Author:	Ramos		
Version:	February 12, 2021		
Urgency:	No	Fiscal:	Yes
Consultant:	Ian Johnson		

Subject: Apprenticeship programs: career fairs

NOTE: This bill has been referred to the Committees on Education and Labor, Public Employment and Retirement. A "do pass" motion should include referral to the Committee on Labor, Public Employment and Retirement.

SUMMARY

This bill requires local educational agencies planning to hold a college or career fair to notify each apprenticeship program in the same county.

BACKGROUND

Existing law:

- 1) Provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards within the Department of Industrial Relations, in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment.
- 2) Provides that an apprenticeship program may be administered by a joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer.
- 3) Defines an apprentice as a person at least 16 years of age who has entered into a written agreement, called an "apprentice agreement," with an employer or program sponsor.
- 4) Establishes the Legislature's recognition that all pupils need to be provided with opportunities to explore and make career choices and to seek appropriate instruction and training to support those choices. As such, the Legislature encourages expansion of cooperative activities between schools, youth leadership activities, and community resources. Among community resources of particular significance in providing information on various career opportunities are vocational and occupational exhibits, demonstrations and activities conducted at fairs.
- 5) Requires the California Department of Education to annually encourage school districts to plan programs and activities which utilize the resources of fairs and youth leadership activities as an integral part of the vocational instructional program and career decision making.

ANALYSIS

This bill:

- 1) Requires a school district or school that is planning to hold a college or career fair to notify each apprenticeship program in the same county as the school district or school of the college or career fair.
- 2) Specifies that, in determining the county location of an apprenticeship program, the school district or school shall rely on the database of approved apprenticeship programs published by the Division of Apprenticeship Standards on its internet website.
- 3) Specifies that the notification shall include the planned date, time, and location of the college or career fair.
- 4) Requires the notice to be delivered before the planned date of the college or career fair either by first-class mail or by electronic mail pursuant to the contact information contained in the database of approved apprenticeship programs published by the Division of Apprenticeship Standards on its internet website.
- 5) Encourages school districts and schools to host apprenticeship fair events, in the style of college and career fair events that are focused on local apprenticeship programs and career technical education opportunities.
- 6) Defines "career fair" to mean an event where multiple private businesses, government agencies, university representatives, or career technical school representatives are invited by a school or school district to present career options or career technical education options for students.
- 7) Defines "college fair" to mean an event where multiple college or university representatives are invited by a school or school district to present college options to students.
- 8) Defines "schools" to mean public schools, including, but not limited to, charter schools and alternative schools.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "AB 643 requires a school or local educational agency to contact local apprenticeship programs preceding a college or career fair, ensuring that students are made aware of and have access to local apprenticeship programs. In school climates focused on college readiness, pathways to the good-paying jobs that apprenticeship programs can lead to are too often overlooked."
- 2) ***Apprenticeship programs.*** Apprenticeship is widely recognized as an effective method of passing on essential technical skills and vocational competencies from one generation of skilled workers to another. These programs are intended to

offer Californians a pathway to in demand high wage and high-growth careers. Apprenticeship is a structured training method and method of choice in industries that demand highly skilled, competent and flexible workers.

This system of training is designed to meet the diverse and technical needs for hundreds of industries and occupations. The planned training involves a progression of tasks on the job combined with classroom instruction which integrates the why and how of the job. Apprenticeship programs can be set up for any occupation which involves the use of independent judgment in applying a wide range of skills and knowledge. An apprenticeable occupation can be designed by combining several single-skill jobs to form an upward mobility pattern.

Within the state Department of Industrial Relations is the Division of Apprenticeship Standards (DAS). The DAS guides those interested in setting up an apprenticeship program, including understanding how apprenticeship works and learning what the state standards for education and employment are. All approved apprenticeship programs must be registered with the DAS.

- 3) **Arguments in support.** The California State Association of Electrical Workers, California State Pipe Trades Council, Western States Council of Sheet Metal Workers, and the International Union of Elevator Constructors, states in support that the bill addresses "the current academic climate in high schools [that] often emphasizes college preparedness while the benefits and opportunities of apprenticeship programs for students exiting high schools are commonly overlooked. Even if students were provided the information on the potential benefits of apprenticeship programs, they are often unaware of how to access local apprenticeship programs."
- 4) **Prior Legislation.** AB 1558 (Ramos) of 2019 was identical to this bill and was subsequently vetoed by Governor Newsom. His veto message states:

"This bill requires local school districts or schools that are planning college or career fairs to notify each apprenticeship program in their county, utilizing information from the database of approved apprenticeship programs published by the Division of Apprenticeship Standards.

Many schools and school districts already include apprenticeship programs as part of their career fair outreach. While the intentions of this bill are commendable, this bill is could result in additional costs to schools, which are already under significant financial stress."

