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# California State Senate

## EDUCATION



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## AGENDA

Wednesday, April 6, 2022  
9 a.m. -- 1021 O Street, Room 2200

### MEASURES HEARD IN FILE ORDER

- |    |         |            |   |
|----|---------|------------|---|
| 1. | SB 1047 | Limón      | Early learning and care.  |
| 2. | SB 1288 | Umberg     | Hastings College of the Law.  |
| 3. | SB 1363 | Nielsen    | Adopted course of study: Asian Americans and Pacific Islanders.   |
| 4. | SB 1381 | Allen      | School districts and community college districts: governing board elections: charter cities.                |
| 5. | SB 1397 | Borgeas    | Substitute teachers: days of service.   |
| 6. | SB 1113 | Ochoa Bogh | Special education: inclusive education: universal design for learning.                                      |
| 7. | SB 1341 | Cortese    | Homeless pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program. |
| 8. | SB 955  | Leyva      | Pupil attendance: excused absences: civic or political events.  |
| 9. | SB 976  | Leyva      | Universal Preschool Act.  |

### FOR VOTE ONLY

- |     |         |          |  |
|-----|---------|----------|--|
| 10. | SB 1222 | Dahle    | Comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education. |
| 11. | SB 1273 | Bradford | School safety: mandatory notifications.  |

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 1047 **Hearing Date:** April 6, 2022  
**Author:** Limón  
**Version:** March 9, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Lynn Lorber

**Subject:** Early learning and care.

**NOTE:** This bill has been referred to the Committees on Education and Human Services. A "do pass" motion should include referral to the Committee on Human Services.

### SUMMARY

This bill expands the range of types of child care and early learning services that a State Preschool contracting agency may provide, until January 1, 2029.

### BACKGROUND

Existing law:

*California state preschool*

- 1) Requires state preschool programs to include, but not be limited to, part-day age and developmentally appropriate programs designed to facilitate the transition to kindergarten for three- and four-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development. (Education Code § 8235)
- 2) Establishes that three- and four-year-old children are eligible for the part-day state preschool program if the family meets at least one of the criteria described in # 5 (a) below (a current aid recipient, income eligible, homeless, or one whose children are recipients of protective services). (EC § 8235)
- 3) Requires state preschool providers to give first priority to three- or four-year-old neglected or abused children who are recipients of child protective services; second priority is for eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program; third priority is for eligible three-year-old children. (EC § 8236)
- 4) Defines "three-year-old children" as children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a California state preschool program. Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a California state preschool program on or after their third birthday. (EC § 8208)

*Subsidized child care eligibility*

- 5) Provides that families must meet at least one requirement in each of the following areas to be eligible for federal and state subsidized child development services:
  - a) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, or (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.
  - b) A family needs the childcare services (i) because the child is identified as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated. (Education Code § 8263)

**ANALYSIS**

This bill expands the range of types of child care and early learning services that a State Preschool contracting agency may provide. Specifically, this bill:

*Expands State Preschool contracts*

- 1) Expands the age of children that State Preschool contracting agencies may serve, from three- and four-year olds, to children age 18 months through five years.
- 2) Provides that this does not authorize local educational agencies operating a license-exempt State Preschool classroom to serve children other than four-year-olds.
- 3) Requires state preschool programs to meet the existing Title 5 minimum ratios required for each age group.
- 4) Requires State Preschool programs serving children who are less than three years of age to be reimbursed for those children at the rate equivalent to the rate that would be paid if those children were enrolled in a general child care and development program.
- 5) Requires the California Department of Education (CDE), subject to funding and by November 1, 2026, to submit a report to the Legislature and Department of Finance identifying successes and failures relating to the implementation of, and the effect of the implementation, of this expansion.
- 6) Sunsets # 1) - 5) on January 1, 2029.

*Direct certification*

- 7) Expands priority for eligibility, enrollment, and services to include a family who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Assistance Program for Women, Infants, and Children, the Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by CDE.
- 8) Provides that eligibility "as determined by CDE" means either:
  - a) The family provides documentation of current enrollment in the program, unless the contracting agency has, and elects to use, other means of obtaining verification of that enrollment.
  - b) A contracting agency has determined a member of the household is eligible for Head Start or Early Head Start services.
- 9) Requires qualifying families to submit a self-certification of income for the purposes of prioritizing enrollment and calculating family fees.

*Twenty four-month eligibility and eligibility based on employment or homelessness*

- 10) Expands, from 12 months to 24 months, the period of a family's eligibility for ongoing services after establishing initial eligibility.
- 11) Requires the contracting agency to use simplifying assumptions to authorize the maximum certified hours of care based on need for care if a family is eligible for services on the basis that the parent is employed, and the parent's employment has a variable schedule.
- 12) Prohibits the family from being required to report a change in employment schedule for at least 24 months after establishing eligibility; however, a family may, at any time, voluntarily report a change in schedule.
- 13) Provides that preschool/child care services may only occur for no more than full-time service if a family is eligible for services on the basis that the family is homeless, or that the parents are seeking employment or seeking permanent housing for family stability.

*Miscellaneous*

- 14) Makes technical changes to reflect the transfer of many early learning programs from CDE to the Department of Social Services (DSS).
- 15) States findings and declarations relative to the benefits of a coherent and integrated mixed delivery early learning and care system and continuum.

**STAFF COMMENTS**

- 1) *Need for the bill.* According to the author, “The Early Learning and Care Master Plan, released in December 2020, enumerated a number of policy goals that would strengthen California’s Early Childhood education (ECE) system. Additionally, with other policies that were successful last year, like making Transitional Kindergarten universal, there will be many impacts to the childcare system, and this bill plans to address some of those impacts.

“Specifically, this bill addresses the complicated nature of contracting in early childhood education spaces. Currently, one early learning contractor could have a California State Preschool Program (CSSP) contract to serve 3- and 4-year-olds, a General Child Care (CCTR) contract to serve infants and toddlers or school-age children, and a Family Child Care Home Education Network (CFCC) to partner with home-based providers to serve children. In addition to administrative inefficiencies from multiple contracts, the age limits of the contract create challenges to providing continuity of care. This bill will enable CSSP to serve children 18 months to 5 years old. Increasing this flexibility allows providers to transfer funds between contracts and adjust their services to better meet the needs of families and keeps those funds from being returned to the state. As the state expands Transitional Kindergarten to more 4-year-olds this bill will allow CSPP funds currently being used to be served those 4-year-olds to be shifted to serve more toddlers, and 3-year-olds.”

- 2) *Practical effect.* This bill is essentially related to contracts and blending funding between programs served under the same contract. This bill allows a general child care and development program that may currently be contracting directly with CDE (must meet standards in Title 5 of the California Code of Regulations) to instead contract with a state preschool program. Title 5 providers currently contract directly with CDE for licensed early learning and care through centers, Family Child Care Home Education Networks, and state preschool. In addition to Title 22 licensing requirements, these providers must also adhere to the requirements of Title 5 (additional education, training, and health and safety standards).

Existing program standards and requirements must be maintained – toddlers will not be served alongside preschool-age children. This bill should enable contractors to use more of their contract funds (rather than be forced to return unspent funds to the state) by allowing for “direct certification” of eligibility based on enrollment in a social services program (such as Medi-Cal or Head Start), expanding eligibility from 12 to 24 months, and allowing contractors to blend preschool and general child care funds.

The inability of preschool and child care programs to fully “earn” their contract funding by not meeting attendance estimates, and therefore requiring programs to return unspent funds to the state, is a long-standing problem. Programs are forced to return unspent funds while many eligible children go without care. Further, as younger four-year olds shift to into transitional kindergarten, state preschool programs have fewer children to serve, and are unable to “earn” their full contracts and must return unused funds to the state. This bill addresses

these issues by allowing additional children to be served under a single state preschool contract, presumably keeping allocated early learning and child care funds local to serve more children and families in a community.

This bill is meant to expand early education and care options for families by filling “unused slots” by enrolling more eligible children. This bill does not diminish the existing general child care and development structure; it does not take slots or funding from existing providers. This bill does not force current general child care providers to move under a state preschool contract. This bill does not eliminate the existing direct-contract general child care structure.