SUPPORT

Western Electrical Contractors Association
Plumbing-Heating-Cooling Contractors Association of California

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 856 **Hearing Date:** June 9, 2021
Author: Maienschein
Version: May 18, 2021
Urgency: Yes **Fiscal:** Yes
Consultant: Brandon Darnell

Subject: Pupil health: COVID-19 Youth Health Information Act

SUMMARY

This bill, an urgency measure, establishes the COVID-19 Youth Health Information Act and requires the California Department of Education (CDE) to: (1) post on its internet website information related to the safe return of pupils to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19; (2) monitor the best practices and evolving guidelines on the safe return of pupils; and (3) encourages schools and school districts to give pupils and their parents and guardians ready access to this information.

BACKGROUND

- 1) Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils, and authorizes the district to employ properly certified persons for the work. (Education Code § 49400)
- 2) Requires CDE to post on its internet website guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs and encourages schools to post this information on the school's internet website. (EC § 33479.2)

ANALYSIS

This bill, an urgency measure, establishes the COVID-19 Youth Health Information Act and requires the California Department of Education (CDE) to: (1) post on its internet website information related to the safe return of pupils to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19; (2) monitor the best practices and evolving guidelines on the safe return of pupils; and (3) encourages schools and school districts to give pupils and their parents and guardians ready access to this information. Specifically, this bill:

- 1) Requires the CDE to post on its internet website information related to the safe return of pupils to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, including current American Academy of Pediatrics guidelines for (1) a preparticipation screening evaluation, with a special emphasis on cardiac symptoms, with a licensed health care provider to evaluate health and heart risks associated with COVID-19, and (2) "gradual return to play" protocols, according to whether the pupil's COVID-19 was mild, moderate, or severe.

- 2) Requires the CDE to include the American Academy of Pediatrics guidelines for pupils to obtain medical clearance before returning to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, and the gradual return to play protocols, relative to the severity of symptoms.
- 3) Authorizes the CDE to include other materials, including those developed by the Eric Paredes Save a Life Foundation, the California Interscholastic Federation, the American Academy of Pediatrics, the American Medical Society for Sports Medicine, and the California Athletic Trainers' Association.
- 4) Requires the CDE to monitor best practices and evolving guidelines on the safe return of pupils to physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, and to update its internet website in response to new information.
- 5) Requires the CDE to encourage schools and school districts to give pupils and their parents and guardians ready access to the information obtained pursuant to this bill by posting it on their internet websites, and actively distributing this information via postal mail, email, newsletter, meetings, in registration and sports clearance packets, or in person.
- 6) Provides the following definitions:
 - a) "Exercise and physical activity" includes all of the following:
 - i) Interscholastic athletics.
 - ii) An athletic contest, event, or competition, other than interscholastic athletics, sponsored by a school, including cheerleading and club-sponsored sports activities.
 - iii) Noncompetitive cheerleading sponsored by a school.
 - iv) Practices, conditioning, drills, and scrimmages for all of these activities above.
 - v) Physical education classes.
 - b) "Licensed healthcare provider" means a licensed medical practitioner skilled in the evaluation and screening of youth heart conditions related to viral exposure.
 - c) "School" means a public elementary or secondary school, including a charter school, or a private school that conducts athletic and physical activities.
- 7) Makes these provisions inoperative on July 1, 2024, and repeals them as of January 1, 2025.

- 8) Specifies that the bill is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect, and that the facts constituting the necessity are: "In order to expedite the safe return of the pupils of this state to exercise and physical activities, it is necessary that this act take effect immediately."

STAFF COMMENTS

- 1) **Need for the bill.** According to the author's office, "COVID-19 put a halt to and completely upended our way of life. One of the less talked about effects of this deadly disease are the short and long-term adverse health impacts on youth who may have contracted COVID-19. Youth and otherwise healthy students may not know of the potential health risks associated with engaging in physical activity if they have been possibly infected with COVID-19. Exposure to COVID-19 can result in sudden cardiac arrest, which is one of the leading causes of death among young students around the United States.

"The issue with COVID-19 is that it may lead to adverse health impacts that are generally unknown until the worst happens. The impact of COVID-19 on youth is currently not fully understood, and this bill may be vital in helping to inform and protect school age youths."

- 2) **American Academy of Pediatrics (AAP) guidance.** The AAP has developed guidance for children who have tested positive to COVID-19 that advises that they undergo a health screening by their physician, particularly for cardiac symptoms, prior to returning to physical activity. The specific guidance varies based on the severity of the child's case of COVID-19, based on these three categories: (1) asymptomatic or mild cases, (2) moderate cases, and (3) severe cases. The guidance, in part, varies from "children or adolescents that have tested positive for SARS-CoV-2 within the prior 6 months should visit their pediatricians for a post-illness visit prior to return to physical activity," for asymptomatic cases, to "restriction from exercise for a minimum of 3 to 6 months and obtain cardiology clearance prior to resuming training or competition," for severe cases. The full guidance is fairly detailed. Even for mild and moderate cases, the AAP guidance recommends that the child's primary care physician conduct "the American Heart Association's 14-element screening evaluation with special emphasis on cardiac symptoms including chest pain, shortness of breath out of proportion for upper respiratory tract infection, new-onset palpitations, or syncope and perform a complete physical examination."
- 3) **Previous legislation.** AB 1933 (Maienschein, 2020) would have authorized a pupil or the pupil's parent or guardian to request the administration of an electrocardiogram as part of the pupil's evaluation for purposes of being permitted to return to participate in an athletic activity. AB 1933 was not scheduled for a hearing in the Assembly Education Committee.

AB 379 (Maienschein, Chapter 174, Statutes of 2019) added "an athlete who has passed out or fainted" to existing law that prohibits an athlete from returning to athletic activity until being evaluated and cleared by a health care provider. AB

379 required the athlete, if the health care provider suspects that the athlete has a cardiac condition that puts the athlete at risk for sudden cardiac arrest or other heart-related issues, to remain under the care of the healthcare provider to pursue follow-up testing until the athlete is cleared to play.

AB 1639 (Maienschein), Chapter 792, Statutes of 2016, established the Eric Paredes Sudden Cardiac Arrest Prevention Act; required the CDE to make available specified guidelines and materials on sudden cardiac arrest; required pupils and parents to sign informational materials before athletic participation; required training of coaches; and set requirements for action in the event a pupil experiences specified symptoms.

SUPPORT

California Association for Health, Physical Education, Recreation & Dance

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 1039 **Hearing Date:** June 9, 2021
Author: Nguyen
Version: February 18, 2021
Urgency: No **Fiscal:** Yes
Consultant: Brandon Darnell

Subject: Model curricula: Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies

SUMMARY

This bill extends the deadlines for the Instructional Quality Commission (IQC) to develop and submit, and for the State Board of Education (SBE) to adopt, modify, or revise, three model curricula relative to: (1) the Vietnamese American refugee experience, (2) the Cambodian genocide, and (3) Hmong history and cultural studies.

BACKGROUND

Existing law:

- 1) Requires the IQC to develop, and the SBE to adopt, modify, or revise, a model curriculum in ethnic studies, and requires that the model curriculum be written as a guide to allow school districts to adapt their courses to reflect the student demographics in their communities, and include examples of courses offered by local educational agencies (LEAs) that have been approved as meeting A-G admissions requirements including, to the extent possible, course outlines for those courses. (Education Code § 51226.7)
- 2) Requires that, by December 31, 2019, the IQC to submit the ethnic studies model curriculum to the SBE for adoption, and the SBE to adopt the model curriculum by March 31, 2020. (EC § 51226.7)
- 3) Requires the IQC to develop and submit to the SBE, and requires the SBE to adopt, modify, or revise, the following model curricula relative to: (1) the Vietnamese American refugee experience that includes, but is not limited to, curriculum on the fall of Saigon in 1975, (2) the Cambodian genocide, and (3) Hmong history and cultural studies. (EC § 33540.2, 33540.4, and 33540.6)
- 4) Requires the IQC to submit model curriculum in Hmong history and cultural studies to the SBE by December 31, 2022, and requires the SBE to adopt, modify, or reject the model curriculum before March 31, 2023. (EC § 33540.6)
- 5) Encourages that instruction be provided on the Vietnam War, including the "Secret War" in Laos and the role of Southeast Asians in that war, and encourages that this instruction include a component drawn from personal testimony, especially in the form of oral or video history of Southeast Asians who

were involved in the Vietnam War and those men and women who contributed to the war effort on the homefront. (EC § 51221.4)

- 6) Requires that the oral histories used as a part of the instruction regarding the role of Southeast Asians in the Vietnam War and the “Secret War” in Laos exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate and provide intelligence for the United States. (EC § 51221.4)

ANALYSIS

This bill extends the deadlines for the IQC to develop and submit, and for the SBE to adopt, modify, or revise, three model curricula relative to: (1) the Vietnamese American refugee experience, (2) the Cambodian genocide, and (3) Hmong history and cultural studies. Specifically, this bill:

- 1) Extends the deadlines for the IQC develop and submit the three model curricula from December 31, 2022, to December 31, 2026.
- 2) Extends the deadlines for the SBE to adopt, modify, or reject the three model curricula from March 31, 2023 to March 31, 2027.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author’s office, “SB 895 passed all committees and both houses of the Legislature unanimously in 2018 and was signed into law, however the funding to implement the curriculum was never allocated. There is currently a budget proposal moving through the process in order to obtain the necessary funding needed. Rather than letting the provisions set forth in SB 895 expire, AB 1039 will extend the deadlines in SB 895 so funding can be secured.”
- 2) ***IQC working on multiple projects concurrently.*** In addition to the model curricula specific to this bill, the IQC is also responsible for developing a model curriculum in Native American studies upon an appropriation for that purpose. Separate from model curricula, the IQC is also responsible for the development of curriculum frameworks and recommending instructional materials for adoption by the SBE. At present, the IQC schedule includes:

Subject	Framework State Date	Framework SBE Adoption Date	Instructional Materials State Date	Instructional Materials SBE Adoption Date
World Languages	2018	July 2020	2019	November 2021
California Arts Education	2018	July 2020	2019	November 2021
Mathematics	2019	November 2021	2020	November 2023