- 3) *Will these changes increase reimbursement rates?* No, other than for a state preschool program serving toddlers. This bill requires a preschool program that is serving children who are less than three years of age to be reimbursed at the same rate as if operating as a general child care program (to account for situations where the infant/toddler rate is higher than the state preschool rate).
- 4) *Twenty-four month eligibility.* This bill expands, from 12 months to 24 months, the period of a family’s eligibility for ongoing services after establishing initial eligibility, and prohibits the family from being required to report a change in employment schedule for at least 24 months after establishing eligibility. This is consistent with provisions of the existing Individualized County Child Care Subsidy Program, which provides counties specified in statute the flexibility to establish policies to address local needs and priorities. Currently, 11 counties are authorized to participate in the Individualized County Program on a pilot basis, and two counties have statutory authority to permanently participate in the program. Further, the Governor’s budget proposes to extend continuous eligibility for 24 months once eligibility is confirmed.
- 5) *Automatic eligibility for subsidized child care and State preschool.* This bill deems recipients of specified social services programs (Medi-Cal, CalFresh, etc) as eligible for subsidized child care or state preschool, essentially providing for the direct certification of these families.

Income thresholds for Medi-Cal and CalFresh, for example, are much lower than for subsidized child care and state preschool. Therefore, recipients of Medi-Cal or CalFresh are income-eligible for subsidized child care and state preschool. This bill essentially provides for direct-certification, whereby a recipient of Medi-Cal or CalFresh is automatically income-eligible for subsidized child care and state preschool. A similar process is used to deem students in families who are recipients of CalFresh as eligible for free meals or milk without completing an application.

This bill does not modify the requirement that income-eligible families also demonstrate need for care to be eligible for subsidized child care. Further, this bill does not modify existing priorities for enrollment; therefore, a recipient of Medi-Cal or CalFresh with a lower income than another higher income eligible family would have priority for an available slot, but would not jump the line or bump another equally-eligible family from receiving care. However, the Budget Act of 2020 did not include additional funding to expand slots; this bill could

enable additional families to be eligible for a static number of slots (some may be placed on a waiting list, for example).

- 6) *Related legislation.* SB 976 (Leyva) establishes a free universal system of preschool by expanding access to the State Preschool Program to all three- and four-year old children, regardless of family income, and expands the types of child care providers who may be eligible to offer state preschool. SB 976 is scheduled to be heard by this committee on April 6.
- 7) *Prior legislation.* SB 50 (Limón) was substantially similar to this bill. SB 50 was vetoed by the Governor, whose veto message read:

***This bill would make a child who is between 18 months and 3 years old eligible for the California State Preschool Program (CSPP) as long as the child meets all other eligibility requirements and would extend eligibility for federal and state subsidized child care services to a family in which a member of that family has been certified as eligible to receive benefits from other means-tested government programs.***

***Expanding access to high quality early learning and care for babies and toddlers is a priority for my Administration. That's why I worked to make universal transitional kindergarten a reality, strengthen our paid family leave policies, and expand child care slots for children in California. Unfortunately, the timing of this bill is premature as it presupposes how the State Preschool Program will be modified to account for the implementation of universal transitional kindergarten. Next January, modifications will be proposed to the State Preschool Program in the 2022 Budget to align the program with the Master Plan for Early Learning and Care.***

***I appreciate the author's leadership on this issue and look forward to working with her on improving the State Preschool Program and serving more of California's youngest children.***

## **SUPPORT**

Everychild California (co-sponsor)  
 Kidango, Inc. (co-sponsor)  
 California School Employees Association  
 Good2know Partners  
 League of California Cities  
 Mission Neighborhood Centers, Inc.  
 Silicon Valley Community Foundation  
 1 Individual

## **OPPOSITION**

None received





findings provided by the Hastings Legacy Review committee that confirmed Hastings' involvement in the mass killings of Native Americans in California's Eden and Round valleys in the 1850's, the Board of Directors voted to eliminate the name Hastings from the College. According to the author, "Given that the provisions for the College's name is written within California's education code, removing the Hastings name from the College requires legislation. Therefore, SB 1288 will provide a solution to this issue by eliminating the statutory requirement that the college shall forever be known as the 'Hastings' College of the Law."

- 2) **Hastings College of the Law.** Hasting College of the Law, founded in 1878, is a public law school affiliated with the UC, it is one of five public law schools within the system. Hastings, however, has its own governing board (known as the Board of Directors) and the state budgets for it separately from UC. Hastings' board has similar responsibilities as the UC Board of Regents, including establishing policy and setting student tuition and fee levels. Serranus Clinton (S.C.) Hastings, the first Chief Justice of the State of California, is credited as the founder of the college. The Board of Directors, at their November 2021 and December 2021 meetings, voted to authorize Hastings' leadership to work with state legislators to change the College's name and to seek consensus on "San Francisco College of the Law" as the new statutory name during the College's further participation in discussion with the Tribal Council of the Round Valley Indian Tribes. It does not appear that a consensus on a name was reached. This bill strikes Hastings' name from the college's designation in statute, leaving "College of the Law."
- 3) **Restorative Justice Advisory Board action.** The decision to rename the college by the Board of Directors follows findings from the Hastings Legacy Review Committee which was commissioned by the Chancellor and Dean of the college in 2016. The findings include a report by a Sacramento State historian that detailed Serranus Hastings' involvement in promoting and funding genocide against Native Americans. Historic accounts also show that the California State Legislature voted to reimburse Serranus Hastings for expenses incurred during these massacres. Subsequent action by the college lead to the creation of the Restorative Justice Advisory Board, which made recommendations on restorative justice actions and initiatives for reconciliation and partnership with the Round Valley Indian Tribes Tribal Council and their Yuki Committee for members of the pertinent tribes, including establishment of an Indigenous Law Center at the College, which has been operating as of September 2020.
- 4) **Similar legislation.** Legislative Counsel has identified a conflict between this bill and AB 1936 (Ramos, 2022), as the bills amend same provisions in the education code. AB 1936, similar to this bill, removes the name "Hastings" from the law college; however, it additionally directs the Board of Directors of the college, Round Valley Tribal Council, and Yuki Indian Committee to rename the college. AB 1936 strikes the name "Hastings" throughout the education code and modifies the composition of the Board of Directors. AB 1936 is pending hearing in the Assembly Higher Education Committee.

**SUPPORT**

UC, Hastings College of the Law

**OPPOSITION**

None received.

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 1363 **Hearing Date:** April 6, 2022  
**Author:** Nielsen  
**Version:** March 16, 2022  
**Urgency:** No **Fiscal:** No  
**Consultant:** Kordell Hampton

**Subject:** Adopted course of study: Asian Americans and Pacific Islanders

### SUMMARY

This bill encourages schools to adopt a course of study related to Asian American and Pacific Islanders (AAPI) History for grades 1-6 and 7-12, within the social sciences area.

### BACKGROUND

Existing law:

- 1) Requires the adopted course of study for grades 1 to 6, inclusive, shall include instruction, beginning in grade 1 and continuing through grade 6, in the following areas of study:
  - a. English, including knowledge of, and appreciation for literature and the language, as well as the skills of speaking, reading, listening, spelling, handwriting, and composition.
  - b. Mathematics, including concepts, operational skills, and problem solving.
  - c. Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils.
  - d. Science, including the biological and physical aspects, with emphasis on the processes of experimental inquiry and on the place of humans in ecological systems.
  - e. Visual and performing arts, including instruction in the subjects of dance, music, theatre, and visual arts, aimed at the development of aesthetic appreciation and the skills of creative expression.
  - f. Health, including instruction in the principles and practices of individual, family, and community health.
  - g. Physical education, with emphasis upon the physical activities for the pupils that may be conducive to health and vigor of body and mind.

- h. Other studies that may be prescribed by the governing board. (Education Code § 51210)
- 2) Requires the adopted course of study for grades 7 to 12, inclusive, shall offer courses in the following areas of study:
- a. English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.
  - b. Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils.
  - c. World language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.
  - d. Physical education, with emphasis given to physical activities that are conducive to health and to vigor of body and mind.
  - e. Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems, and with appropriate applications of the interrelation and interdependence of the sciences.
  - f. Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem-solving procedures.
  - g. Visual and performing arts, including dance, music, theater, and visual arts, with emphasis upon development of aesthetic appreciation and the skills of creative expression.
  - h. Applied arts, including instruction in the areas of consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture.
  - i. Career technical education designed and conducted for the purpose of preparing youth for gainful employment.
  - j. Automobile driver education, designed to develop a knowledge of the Vehicle Code and other laws of this state relating to the operation of motor vehicles.
  - k. Other studies as may be prescribed by the governing board. (EC § 51220)

**ANALYSIS**

This bill encourages schools to adopt a course of study related to Asian American and Pacific Islanders (AAPI) History for grades 1-6 and 7-12, within the social sciences area. Specifically, this bill:

- 1) Finds and declares the inclusion of AAPI history in the instruction of the areas of study in grades 1 to 12 is of high importance.
- 2) Encourages grades 1 to 6 to include, in a schools adopted course of study related to AAPI history, the following:
  - a. Individual AAPI in curriculum that highlights American legends, heroes, and contributors to the building of the United States' democracy, society, government, the arts, humanities, sciences, education, economy, and culture.
  - b. AAPI individual and community contributions to the economic, cultural, social, and political development of the United States.
- 3) Encourages grades 7 to 12 to include, in a schools adopted course of study related to AAPI history, the following:
  - a. Individual AAPI in curriculum that highlights American legends, heroes, and contributors to the building of the United States' democracy, society, government, the arts, humanities, sciences, education, economy, and culture.
  - b. Asian American and Pacific Islander individual and community contributions to the economic, cultural, social, and political development of the United States.
  - c. Asian American and Pacific Islander individual and community contributions toward advancing civil rights in the United States.
  - d. The heroism of Japanese American soldiers during the period of internment of Japanese Americans during World War II, including, but not limited to, the 100th Battalion, 442nd Infantry Regiment being the most decorated unit in the history of the United States.
- 4) Deletes an obsolete provision related to the creation of the Community College District.

**STAFF COMMENTS**

- 1) ***Need for the bill.*** According to the author "SB 1363 encourages the instruction of the contributions of Asian Americans and Pacific Islanders in Social Science courses for grades 1-12. This bill does not require school districts to include this instruction in curriculum, but encourages them to include this subject matter where

and when appropriate for each grade level. Current law does not specifically include Asian Americans and Pacific Islanders and this bill seeks to remedy that exclusion.”

- 2) ***Asian American and Pacific Islander Students in Focus: Experiences During the COVID-19 Pandemic.*** People of AAPI descent have been the targets of a disturbing rise in racially motivated hate crimes across the United States over the past year. Investigations of these crimes have linked their growth to discrimination connected with the COVID-19 pandemic. The pandemic, combined with these hate crimes, have had powerful repercussions for AAPI communities and the education of AAPI students. An emerging body of data suggests that, for some AAPI families, these factors have created a reluctance to return their students to school as more districts offer in-person instruction according to the California School Board Association (CSBA) research and policy brief, *Asian American and Pacific Islander Students in Focus: Experiences During the COVID-19 Pandemic*.

The brief found hate crimes against Asian Americans, fueled by discrimination surrounding COVID-19, have dramatically escalated since 2020 and have included instances of verbal and physical assault. Anti-AAPI hate crimes have increased 145 percent in 16 of the United States’ largest cities during 2020. The three cities with the greatest number of reported incidents between 2019 and 2020 were New York City, NY; Los Angeles, CA; and Boston, MA. Stop AAPI Hate, a coalition aimed at addressing anti-Asian discrimination during the COVID-19 pandemic, has received nearly 6,603 firsthand reports of anti-AAPI hate over the past year. The number of reports has significantly increased over the past three months, with 36 percent of the total number of reports occurring in 2021 alone. California accounted for 40 percent of self-reported hate crimes to Stop AAPI Hate between March 2020 and March 2021. In Los Angeles County alone, 245 self-reported incidences of hate crimes were directed at the AAPI community through October of last year. When looking at Anti-AAPI hate crimes reported to the police, the numbers are lower, but the percentage increases are striking in three of California’s largest cities. From 2019 to 2020, AAPI hate crimes reported to the police increased 114 percent in Los Angeles, 150 percent in San Jose, and 50 percent in San Francisco in the same timeframe.

While the state does not track in-person participation by race/ ethnicity, early data suggests that California appears to follow the national trend of AAPI families hesitant to send their students back to in-person instruction. Many school districts across the state have surveyed students’ families to gauge interest in different types of instruction, such as in-person, digital-only, or a hybrid schedule. In the Sacramento City Unified School District, 53 percent of all respondents chose in-person learning instead of distance learning. However, only about a third of Asian American households indicated that they planned to send their students back to school this year, which is the lowest of any racial/ethnic group. That rate is compared to 71 percent of white students, 55 percent of Black students, and 52 percent of Latino students. In the San Diego Unified School District, 73 percent of families who responded to the survey indicated they wanted schools to reopen for in-person instruction. However, Asian American families were the least likely to want to send their students to attend school in person, with 57 percent

responding positively as compared to 83 percent of white families, 72 percent of Latino families, and 69 percent of Black families.

**SUPPORT**

Asian Pacific Islander Public Affairs Association Community Education Foundation  
(APAPA-CEF)  
California Asian Pacific Chamber of Commerce (CAPCC)  
California State Treasurer

**OPPOSITION**

None on file.

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 1381 **Hearing Date:** April 6, 2022  
**Author:** Allen  
**Version:** February 18, 2022  
**Urgency:** No **Fiscal:** No  
**Consultant:** Kordell Hampton

**Subject:** School districts and community college districts: governing board elections: charter cities

**NOTE:** This bill has been referred to the Committee on Education and Election and Constitutional amendments. A “do pass” motion should include referral to the Committee on Elections and Constitutional Amendments.

### SUMMARY

This bill would prohibit a county committee on school district organization (county committee) from establishing district-based or trustee elections in a charter city that establishes at-large elections as the manner of electing the governing board of a school district or community college district.

### BACKGROUND

Existing law:

#### *Organization and Formation of a County Committee*

- 1) There is in each county, except a county which is also a city and county, a county committee on school district organization. (Education Code § 4000)
- 2) If all of the territory of a county under the jurisdiction of the county superintendent of schools is included in one unified school district, the governing board of the unified school district shall constitute the county committee. (EC § 4001)
- 3) Upon the petition of the county committee or of the county board of education, the State Board of Education (SBE) may order the county board of education to act as the county committee on school district organization. (EC § 4020)
- 4) Upon the order of the SBE, the county board of education succeeds to and is vested with all duties, powers, purposes, responsibilities, and jurisdiction formerly vested in the county committee on school district organization. (EC § 4021)
- 5) The SBE may, upon its own motion or upon petition of the county board of education or a majority of districts in the county, reestablish a county committee. (EC § 4022)

#### *Powers and Authorities of a County Committee*



- 6) In any school district or community college district, the county committee may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven from five, or decrease from seven to five, the number of members of the governing board, or adopt one of the alternative methods of electing governing board members. Specifically:
- a) For any school district whose average daily attendance during the preceding year was less than 300, the county committee may decrease their board membership from five to three or adopt one of the alternative methods of electing governing board members.
  - b) The county committee shall not rearrange trustee area boundaries in a school or community college district that has established a hybrid or independent redistricting commission.
  - c) The county committee may establish or abolish a common governing board for a high school and elementary school district within the boundaries of the high school district. The resolution of the county committee approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts. (EC § 5019)

*County Committee: Electing School District and Community College Trustee Members*

- 7) The resolution of the county committee approving a proposal to adopt one of the alternative methods of electing governing board members shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board. (EC § 5020)
- 8) In any school district or community college district having trustee areas, the county committee and the registered voters of a district, may at any time recommend one of the following alternate methods of electing governing board members:
- a) That each member of the governing board be elected by the registered voters of the entire district.
  - b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.
  - c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents. (EC § 5030)

*City Charters*

- 9) A school district or community college district may be governed by the provisions of the charter upon approval of a majority of the electors of the districts voting at a regular biennial school district governing board member election. (EC § 5201)

- 10) Establishes that city charters may provide for the manner in which the members of school district or community college governing boards are elected or appointed. (EC § 5200, 5121, 5222, 5228)

*California Voting Rights Act*

- 11) Establishes the California Voting Rights Act of 2001 (CVRA) which prohibits an at-large method of election, as defined, from being imposed or applied in a manner that impairs a protected class's ability to elect candidates of its choice or ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class, as defined. (Elections Code § 14025)
- 12) Authorizes the governing board of a community college district to change election systems, in accordance with the CVRA, by passing a resolution and receiving the approval of the Board of Governors of the California Community Colleges (BOG) (Elections Code § 72036)

*California Constitution*

- 13) A county or city may adopt a charter by majority vote of its electors voting on the question. The charter is effective when filed with the Secretary of State. A charter may be amended, revised, or repealed in the same manner. A charter, amendment, revision, or repeal thereof shall be published in the official state statutes. County charters adopted pursuant to this section shall supersede any existing charter and all laws inconsistent therewith. The provisions of a charter are the law of the State and have the force and effect of legislative enactments. The governing body or charter commission of a county or city may propose a charter or revision. Amendment or repeal may be proposed by initiative or by the governing body. An election to determine whether to draft or revise a charter and elect a charter commission may be required by initiative or by the governing body. If provisions of 2 or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail. (California Constitution Art. XI Sec. 3)
- 14) Any city charter to provide that the city governed thereunder may make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. City charters adopted pursuant to this Constitution shall supersede any existing charter, and with respect to municipal affairs shall supersede all laws inconsistent therewith. (California Constitution Art. XI Sec. 5)
- 15) It shall be competent in all city charters to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for:
  - a) The constitution, regulation, and government of the city police force.
  - b) Subgovernment in all or part of a city.