Subject	Framework State Date	Framework SBE Adoption Date	Instructional Materials State Date	Instructional Materials SBE Adoption Date
Physical Education	2021	July 2024	There are no SBE-adopted instructional materials for physical education.	n/a
English Language Arts/ English Language Development	2022	July 2025	2025	November 2027
Health Education	2024	July 2027	2027	November 2029
History–Social Science	2023	July 2026	2026	November 2028
Science	2025	July 2028	2028	November 2030

- 3) **Ethnic Studies Model Curriculum.** In addition to the projects above, AB 2016 (Alejo, Ch. 327, Stats. 2016) required the IQC to develop, and the SBE to adopt, an ethnic studies model curriculum. The development process elicited controversy, as there were concerns over which groups the ethnic studies model curriculum would ultimately include, and on some of the specifics within the initial draft. After public comment periods and a revision, CDE ultimately recommended that the model curriculum increase the breadth and depth of the four foundational disciplines of ethnic studies—African American Studies, Asian American Studies, Chicana/o/x Latina/o/x Studies, and Native American Studies. Additionally, the CDE proposed updating and expanding an existing set of resources—where all sample lessons are housed—to further reflect California's diversity by offering instructional materials that raise the voices of many identities whose experiences intersect with the core disciplines of ethnic studies, such as Arab Americans, Armenian Americans, Jewish Americans, and Sikh Americans. The model curriculum and additional sample lessons were adopted by the SBE on March 18, 2021.

- 4) **Technical amendment.** There appears to be an inadvertent inconsistency amongst the SBE's responsibilities relative to the three model curricula. For the two model curricula relative to the Vietnamese American refugee experience and the Cambodian genocide, the SBE must adopt, modify, or *revise* those model curricula. However, for the model curriculum in Hmong history and cultural studies, the SBE must adopt, modify, or *reject* the model curriculum. Looking back to SB 895 (Nguyen, Chapter 686, Statutes of 2018), which created these requirements, the requirement on the SBE – from its introduction – was to adopt, modify, or revise. Accordingly, **staff recommends that the bill be amended** to align the SBE's required actions across all three model curricula to be to adopt, modify, or *revise*. Specifically, as follows:

- Section 33540.6(f): “On or before December 31, 2026, the commission shall submit the model curriculum to the state board for adoption, and the state board shall adopt, modify, or reject revise the model curriculum on or before March 31, 2027.”

- 5) **Related and previous legislation.** AB 1393 (Weber, 2019) would have added Laotian history and cultural studies to the forthcoming model curriculum in Hmong history and cultural studies. AB 1393 was vetoed by Governor Newsom, who stated:

“This bill requires the State Board of Education (SBE) to add Laotian history and cultural studies to the Hmong model curriculum that the Instructional Quality Commission developed and the SBE was required to adopt, by Senate Bill 895 (Chapter 686, Statutes of 2018).”

While I appreciate the interest in addressing a gap in prior legislation, I remain concerned that the current process is piecemeal and fragmented, as the adoption of the ethnic studies model has displayed. Before we move forward with additional model curricula, I believe a review of the existing process is necessary to support reforms needed so that our schools can provide instruction in a manner that reflects and honors the experiences of all Californians.”

SB 895 (Nguyen, Chapter 686, Statutes of 2018) requires the IQC to develop and submit to the SBE, and requires the SBE to adopt, modify, or revise, the following model curricula: (1) relative to the Vietnamese American refugee experience that includes, but is not limited to, curriculum on the fall of Saigon in 1975, (2) relative to the Cambodian genocide, and (3) in Hmong history and cultural studies.

SB 830 (Dodd, Chapter 448, Statutes of 2018) would have required the Instructional Quality Commission (IQC) to develop, and the State Board of Education (SBE) to adopt, modify, or revise, a model curriculum in media literacy. SB 830 was amended in the Assembly Appropriations Committee to require the California Department of Education (CDE) to make available to school districts on its Internet Web site, by July 1, 2019, a list of resources and instructional materials on media literacy, including media literacy professional development programs for teachers.

SB 135 (Dodd, 2017) was substantially similar to the introduced version of SB 830 (Dodd, 2018). SB 135 passed this committee on April 19, 2017, and was held in the Assembly Appropriations Committee.

SB 583 (Stone, 2017) would have required the development of a model curriculum for an elective course in financial literacy for pupils in grades 9 to 12, inclusive. SB 583 was held in the Assembly Appropriations Committee.

AB 155 (Gomez, 2017) would have required the IQC to develop a model curriculum in media literacy, and requires the CDE to develop an online professional development module to support the model curriculum. AB 155 was held in the Assembly Appropriations Committee.

AB 838 (Levine, 2017) would have required that the IQC develop a model curriculum on the 2016 presidential election, for voluntary use in secondary government courses. AB 838 was held in the Assembly Appropriations Committee.

AB 738 (Limon, Ch. 614, Stats. 2017) requires the development of a model curriculum in Native American studies, and requires school districts which elect to offer one course in Native American studies to make the course available in at least one year during a student's enrollment in grades 9-12.

AB 2016 (Alejo, Ch. 327, Stats. 2016) requires the IQC to develop, and the SBE to adopt, a model curriculum in ethnic studies, as specified. The bill also encourages school districts and charter schools to offer an ethnic studies course based on the model curriculum for students in grades 9-12.