- c) Conduct of city elections.
  - d) Plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed, and for their removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. (California Constitution Art. XI Sec. 5)
- 16) In all charters, established pursuant to the California Constitution, for the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards. (California Constitution Art. IX Sec. 16)

### *Definitions*

- 17) "At-large method of election" means any of the following methods of electing members to the governing body of a political subdivision:
- a) One in which the voters of the entire jurisdiction elect the members to the governing body.
  - b) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body.
  - c) One that combines at-large elections with district-based elections.
- 18) "District-based elections" means a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district.

### **ANALYSIS**

This bill prohibits a county committee on school district organization from approving a proposal, petition, resolution, or other request to establish district-based or trustee elections where a city charter establishes at-large elections as the manner of electing the governing board of a school district or community college district.

### **STAFF COMMENTS**

- 1) ***Need for the bill.*** According to the author "SB 442 (Newman, 2021) was signed into law last year, in part, to delete a previous statutory requirement that a resolution of a county committee on school district organization approving a proposal to establish trustee areas needed to be presented to and approved by

the voters of the school district. The legislative history of SB 442 indicates that this change was made to assist school districts seeking to voluntarily transition to trustee area-based elections by providing a mechanism for all districts to make such a transition without the delay and expense of an election.

“The Santa Monica-Malibu Unified School District (SMMUSD) is established and explicitly defined as an at-large district within Santa Monica’s city charter. Article IX, section 16, subdivision (a) of the California Constitution expressly empowers charter cities such as Santa Monica to provide in their charters for ‘the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed.’ Furthermore, a charter amendment effecting a change in any of those provisions must be “submitted to and approved by a majority of all the qualified electors of the school district . . . voting on the question.” (Art. IX, section 16, subdivision (b)) Thus, pursuant to the Constitution, any change in the manner of electing members of the SMMUSD Board of Education from at-large to trustee-area elections requires amending the Santa Monica City Charter, and that in turn can only occur if a majority of all of the qualified electors of SMMUSD approve the change.

“In compliance with California’s Constitution, SB 1381 clarifies in statute that a county committee on school district organization is restricted from establishing district-based elections when a city charter has established at-large elections as the manner of electing the members of a school or community college district.”

2) ***Santa Monica-Malibu Unified School District and the City of Santa Monica v. Los Angeles County Committee On School Districts***

On March 18, 2022, Santa Monica-Malibu Unified School District and the City of Santa Monica jointly (defendant) filed against the Los Angeles County Committee on School District Organization (respondent) challenging the constitutionality of a newly enacted state law (SB 442 Newman; 2021).

According to the petition submitted to the court by the defendants, “SB 442 (Newman) provides both a school district and county committee the authority to override and effectively amend the City of Santa Monica’s City Charter without a vote or consent of the City’s residents. The law allows the County Committee to unilaterally establish trustee-area (‘by-district’) elections for the Santa Monica-Malibu Unified School District (SMMUSD) despite the City of Santa Monica’s City Charter’s explicit mandate that the SMMUSD ‘Board of Education shall consist of seven members elected from the School District at large’ (qtd. In (Santa Monica City Charter, § 900).”

“While most school district governing boards in California have historically been elected ‘at large,’ the CVRA has prompted some districts to transition from at-large elections to trustee area-based elections for their governing boards. These changes have primarily been the result of lawsuits or the threat of litigation brought under the CVRA, which prohibits at-large elections from being imposed or applied in a manner that impairs a protected class’s ability to elect candidates of its choice or ability to influence the outcome of an election, as a result of dilution of the rights of voters who are members of a protected class. The intent

of SB 442 (Newman), according to the California League of United Latin American Citizens, "encourages and streamlines the adoption of trustee-area elections for school districts in furtherance of the purposes of the CVRA."

The City of Santa Monica and SMMUSD seek to prohibit the Los Angeles County Committee on School District Reorganization from implementing SB 442 (Newman) and for the court to opine on the constitutionality of SB 442 (Newman). ***This case is set to be heard in Los Angeles County Superior Court on June 23, 2022.***

- 3) ***County committee on school district reorganization.*** According to the California Department of Education's *School District Organization Handbook* (2019), the county committee on school district organization has a major role in the review and approval of proposals to change school district organization in every county (with the exception of San Francisco which is both a county and a city). In 35 counties in the state, the functions of the county committee on school district organization have been transferred to the county board of education.

Counties with a separate County Committee			Counties in which the County Board of Education serves as the County Committee				
Fresno	Nevada	Santa Barbara	Alameda	El Dorado	Inyo	Napa	Solano
Humboldt	Orange	Santa Clara	Alpine	Glenn	Kings	Plumas	Sutter
Kern	Placer	Sonoma	Amador	Imperial	Lake	Sacramento	Tehema
Lassen	Riverside	Stanislaus	Butte	Inyo	Madera	San Diego	Trinity
Los Angeles	San Benito	Tulare	Calaveras	Kings	Mariposa	San Joaquin	Tuolumne
Marin	San Bernardino	Ventura	Colusa	Lake	Mendocino	Santa Cruz	Yolo
Merced	San Luis Obispo		Contra Costa	Madera	Modoc	Shasta	Yuba
Mono	San Mateo		Del Norte	Mariposa	Monterey	Siskiyou	

The county committee is the local initiator, coordinator, analyst, facilitator, and arbitrator for the reorganization of school districts under the direction of the State Board of Education or pursuant to a petition by local electors or certain local entities.

The county committee must examine data on the current status of the school district and the impact of the proposed change on the racial and ethnic composition of the affected districts at both the school and district levels. This includes data on the current educational achievement levels and standardized test scores of pupils and the existence of special educational programs. If any unusual financial situations exist that would adversely affect the district's ability to maintain its

educational programs, that information is also included. This information is reviewed by the secretary to the committee and other county office staff.

The county committee has the power to regulate the election of members to county boards of education, except in chartered counties. In chartered counties the manner of selection of the county board of education shall be prescribed in the county charter or by the county board of supervisors. The county committee has the power to establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, adopt one of the alternative methods of electing governing board members, and increase or decrease governing board members (between five and seven) in any school district or community college district. A county committee has no authority, however, in a situation involving a school district governed by a board of education provided for in the charter of a city or city and county.

All expenses necessary for the county committee to comply with the provisions of the Education Code may be provided by the county board of education. Any expenses of the county superintendent of schools, the county board of education, and the county committee on school district organization required by any section of the Education Code must be paid from the county general fund.

- 4) **Charter city.** The California Constitution (Article XI, section 3(a)) gives cities and counties the ability to establish a charter. By becoming a charter city or county, the city or county governing boards have increased authority over municipal affairs. A charter city's law concerning a municipal affair will, according to Article XI, section 5(a), "supersede any existing charter, and with respect to municipal affairs shall supersede all laws inconsistent therewith." According to the California League of Cities, there are 121 charter cities.

Charter Cities in California						
Adelanto	Cypress	Indian Wells	Modesto	Port Hueneme	San Rafael	Temple City
Alameda	Del Mar	Industry	Monterey	Porterville	San Ramon	Torrance
Albany	Deser Hot Springs	Inglewood	Mountain View	Rancho Mirage	Sand City	Truckee
Anaheim	Dinuba	Irvine	Napa	Redondo Beach	Santa Ana	Tulare
Arcadia	Downey	Irwindale	Needles	Redwood City	Santa Barbara	Vallejo
Bakersfield	El Cajon	King City	Newport Beach	Richmond	Santa Clara	Ventura
Bell	El Centro	Kingsburg	Norco	Riverside	Santa Cruz	Vernon
Berkely	Eureka	La Quinta	Oakland	Roseville	Santa Maria	Victorville
Big Bear Lake	Exeter	Lemoore	Palm Desert	Sacramento	Santa Monica	Visalia
Buena Park	Folsom	Lindsay	Palm Springs	Salinas	Santa Rosa	Vista

Charter Cities in California						
Burbank	Fortuna	Loma Linda	Palmdale	San Bernardino	Santee	Watsonville
Carlsbad	Fresno	Long Beach	Palo Alto	San Diego	Seal Beach	Whittier
Cerritos	Gilroy	Los Alamitos	Pasadena	San Francisco	Shafter	Woodlake
Chico	Glendale	Los Angeles	Petaluma	San Jose	Signal Hill	
Chula Vista	Grass Valley	Marina	Piedmont	San Leandro	Solvang	
Compton	Hayward	Marysville	Placentia	San Luis Obispo	Stockton	
Culver City	Huntington Beach	Merced	Pomona	San Marcos	Sunnyvale	

5) **Municipal affairs.** Determining what is and is not a “municipal affair” is not always straightforward. The California Constitution does not define “municipal affair.” It does, however, set out a nonexclusive list of four “core” categories in Article XI, 5(b):

- a) The constitution, regulation, and government of the city police force
- b) Subgovernment in all or part of a city
- c) Conduct of city elections
- d) Plenary authority is granted, the manner in which, the method by which, the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed, and for their removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees.

6) **The author may wish to consider.** Given that Santa Monica-Malibu Unified School District and the City of Santa Monica are requesting a Court to opine on the constitutionality of SB 442 (Newman), the introduction of SB 1381 is premature. As noted in comment #2, and in the Santa Monica-Malibu Unified School District and the City of Santa Monica’s petition, “while most school district governing boards in California have historically been elected “at large,” the CVRA has prompted some districts to transition from at-large elections to trustee area-based elections for their governing boards. These changes have primarily been the result of lawsuits or the threat of litigation brought under the CVRA, which prohibits at-large elections from being imposed or applied in a manner that impairs a protected class’s ability to elect candidates of its choice or ability to influence the outcome of an election, as a result of dilution of the rights of voters who are members of a protected class.” As described in comment #2, the City of Santa Monica explicitly has their district governing board written into their charter. There are a total of 128 charter cities that may not have “at large” district governing board elections written into their charter. This bill would severely limit those school districts/ county committees attempting to shift away from “at large” elections to avoid costly litigation, as noted in the findings and declaration of SB 442 (Newman), and come into compliance with the CVRA.

*The author's office may wish to consider seeking legislation once a decision has been determined by a Court.*

- 7) Previous legislation. **SB 442 (Newman; 2021)** authorizes a county committee on school district organization (county committee) to approve a proposal to establish trustee areas for the governing board of a community college district or a school district, including a school district whose governing board is provided for in a city's charter, without a vote of the district's electorate. *Chapter 139 (2021).*

**AB 849 (Bonta; 2019)** revises and standardizes the criteria and process to be used by counties and cities when they adjust the boundaries of the electoral districts that are used to elect members of the jurisdictions' governing bodies. Requires counties and cities to comply with substantial public hearing and outreach requirements as part of the process for adjusting the boundaries of electoral districts. *Chapter 557 (2019).*

**AB 350 (Alejo; 2016)** requires a political subdivision that changes to, or establishes, district-based elections to hold at least two public hearings both before and after drawing a preliminary map or maps of the proposed district boundaries, as specified. Requires that written notice be provided before an action can be brought against a political subdivision under the California Voting Rights Act of 2001 (CVRA). *Chaptered 737 (2016).*

**AB 2220 (Cooper; 2016)** allows any city that elects its city council at-large to enact an ordinance switching its election method to by-district without obtaining voter approval. *Chapter 751 (2016).*

**AB 277 (Hernandez; 2015)** provides that the California Voting Rights Act of 2001 (CVRA) applies to charter cities, charter counties, and charter cities and counties. *Chapter 724 (2015).*

**SB 493 (Canella; 2015)** permits a city that elects its city council at-large to enact an ordinance switching its election method to by-district without submitting the change to voters for approval. *Chapter 735 (2015).*

## SUPPORT

None on file.

## OPPOSITION

Honorable Senator Richard Polanco (Ret.)

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- 3) For an emergency substitute teaching permit for prospective teachers, up to 60 cumulative days.
- 4) For special education substitute teaching authorizations, for up to 40 cumulative days.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "Students deserve consistency and stability in their education. The shortage of teachers has increased the demand for long-term substitutes and limiting the time one substitute can serve in a single classroom creates unnecessary turnover and instability for students. The regulations limiting the time substitute teachers can serve in a classroom have not been updated since the late 90s and do not reflect the unique challenges our schools face currently."
- 2) ***COVID-19 implications.*** With the unprecedented COVID-19 crisis, creative solutions that increase opportunity for substitute teacher candidates to qualify for permits are needed more urgently than ever. Since the 2021-22 school year, schools across the state have been hit hard with teacher absences. Some school districts had over 100 certificated absences each school day, and not enough substitute teachers to fill the need. Many districts attempted to recruit parents to substitute teach. Possible periodic resurgences of the COVID-19 pandemic may again require an increase in the number of substitute teachers needed in the 2023-2024 academic year and beyond.

In the midst of the COVID-19 pandemic, California is facing a massive substitute teacher shortage. In the 2015-16 school year, the California Commission on Teacher Credentialing (CTC) issued 102 new career substitute teaching permits. In 2019-20, it issued only 67. With dozens of teachers out every week due to COVID infection or exposure, California has leaned on its dwindling substitute teacher pool more than ever. Across the nation, states have had to cancel classes due to districts' inability to staff classrooms, this has led many of them to ease requirements to attract more substitute teachers.

- 3) ***Teacher shortages increase the demand for substitute teachers.*** Teacher shortages have increased the need and demand for substitute teachers. New strategies for substitute recruitment and retention are rapidly changing. According to a report and survey conducted by EdWeek Research Center, *The Substitute Teacher Gap: Recruitment and Retention Challenges in the Age of Covid-19*, short-term substitute teaching positions have been difficult to fill because of low wages, lack of benefits, and a requirement to hold a bachelor's degree. This report found that on average about 250,000 positions are left to be filled daily with substitute teachers with only 54% total absences covered with substitute teachers filling in the vacancies. The report also found that 71% of administrators and school board members predict that the demand for substitute teachers will increase in the next five years. The report interviewed a California school board member who stated, "Many of those people that we do recruit to

become substitutes end up getting hired as fulltime teachers, which is great; however, then we lose them on the substitute teacher roles.”

- 4) ***Already weak teaching pipeline further damaged by COVID-19 education disruptions.*** A March 2021 report by the Learning Policy Institute (LPI) raised concerns about the effects of the COVID-19 pandemic on the teacher shortage in California:
- a) Teacher shortages remain a critical problem. Most districts have found teachers to be in short supply, especially for math, science, special education, and bilingual education. Shortages are especially concerning as a return to in-person instruction will require even more teachers to accommodate physical distancing requirements. Most districts are filling hiring needs with teachers on substandard credentials and permits, reflecting a statewide trend of increasing reliance on underprepared teachers.
  - b) Teacher pipeline problems are exacerbated by teacher testing policies and inadequate financial aid for completing preparation. Many districts attributed shortages to having a limited pool of fully credentialed applicants, with more than half reporting that testing requirements and lack of financial support for teacher education pose barriers to entry into teaching.
  - c) Teacher workload and burnout are major concerns. The transition to online and hybrid learning models has had a steep learning curve and poses ongoing challenges that have been a primary contributor to some teachers’ decisions to retire earlier than previously planned. With district leaders estimating that teacher workloads have at least doubled, many were concerned that the stressors of managing the challenges of the pandemic on top of the challenges of an increased workload could lead to teacher burnout and increased turnover rates.
  - d) Growing retirements and resignations further reduce supply. In some districts, retirements and resignations are contributing to shortages, while in others, these retirements and resignations offset the need for anticipated layoffs due to expected budget cuts this school year. District leaders anticipate higher retirement rates next year, which could exacerbate teacher shortages.
- 5) ***The state has taken short-term actions to alleviate teacher staffing issues in response to COVID-19.*** Historically, existing law and regulations have restricted holders of substitute teaching credentials or permits to a maximum of 30 cumulative days for any one educator in a general education assignment and 20 cumulative days for any one educator in a special education assignment during a school year.