SUPPORT

None received

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No: AB 1383 **Hearing Date:** June 9, 2021
Author: Carrillo
Version: March 25, 2021
Urgency: No **Fiscal:** No
Consultant: Ian Johnson

Subject: Community colleges: academic employees: involuntary administrative leave

SUMMARY

This bill specifies that a community college employer should complete its investigation of an employee's accused misconduct within 90 *working* days of placing the employee on involuntary paid administrative leave.

BACKGROUND

Existing law:

- 1) Defines "academic employee" as a person employed by a community college district in an academic position for which minimum qualifications have been established by the California Community Colleges (CCC) Board of Governors (Education Code § 87001).
- 2) Requires, at least two business days before an academic employee of the CCC is placed on involuntary paid administrative leave, the employee to be notified in writing of the general nature of the allegation or allegations of misconduct upon which the decision to place the employee on involuntary paid administrative leave is based. Specifies that within 90 days of placing an academic employee on involuntary paid administrative leave, the employer should complete its investigation of the accused misconduct and initiate disciplinary proceedings against, or reinstate the employee. For purposes of this section, defines "paid administrative leave" as a temporary leave from a job assignment, with pay and benefits intact (EC § 87623).
- 3) Itemizes, in the Education Code, the various rules and governance that community college districts must adhere to when evaluating and disciplining faculty; including, but not limited to:
 - a) Specifies that during the school year, all contract and regular employees are subject to dismissal and the imposition of penalties on the grounds and pursuant to the procedures established (EC § 87666);
 - b) Stipulates that a contract or regular employee may be dismissed or penalized for one or more of the grounds established in Section 87732 of the EC (EC § 87667);

- c) Specifies that a governing board may impose one of the following penalties: a) Suspension for up to one year; or, b) Suspension for up to one year and a reduction or loss of compensation during the period of suspension (EC § 87668);
- d) Requires that the governing board shall determine whether a contract or regular employee is to be dismissed or penalized. If the employee is to be penalized, the governing board shall determine the nature of those penalties. If the employee is to be dismissed or penalized, the governing board shall determine whether the decision shall be imposed immediately or postponed in accordance with Section 87672 of the EC (EC § 87669);
- e) Specifies that a contract or regular employee may be dismissed or penalized if one or more of the grounds set forth in Section 87732 are present and the following are satisfied: a) The employee has been evaluated in accordance with standards and procedures established in accordance with the provisions of this article; b) The district governing board has received all statements of evaluation which considered the events for which dismissal or penalties may be imposed; c) The district governing board has received recommendations of the superintendent of the district and, if the employee is working for a community college, the recommendations of the president of that community college; and, d) The district governing board has considered the statements of evaluation and the recommendations in a lawful meeting of the board (EC § 87671);
- f) Requires that if a governing board decides it intends to dismiss or penalize a contract or regular employee, it deliver a written statement, duly signed and verified, to the employee setting forth the complete and precise decision of the governing board and the reasons therefor. The written statement shall be delivered by serving it personally to the employee or by mailing it by United States registered mail to the employee at his or her address last known to the district. A governing board may postpone the operative date of a decision to dismiss or impose penalties for a period not to exceed one year, subject to the employee's satisfying his or her legal responsibilities as determined by statute and rules and regulations of the district. At the end of this period of probation, the decision shall be made operative or permanently set aside by the governing board (EC § 87672); and,
- g) Stipulates that no regular employee or academic employee shall be dismissed except for one or more of the following causes: a) Immoral or unprofessional conduct; b) Dishonesty; c) Unsatisfactory performance; d) Evident unfitness for service; e) Physical or mental condition that makes him or her unfit to instruct or associate with students; f) Persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the board of governors or by the governing board of the community college district employing him or her; g) Conviction of a felony or of any crime involving moral turpitude; and, h) Conduct as specified in Section 1028 of the Government Code (EC § 87732).

ANALYSIS

This bill:

- 1) Specifies that a community college employer should complete its investigation of an employee's accused misconduct within 90 *working* days of placing the employee on involuntary paid administrative leave, unless the employee's leave is extended by mutual agreement.
- 2) Prohibits the leave extension described above from exceeding 30 calendar days.
- 3) Defines "working days" to mean Monday through Friday, and does not include weekends and state holidays.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "In the wake of COVID-19 and given that a vast majority of employees are working remotely the complexity of gathering information, conducting interviews, and compiling information has been a challenge. AB 1383 provides much needed relief during these difficult times and enables employers to complete a thorough investigation that is fair to both the accuser and the accused."

This bill specifies that the 90 days employers have in order to conduct an investigation should be "working days." Additionally, this measure provides more time to conduct personnel investigations if both parties agree to extend the investigation period. The extended time may not exceed 30 calendar days.

- 2) ***Arguments in support.*** According to the Los Angeles Community College District, sponsors of this measure, "The bill provides a much-needed fix during these unprecedented times, and a more clarifying standard going forward. It truly is in the best interest of all parties."
- 3) ***Prior Legislation.*** AB 2931 (Santiago) of 2020 was identical to this measure, but was not heard in the Assembly Higher Education Committee due to the shortened 2020 legislative calendar.
AB 1651 (Reyes), Chapter 765, Statutes of 2017, which, in part, required academic employees of the CCC to be provided with information on all relevant complaints or allegations against them before being placed on administrative leave.

AB 2559 (Eggman) of 2014, which was not heard in the Assembly Higher Education Committee, in part, proposed that existing statutory procedures and processes in place for a CCC faculty member who is suspended would also apply to involuntary leave, whether or not paid.

SUPPORT

Los Angeles Community College District (Sponsor)

OPPOSITION

None received

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No:	ACR 53	Hearing Date:	June 9, 2021
Author:	Ward		
Version:	March 29, 2021		
Urgency:		Fiscal:	Yes
Consultant:	Brandon Darnell		

Subject: Purple Star School Program

SUMMARY

This measure requests the California Department of Education (CDE) to establish and manage a program designating schools as Purple Star Schools when schools support military connected students in specified ways, and requests the CDE to use the Military Child Education Coalition for resources and information regarding establishing and managing a Purple Star School Program in California.

BACKGROUND

Existing law:

- 1) Defines "a pupil who is a child of a military family" as a school-aged child who is living in the household of an active duty service member. This is the same definition used in current law for purposes of the Interstate Compact on Educational Opportunity for Military Children. (Education Code §§ 49701, 51225.1, and 51225.2)
- 2) Requires local educational agencies (LEAs), including charter schools, to exempt a student of a military family who transfers between schools any time after the completion of the student's second year of high school from all coursework and other requirements that are in excess of state graduation requirements, unless the school district makes a finding that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school. (EC § 51225.1)
- 3) Establishes the Interstate Compact on Educational Opportunity for Military Children, which addresses educational transition issues of children of military families. (EC §§ 49700, et seq.)

ANALYSIS

This measure requests the CDE to establish and manage a program designating schools as Purple Star Schools when schools support military connected students in specified ways, and requests the CDE to use the Military Child Education Coalition for resources and information regarding establishing and managing a Purple Star School Program in California. Specifically, this bill:

- 1) Requests the CDE to establish and manage a program designating Purple Star Schools in California.
- 2) Requests the CDE to ensure that, before being designated a Purple Star School, a school, at a minimum:
 - a) Designate a staff member as a point of contact for military-connected pupils and families.
 - b) Establish and maintain a dedicated page on its website or a location in the school's administrative office featuring information and resources for military families.
 - c) Maintain a pupil-led transition program that includes a pupil transition team coordinator.
 - d) Provide professional development for staff members on special issues related to military-connected pupils and families.
- 3) Requests the CDE to use the Military Child Education Coalition for resources and information regarding establishing and managing a Purple Star School Program in California.
- 4) Resolves that the Chief Clerk of the Assembly transmit copies of this resolution to the Superintendent of Public Instruction (SPI).
- 5) States that a Purple Star School is a public school that is committed to supporting the unique educational and social-emotional needs of military-connected pupils.
- 6) States that Purple Star Schools recognize that military-connected pupils must move whenever their active duty parent receives a relocation order and will uproot and change schools far more often than their civilian peers.
- 7) States that military-connected pupil can expect to move six to nine times between kindergarten and their high school graduation.
- 8) States that Purple Star Schools acknowledge that every military-connected pupil leaves behind friends and support networks and may be dealing with a parent who is away from home on deployment.
- 9) States that several states have begun to recognize Purple Star Schools, including Arkansas, Georgia, Indiana, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Virginia.
- 10) States that it is important that California schools share this commitment to military-connected pupils when they relocate to a new school district.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, "Military members make up one of the largest workforces in the United States, with approximately 1.3 million active duty service member and 818,000 individuals serving in the National Guard and Reserves. Roughly, 40% of these service members are parents or guardians to two or more minor children and due to the frequent relocations required of military personnel, on average, military-connected children move between six and nine times between kindergarten and high school graduation. As they transition between schools, these students must adapt to varying cultures, curricula, standards, course offerings, schedules, and graduation requirements. As a result, military connected students often face unique academic and social-emotional challenges."

- 2) ***Purple Star Schools programs.*** According to the Military Child Education Coalition (MCEC), "A Purple Star School designation lets military parents know, whether they are on active duty or in the National Guard and Reserves, that a school is dedicated to helping their child gain the educational skills necessary to be college-, workforce- and life-ready. It signals that a school also supports the social and emotional wellbeing of military kids adjusting to new schools and the absence of a parent during deployment... To date, only Texas, Tennessee, Virginia, Ohio, Arkansas, South Carolina, North Carolina, Georgia (called Military Flagship Schools) and Indiana, have Purple Star School programs."

In 2001, MCEC conducted a Secondary Education Transition Study that was commissioned by the U.S. Army Community and Family Support Center, which identified four specific recommended requirements for Purple Star Schools:

- a) Designate a staff point of contact for military students and families. The individual can be a counselor, administrator, teacher, or other staff member.
- b) Establish and maintain a dedicated page on its website featuring information and resources for military families.
- c) Maintain a student-led transition program.
- d) Provide professional development for additional staff.