On January 11, 2022, Governor Newsom signed Executive Order (EO) N-3-22 which allows individuals who do not currently hold an Emergency 30-Day Substitute Teaching Permit to receive a Temporary County Certificate (TCC) to

serve in an emergency substitute assignment immediately. This EO also temporarily extends the substitute service limitation for holders of a substitute teaching credential or a TCC to 120 days for any one teacher in a general education setting. This flexibility is not extended to Special Education settings. In order for the 120 day limit in a general education setting to apply, the educator must be placed in the assignment by March 31, 2022.

Further, the 2021-22 State Budget allows any holder of a substitute teaching credential or permit issued by the CTC to substitute teach for up to 60 cumulative days for any one educator in a general education or special education assignment, until July 1, 2022. As part of the proposed 2022-23 State Budget, the Governor proposes to extend this flexibility for one additional fiscal year, until July 1, 2023.

- 6) **Committee amendments.** As currently drafted, this bill would increase the number of cumulative days that all substitute teachers are allowed to serve in the classroom in place of a permanent teacher during the school year with no sunset. The challenges caused by COVID-19 for school districts are well documented and demonstrate why, in the near-term, additional flexibility for staffing classrooms with substitute teachers is needed. However, it is unclear why this flexibility should continue on in perpetuity. Further, allowing career substitute teachers to serve for up to 90 cumulative days may be excessive.

If it is the desire of the Committee to pass this measure, **staff recommends** amending the bill as follows:

- a) Reduce the amount of time that an emergency career substitute teacher may serve from 90 cumulative days to 60 cumulative days.
- b) Specify that the provisions of this bill apply for the 2022-23 academic year only.

## SUPPORT

Fresno County Office of Education (sponsor)  
 Bass Lake Joint Union Elementary School District  
 Calaveras County Office of Education  
 California Charter Schools Association  
 Folsom Cordova Unified School District  
 Hughson Unified School District  
 Mariposa County Unified School District  
 Oakdale Joint Unified School District  
 Sanger Unified School District  
 Tuolumne County Superintendent of Schools

## OPPOSITION

None received

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 1113 **Hearing Date:** April 6, 2022  
**Author:** Ochoa Bogh  
**Version:** March 28, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Special education: inclusive education: universal design for learning

### SUMMARY

This bill requires the Commission on Teacher Credentialing (CTC) to form a workgroup to propose more inclusive education standards for the administrative services teaching credential and to require administrator preparation programs to include inclusive education instruction, as specified. Further, the bill requires the California Department of Education (CDE) to: (1) develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements in consultation with the CTC, (2) produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools, (3) establish and provide grants to the system improvement leads of the special education local plan areas and the Supporting Inclusive Practices project, and (4) train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning.

### BACKGROUND

Existing law:

- 1) Requires local educational agencies (LEAs) to ensure the following to address the Least Restrictive Environment (LRE) for individuals with exceptional needs, such that:
  - a) To the maximum extent appropriate, individuals with exceptional needs, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
  - b) Special classes, separate schooling, or other removal of individuals with exceptional needs from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- 2) Requires that, in accordance with federal law, a free appropriate public education be available to individuals with exceptional needs.
- 3) Requires that every individual with exceptional needs who is eligible to receive special education instruction and related services receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her.

- 4) Establishes the Inclusive Early Education Expansion Program for the purpose of increasing access to inclusive early care and education programs. Authorizes competitive grants to increase access to subsidized inclusive early care and education programs for children up to five years of age, including those defined as “children with exceptional needs” in low-income and high-need communities.
- 5) Appropriates \$15 million one-time General Fund to the CDE for allocation to two specified county offices of education to support the Supporting Inclusive Practices project, for purposes of increasing opportunities for pupils with disabilities to meaningfully participate in the least restrictive environment, as appropriate, and improving local educational agencies’ outcomes on performance indicators as mandated by federal law and the outcomes measured by the California School Dashboard.

## ANALYSIS

This bill:

- 1) Defines “universal design for learning” (UDL) as a coherent system of education that provides instruction, services, and supports to pupils as they are needed, as well as professional learning for educator training. UDL also means a set of principles for designing learning opportunities that provide all pupils equal opportunities to learn. These principles include all of the following:
  - a) Multiple means of representation, using a variety of methods to present information, providing a range of means to support pupils.
  - b) Multiple means of action and expression to provide learners with alternative ways to act skillfully and demonstrate what they know.
  - c) Multiple means of engagement to tap into learners’ interests by offering choices of content and tools; motivating learners by offering adjustable levels of challenge, including varied and flexible ways to present or access information, concepts, and ideas, plan and execute learning tasks, and learning engagement.
- 2) Requires the CTC, on or before June 30, 2023, to form a workgroup to propose a revision of standards and performance expectations for greater preparation for inclusion with a focus on inclusive learning environments, UDL, multi-tiered system of supports strategies (MTSS), effects of mindsets, culture, and the promotion of equitable environments. The workgroup shall recommend to the CTC, on or before June 30, 2024, that new program standards for administrative services credential candidates be developed by the CTC that provide each administrative services credential candidate an overview of the Americans with Disabilities Act, Section 504 of the federal Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, individualized education programs, child find requirements, and effective general education inclusive classroom practices.

- 3) Requires the CTC to create preconditions for CTC accreditation for all administrator preparation programs that require faculty in general education candidate instruction to be trained in UDL, MTSS, coteaching, the history of disability and justice, and other evidence-based practices.
- 4) Requires the CDE, in consultation with the CTC, on or before January 1, 2024, to develop and disseminate joint guidance clarifying the ways in which inclusive classrooms and placements may be staffed under current law, as specified.
- 5) Requires the CDE, in consultation with the CTC, on or before January 1, 2024, to submit a report to the appropriate fiscal and policy committees of the Legislature on recommendations for statutory or regulatory changes necessary to eliminate barriers to the staffing of inclusive placements. Appropriates \$500,000 General Fund to the CDE to carry out these functions.
- 6) Requires the CDE to produce a comprehensive guidebook and video modules related to inclusive practices and promotion of equity between schools based on the research on effective practices and related areas, as specified. Requires the guidebook to be completed and distributed to all local educational agencies no later than June 30, 2024. Appropriates \$2 million General Fund to the CDE to carry out this function.
- 7) Requires the CDE to establish and provide grants to the system improvement leads of the special education local plan areas (SELPAs) and the Supporting Inclusive Practices (SIP) project, and appropriates \$85 million General Fund to the CDE, for all of the following purposes:
  - a) The identification of model sites that can both exemplify and teach essential elements of inclusive education.
  - b) The funding of the model sites to provide technical assistance to other schools and local educational agencies.
  - c) The funding of the improvement leads of SELPAs to provide root cause analysis to identify barriers to the implementation of inclusive practices.
  - d) The funding of the SIP project to provide systemic training to local educational agencies and schools that have participated in the analysis cited above.
- 8) Requires the CDE, on or before June 30, 2023, to train the members of the Instructional Quality Commission (IQC) on the principles and strategies of UDL. Following the training, the IQC shall assess the extent to which instructional materials submitted for state adoption use UDL principles and strategies.

#### STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "All California students deserve an education worthy of their potential. For too long, this education has been out of reach for many of our students with disabilities. In 2017–18, California had one

of the lowest inclusion rates for students with disabilities in the country: 56% compared to a national average of 63.4%, and California ranked 40th out of 47 states on this measure. In 2019, 333 local education agencies (LEAs) in California were identified for differentiated assistance; over half of these districts (187) were mandated for assistance, at least in part, because students with disabilities in the district were performing poorly, particularly in the state priority areas of Least Restrictive Environment (LRE), Pupil Achievement and Pupil Engagement.

“Least Restrictive Environments are a vital component to student success because they ensure an appropriate educational setting for students with disabilities that account for their educational needs while they learn alongside peers without disabilities, which allows the child to develop relationships with their school and community. It is critical that outcomes for students with disabilities are improved, which can be achieved by providing the support that is necessary to implement meaningful, evidence-based inclusive practices in California schools.”