This measure would encourage the SPI's program to include these components.

- 3) ***California School Recognition Program.*** The CDE operates several recognition programs known collectively as the California School Recognition Program (CSRP). Since its inception in 1986, the CSRP recognizes numerous types of schools, including:
 - a) California Exemplary Arts Education.
 - b) California Exemplary Physical Activity and Nutrition Education.

- c) California Exemplary Career Technical Education.
- d) California Exemplary Districts.
- e) California Green Ribbon Schools.
- f) California Teachers of the Year.
- g) Civic Learning Award.
- h) Classified School Employees of the Year.
- i) Model Continuation High School Recognition Program.
- j) National Blue Ribbon Schools.
- k) National Elementary and Secondary Education Act (ESEA) Distinguished Schools.

According to the CDE, “the CSRP gives exceptional schools and school leaders the opportunity to gather and share their Model Programs and Practices and their special skills which have contributed to their success. There are many details that go into the eligibility and selection of these awardees. All of the award programs recognize sustained student achievement, excellence in environmental program design, or superior job performance, and community involvement. CSRP Awardees are recognized at a CSRP Awards Ceremony held during the spring.”

- 4) ***Students of military families in California.*** According to the U.S. Department of the Navy, California is home to the largest number of military children, with nearly 58,000 children. Further, the United States Department of Defense states that, “As military Service members and their families move from state to state, providing smooth educational transitions for their children is key to eliminating one of the largest concerns their parents face. Military families transfer duty stations, on average, every two to four years, resulting in military children changing school systems a total of six to nine times before they graduate.”
- 5) ***Interstate Compact on Educational Opportunity for Military Children.*** The United States Department of Defense, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, developed the Interstate Compact on Educational Opportunity for Military Children (Compact) to address educational transition issues of children of military families.

The goal of the Compact is to ensure that the children of military families are afforded the same opportunities for educational success as other children, and are not penalized or delayed in achieving their educational goals. States participating in the Compact work to coordinate graduation requirements, transfer of records, course placement, and other administrative policies. According to the Department of Defense, all 50 States and the District of Columbia participate in

the interstate compact. California adopted the Compact in the state's Education Code in 2009. The Compact addresses a number of topics, including:

- a) Timely enrollment.
- b) Transfer of school records.
- c) School placement.
- d) Eligibility for enrollment and participation in school programs, athletics, and extracurricular activities.
- e) On-time graduation.

The Compact does not speak generally to the right of students to remain in their schools of origin when their parents' residence changes, but does state that a transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

A 2014 review of the implementation of the Compact in California by the CDE found variations in implementation across districts. The report suggested that California undertake a more comprehensive effort to ensure that school district personnel and military families are maximally familiar with the provisions of the Compact so that its provisions are applied consistently. The report also found that California's membership in the Compact has substantially aided both school districts and military families by alleviating many of the educational difficulties military children encounter in their frequent moves from a school in one state to a school in another state.

- 6) ***Previous legislation.*** AB 2949 (Gloria, Chapter 327, Statutes of 2018) requires that a student who is the child of a military family be allowed to remain in his or her school of origin, and to matriculate with his or her peers in accordance with the established feeder patterns of school districts.

AB 365 (Muratsuchi, Chapter 739, Statutes of 2017) extends to students from military families certain rights regarding exemptions from local graduation requirements and acceptance of partial credit which are currently afforded to other groups of highly mobile students.

SB 455 (Newman, Chapter 239, Statutes of 2017) establishes that a student whose parent is transferred or is pending transfer to a military installation within state while on active military duty pursuant to an official military order has complied with the residency requirements for school attendance in any school district.

AB 2306 (Frazier, Chapter 464, Statutes of 2016) requires school districts to exempt former juvenile court school students who transfer into school districts after their second year in high school from local graduation requirements that

exceed those of the state, and requires a county office of education to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school.

AB 306 (Hadley, Chapter 771, Statutes of 2016) prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to a school in any school district, if the school district to which the parents of the pupil applies approves the application for transfer.

SUPPORT

Military Services in the State of California
United States Department of Defense

OPPOSITION

None received.

-- END --

SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

Bill No:	SCA 5	Hearing Date:	6/9/2021
Author:	Glazer		
Version:	April 15, 2021		
Urgency:		Fiscal:	Yes
Consultant:	Olgallia Ramirez		

Subject: University of California: regents: student members

NOTE: This measure has been referred to the Committees on Education and Elections and Constitutional Amendments. A "do pass" motion should include referral to the Elections and Constitutional Amendments Committee.

SUMMARY

This measure proposes to modify Article IX of the State Constitution to require, rather than authorize, the members of the University of California (UC) Board of Regents to appoint two students enrolled at a UC campus, thereby increasing its voting membership from 18 to 20.