- 2) ***What is least restrictive environment/inclusion?*** The terms LRE, inclusion, and mainstreaming are often used interchangeably. LRE is defined in federal law to mean “to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled,” and that the use of “special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.”

There are multiple definitions of “inclusion,” but most include the following elements:

- a) Students with disabilities are educated in general education settings with appropriate supports.
- b) Students with disabilities participate in other school programs as full members of the school community.
- c) School staff support universal access to education.
- d) School staff are provided the knowledge, resources, and support to effectively teach all pupils.

Mainstreaming generally refers to the practice of placing students with disabilities, who otherwise are educated in separate settings, in the general education setting for specified periods of time or for specific activities.

- 3) ***Least restrictive environment is an existing federal indicator for special education accountability purposes.*** The federal Individuals with Disabilities Education Act (IDEA) requires the US Department of Education to monitor states’ implementation of IDEA. Each state is required to develop and submit a State



Performance Plan (SPP). The SPP is a six-year plan that includes 17 measures, or indicators, that are related to either IDEA compliance or student performance. Within the SPP, states must set rigorous and measurable annual targets for each of the 17 indicators. States must report their progress in relation to these targets in an annual update—the Annual Performance Report (APR).

Indicator 5a measures least restrictive environment as the percent of children with disabilities, ages 6-22, served inside the regular classroom for at least 80 percent of the day. This is the standard used to assess the level of “inclusion” being achieved by school districts and the state overall for students with disabilities within general education.

- 4) ***Inclusion rates in California are among the lowest in the nation.*** The inclusion of students with disabilities in general education classroom settings is an important predictor of positive outcomes. Students with disabilities who spend at least 80 percent of the school day in general education classrooms have fewer absences, higher academic performance, higher rates of grade progression and on-time graduation, and higher rates of college attendance and employment. It is for these reasons that least restrictive environment is a federal special education enforcement indicator.

While each student’s unique least restricted environment is determined by their Individualized Education Program team, state and federal law require that student placements maximize opportunities for students to interact with their peers without disabilities. However, in 2017–18, California had one of the lowest inclusion rates in the country—56 percent compared to a national average of 63.4 percent.

- 5) ***Barriers to inclusion.*** The 2015 report by the Statewide Special Education Task Force on Special Education, titled *One System: Reforming Education to Serve All Students*, noted that “a structural, institutional, philosophical, and habitual divide currently exists in California between general and special education, even though special education has always been defined as part of general education. This divide obstructs the state’s ability to create [an] effective, coordinated, coherent system of education.”

The 2018 report, *The Segregation of Students with Disabilities*, identifies several barriers to inclusion of students with disabilities:

- a) **Organizational Traditions:** “Once school districts have made financial and personnel investments in creating or maintaining segregated settings and allocating teachers and other staff in small teacher-student ratios, there is an organizational tendency to maintain the status quo.”
- b) **Organizational and Workforce Capacity:** “When schools have a clear vision for including all students with disabilities, they work to develop schoolwide structures that support educators and empower them to succeed in instructing students with disabilities through collaboration.”

- c) Attitudes and Beliefs: “The driving force behind a student’s educational experience might be an understanding of roles and the attitudes that educators have about adult responsibilities and expectations for student outcomes.”
- d) “Readiness” for inclusion:” “Decisions to move students to less restrictive placements are often based on the perceived readiness of the student to learn grade level material.”
- e) The “LRE Continuum:” “The LRE continuum places a burden of fitting in or being able to access the classroom on the student who is seen as having deficits, rather than encouraging schools to create systems designed to benefit all students in the community and make access by those with disabilities more seamless.”

Other barriers commonly identified by participants in the CDE’s SIP project include misconceptions about staffing of inclusive classrooms, lack of appropriate instructional materials for use in inclusive classrooms, and licensing and fiscal barriers in early education settings.

- 6) ***Districts with extraordinarily high outcomes for students with disabilities have inclusion, teacher collaboration, and support in common.*** The 2015 Statewide Task Force on Special Education report highlighted research showing that school districts “beating the odds” regarding the performance of students with disabilities had several elements in common:
  - a) A commitment to including students with disabilities in general education classrooms and ensuring access to the content in the core curriculum.
  - b) A focus on collaboration between general education and special education teachers.
  - c) Continuous assessment and the use of Response to Intervention strategies to address students’ needs and monitor their progress.
  - d) Targeted professional learning opportunities for their teachers and administrators.
  - e) The utilization of explicit direct instruction teaching methods.
- 6) ***Existing CDE initiatives supporting inclusive practices, UDL, and SELPA resource leads.*** Many of the provisions of this bill appear to duplicate existing efforts being monitored or administered by the CDE, all of which support inclusive practices, UDL, and SELPA resource leads. The initiatives include:
  - a) *The SIP project:* Provides tiered technical assistance to local educational agencies focused on building, implementing, sustaining, monitoring, and scaling up evidence-based practices within integrated educational systems to increase inclusion of all students with disabilities in general education settings. The 2020-21 State Budget appropriated \$15 million in

one-time funding for the Riverside County Office of Education and the El Dorado County Office of Education, which is available until June 30, 2026.

- b) *Educator Workforce Investment Grant*: Supports a \$5 million one-time competitive grant administered by CDE and the California Collaborative for Educational Excellence (CCEE) for special education-related professional development.
- c) *California Coalition for Inclusive Literacy*: Partnership between the CDE, CCEE, and the Educator Workforce Investment grantee to provide resources for inclusive practices, such as webinars, recommendations on remote design, video assessments in the virtual class, lesson planning guides, and more.
- d) *SELPA Resource Leads*: Two groups of SELPAs—SELPA System Improvement Leads and SELPA Content Leads—selected by the CDE and CCEE working with various local educational agencies to improve outcomes for pupils with disabilities.

The grantees from each of these initiatives are still building capacity through statewide partnerships and the Statewide System of Support. Given the array of programs currently being monitored and administered by the state, the Committee may wish to consider what impact the provisions of this bill will have on existing CDE and local educational agency workload.

- 7) **Committee amendments.** As currently drafted, this bill requires the CTC to form a workgroup to propose revisions to the Administrative Services Credential Standards. However, the CTC reports that this work is already under way. This bill also requires the CTC to create new preconditions for accreditation, requiring administrator preparation programs to include training on UDL and other inclusive practices. According to the CTC, simply requiring administrator preparation programs to provide these trainings would be more feasible. **Staff recommends** amending this bill to: (1) strike the requirement for the CTC to convene a workgroup, (2) require the CTC to revise its Administrative Services Credential standards and performance expectations, as specified, by January 1, 2024, (3) strike the requirement for the CTC to create preconditions for accreditation, and (4) require all administrator preparation programs to ensure faculty are prepared in UDL and other inclusive practices, as specified.

Further, stakeholders representing students who are deaf, hard of hearing, blind, visually impaired, and deaf-blind have expressed concern that this bill could unintentionally result in inappropriate placements. It is argued that, for these students, “inclusion” can sometimes result in “isolation”. To address these concerns, **staff recommends** adding the following language to the bill:

“Nothing in this chapter shall conflict that for children who are deaf, hard of hearing, blind, visually impaired, and deaf-blind, inclusion practices and strategies to improve pupil outcomes shall mean placement in settings that provide full access to language. Placement settings that provide full access to language for deaf, hard of hearing, blind, visually

impaired, and deaf-blind children are the least isolating and are the least restrictive environment for the child. For purposes of this chapter, the least restrictive environment may include, but not necessarily be limited to, the California Schools for the Deaf, the California School for the Blind, or nonprofit organizations, including, but not limited to, nonpublic, nonsectarian schools or agencies certified pursuant to Section 56366.1 and who specialize in serving deaf, hard of hearing, blind, visually impaired, and deaf-blind infants and children.

Any discussion of deaf, hard of hearing, blind, visually impaired, and deaf-blind students in the LEA including for generalization trainings or universal design for learning shall not be done without the input and participation of the deaf, hard of hearing, blind, visually impaired, and deaf-blind communities.