BACKGROUND

The California Constitution establishes the UC, a public trust to be administered by the Regents of the UC and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Article IX, Section (9)(a) of the California Constitution)

The California Constitution establishes the requirements for appointment and terms to be served by a member of the Regents of the UC. The Constitution specifically requires that members of the board be composed of 7 ex officio member of which include; the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and the vice president of the alumni association of the university, and the acting president of the university and 18 appointive members. The Constitution also provides that the Senate, a majority of the membership concurring, approve any Regent appointee made by the Governor. (Article IX, Section (9)(a) and (b)(1) of the California Constitution)

The California Constitution authorizes the UC Regents to appoint student or faculty and establishes procedures for their appointment. Specifically it, authorizes the members of the board to appoint either a member of the faculty at a campus of the university or of another institution of higher education, or a person enrolled as a student at a campus of the university, or both, as members of the board serving for no less than one year with all rights of participation. The Constitution also provides that the board appointed student or faculty serve for not less than one year commencing on July 1. (Article IX, Section (9)(c) of the California Constitution)

ANALYSIS

This constitutional amendment proposes to place before the voters a change to the California Constitution to modify the membership of the Board of Regents of the University of California. It:

- 1) Requires, rather than authorizes, the UC Regents to appoint two students enrolled at a UC campus to serve as members of the UC Board of Regents, thereby increasing its voting membership from 25 to 27.
- 2) Continues to require student or faculty representatives appointed as members of the board to serve for no less than one year with all rights of participation.
- 3) Makes other technical and non-substantive changes.

STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "Currently, the Board of Regents have 8 standing committees and two special committees. However, students only have representation on half of the Regents' decision making bodies. Because the Board of Regents is divided into multiple committees that meet concurrently, it is impossible for only one voting member to represent students on all committees. Each committee makes decisions that are incredibly impactful to student communities, forcing the single voting student member to prioritize between more than two already high priority discussions regularly.

"In addition, since the passage of Prop 4 in 1974, the University of California has added an additional campus, UC Merced, as well as nearly 150,000 more students, but student voting eligibility has remained the same on the Board of Regents.

"The student population is much more diverse now, and that diversity requires the opportunity to have differing perspectives represented through a vote of the Regents. Without the right to vote, the non-voting student regent cannot participate in a functional way on the committees of the board of regents."

This measure seeks to increase and formalize in the California Constitution student representation on the UC Board of Regents.

- 2) *Student Regents.* Under the Constitution, the UC Regents have the option of appointing a student to serve as member on the Board. The student Regent and Regent-designate positions are established and affirmed by regental policy. The two student members of the UC Regents serve staggered two-year terms, with the first year of a student's membership, known as a regent-designate, limited to participation but voting. This bill requires the appointment of two student representatives, each with voting privileges.
- 3) *Effect on existing Regents.* This bill adds two voting members to the UC Board of Regents. The California Constitution provides for 18 Regents to be appointed by

the Governor, and approved by the Senate. In addition, the Constitution provides for seven ex officio members that include publicly elected officials. Traditionally, two faculty members, the chair and vice chair of the Academic Council, sit on the board as non-voting members. If the bill's provisions were enacted, the number of UC Regents could total 29 members.

- 4) *Parity with California State University (CSU).* In 2019, the Legislature adopted AB 514 (Medina, Chapter 61, Statutes of 2019) which granted the non-voting student member of the CSU Board of Trustees voting privileges, thereby giving two students voting rights. However, CSU Trustee appointments are established via statute. Additionally, AB 337 (Medina, 2021) which is being considered in this committee, proposes to add a student member position with voting right on the Board of Governors of the California Community Colleges. Changes made to the Board Governors also do not require a constitutional amendment.
- 5) *Constitutional amendment requirements.* As a proposed Constitutional amendment, this measure would not go into effect unless approved by the majority of voters at a statewide election. This proposal requires a 2/3 vote of each house of the Legislature in order to be submitted to the voters. It does not require approval by the Governor.
- 6) *Prior and related legislation.* AB 337 (Medina, 2021) would eliminate the prohibition against a student member voting during the student member's first year on the Board of the Governors (BOG) of the California Community Colleges (CCC), thereby giving both students voting rights. AB 337 is set to be heard in the Senate Education Committee on June 9.

AB 2190 (Medina, 2020) was identical to AB 337, and was not set for a hearing in the Senate Education Committee.

AB 514 (Medina, Chapter 61, Statutes of 2019,) increases the voting rights of the student members of the CSU Board of Trustees by removing the non-voting status of one of the two student members, thereby giving both students voting rights.

AB 1290 (Lee, 2021) would expand the California Student Aid Commission to include two additional student members. This bill is pending hearing in the Senate Education Committee.

AB 2766 (López, 2016), which was similar to AB 1290, was vetoed by Governor Brown with the following message:

“This bill adds two additional student members to the California Student Aid Commission, bringing the total student membership to four, and the total commission membership to 17. The current participation of the two student members should be sufficient to advancing the interests of students and protecting the public interest.”

SCA 1 (Lara, 2016) proposed to modify Article IX of the State Constitution to reduce the term of an appointment as a Regent of the University of California from 12 years to 10 years for terms commencing on or after the effective date of this measure and prohibits these members from serving more than two terms. SCA 1 was placed on the inactive file in the Senate Floor by the author.

SUPPORT

University of California Student Association

OPPOSITION

None received.

-- END --