Nothing in this chapter shall be construed as modifying or otherwise affecting the right of pupils with disabilities, including pupils who are deaf, hard of hearing, blind, visually impaired, and deaf-blind, to a free appropriate public education pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.), the development of an individualized education program or the individualized education program team's determination of placement pursuant to Sections 300.320 to 300.328, inclusive, of Title 34 of the Code of Federal Regulations, and Section 56345, aids to ensure effective communication pursuant to Section 35.160 of Title 28 of the Code of Federal Regulations, or the continuum of program options that shall be made available as required by Sections 56000.5, 56360, and 56361."

## **SUPPORT**

SELPA Administrators of California (sponsor)  
Big Sur Charter School  
Monterey Bay Charter School  
Sage Oak Charter Schools  
Sonoma County Office of Education  
Tehama County Selpa  
Windsor Unified School District  
Wright Elementary School District

## **OPPOSITION**

None received

-- END --



11432(d))

- 4) Requires the Coordinator for Education of Homeless Children and Youth to:
  - a) Gather and make publicly available reliable, valid, and comprehensive information, as specified.
  - b) Develop and carry out the state plan.
  - c) Collect data for and transmit to the federal Secretary of Education a report containing information necessary to assess the educational needs of homeless children and youth within the state.
  - d) Coordinate activities and collaborate, as specified, to improve the provision of comprehensive education and related services to homeless children and youth.
  - e) Provide technical assistance to and conduct monitoring of LEAs in coordination with LEA liaisons.
  - f) Provide professional development opportunities for LEA personnel and the LEA liaison to assist in identifying and meeting the needs of homeless children and youth.
  - g) Respond to inquiries from parents and guardians of homeless children and youth. (42 USC § 11432(f))
- 5) Requires the Coordinator for Education of Homeless Children and Youths to gather and make publicly available reliable, valid, and comprehensive information on the number of homeless children and youth identified in the State, and requires this information to be posted annually on the State educational agency's website. (42 USC § 11432(f))

Existing *state law*

- 1) Requires the California Department of Education (CDE) and the California Department of Social Services (CDSS) to identify representatives from CDE, CDSS, and other state agencies that have experience in homeless youth issues to develop policies and practices to support homeless children and youths and to ensure that child abuse and neglect reporting requirements do not create barriers to the school enrollment and attendance of homeless children or youths, including but not limited to, ensuring that a student who is a homeless child or youth is not reported to law enforcement by school personnel if the sole reason for the report is the student's homelessness. (Education Code § 48850)
- 2) Requires a local educational agency to ensure that each school within the LEA identifies all homeless children and youths and unaccompanied youths enrolled at the school pursuant to federal law. (EC § 48851 (a)).

- 3) Requires the governing body of a LEA to confirm that a pupil completes and submits a Free Application of Federal Student Aid (FAFSA) or a California Dream Act application. (EC § 51225.7)
- 4) Establishes the California Student Aid Commission as being responsible for administering financial aid programs for students attending postsecondary education.

## ANALYSIS

This bill:

- 1) Establishes, subject to an appropriation by the Legislature, the SOAR Guaranteed Income Program to be administered by an unspecified entity to provide monthly payments of an unspecified amount from April 1, 2023, to August 1, 2023, unless extended, for homeless pupils in grade 12.
- 2) Establishes the California SOAR Guaranteed Income Fund administered by an unspecified entity for purposes of receiving moneys appropriated or donated for the SOAR program and requires an administrator to distribute moneys in the fund to eligible participants.
- 3) Authorizes an administrator to accept in-kind donations for purposes of administering the SOAR program.
- 4) Requires that the administrator be responsible for promulgating rules and regulations governing the administration of the SOAR program and fund.
- 5) Requires that the administrator submit an evaluation report to the Legislature upon the conclusion of the SOAR program and work with at least one independent, research-based institution to identify existing, and establish new, SOAR program outcome measurements to inform an evaluation report, as specified.
- 6) Exempts the award amount from being considered as:
  - a) Financial aid or income for financial aid or other purposes or from negatively impacting a recipient's eligibility for future financial aid. The California Student Aid Commission is required to seek the appropriate federal waivers or exemptions if the SOAR program is extended through 2023-24 academic year.
  - b) For the taxable year beginning January 1, 2023, gross income for purposes of personal income tax or earned income for purposes of eligibility for the California Earned Income Tax credit.
  - c) Income or resources for purposes of determining the individual's, or any member of their household's, eligibility for benefits or assistance, or the amount or extent of benefits or assistance, under any state or local means-tested program or certain public social services program. Only

applicable to the extent that provisions do not conflict with federal law, any necessary federal waivers or exemptions are obtained and that federal financial participation is available. It further:

- i) Requires the administrator to identify, as specified, state programs including California Work Opportunity and Responsibility to Kids program (CalWORKs), The CalFresh program, and the Medi-Cal program, that implement a federal means-tested program and that would require an exemption or waiver. A state department or agency is required to seek a waiver or exemption if necessary.
  - ii) Authorizes the administrator to consider alternatives if a federal waiver or exemption is not secured to prevent consequences for participants.
- 7) Defines various terms for purposes of the bill including, “eligible participant,” to mean a public pupil who is in grade 12, has completed a Free Application for Federal Student Aid or California Dream Act application, and is a homeless child or youth, as defined in federal law.
- 8) Sunsets the bill’s provisions on August 1, 2024.

#### STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “Postsecondary education has become increasingly necessary for people to exit homelessness and poverty and enter into financial stability. However, the significant costs associated with enrolling in postsecondary education pose a substantial barrier to low-income individuals, especially youth experiencing homelessness who often have no income. Those youth experiencing homelessness who do enroll in college are sometimes subject to the “summer melt” phenomenon, which is when students who have every intention of attending college in the following fall never actually enroll, in part due to a lack of financial resources. Students of color, students from low-income backgrounds, and first-generation students are disproportionately impacted by “summer melt.”

“The summer following high school graduation is a critical time for youth. During this transition period, youth lose the robust support system provided by schools, which includes food assistance, shelter, and school counselors, and must learn how to navigate adulthood. For youth experiencing homelessness, the transition to adulthood and becoming responsible for their own care and well-being can be incredibly challenging due to unstable housing conditions and unmet basic needs.

“California relies heavily on federal funds, such as those provided by the McKinney-Vento Homeless Assistance Act, to support pupils experiencing homelessness. However, it is clear that additional funds are needed to support these youth. In 2020, there were nearly 300,000 K-12 students experiencing homelessness, a number that has increased by over 48 percent in the past



decade and is likely to be substantially higher due to COVID-19. Guaranteed income is proving to be a cost effective policy solution to poverty and income inequality among marginalized communities like homeless youth. Direct, unconditional cash assistance can serve to stabilize youth experiencing homelessness through a tumultuous transition period and expand their access to higher education and employment.”

- 2) **The SOAR Guaranteed income program.** According to the author, the SOAR program established by this bill is based upon the guaranteed income concept. These types of programs often provide direct cash assistance intended to support the basic needs of individuals with no restrictions on how money is spent and no requirements for the participants. Similarly, the provisions in this bill have minimal requirements for qualifying and do not impose conditions for utilizing SOAR program funds. Transparency measures include an evaluation of the program reported to the Legislature upon the conclusion of the SOAR program and an independent research-based institution is tasked with identifying SOAR program outcome measurements used to inform the report.
- 3) **Who is eligible?** This bill sets minimal eligibility criteria for the SOAR Guaranteed Income program, including completion of the FAFSA or California Dream Act application. This requirement is consistent with existing law requiring schools to confirm that a student completes the appropriate financial aid form. SOAR eligibility is extended to high school students who are experiencing homelessness during their senior year. Participants may receive reoccurring payments for a minimum of four months from April to August 2023, seemingly to acknowledge greater instability faced by homeless youth while transitioning from high school into adult life, college or career. The bill does not specify payment amounts and makes its provisions contingent upon an appropriation by the Legislature.
- 4) **Duration of the program.** The bill calls for disbursement of payments for a minimum of four months but allows the administrator to extend that time for a longer period, presumably within the program’s two-year operational date. Extending payments for youth who pursue postsecondary education while participating in the SOAR program could result in supplanting other state, federal or institutional aid designed to cover college costs for low-income students. As such, the bill requires the California Student Aid Commission to pursue federal waivers or exemptions if the SOAR program is extended through 2023-24 academic year as a means of ensuring award amounts supplement other grants or scholarships. It is unclear to staff whether such a waiver or exemption process exists. *Should this bill move forward, the author may wish to consider extending flexibility to the Student Aid Commission for pursuing appropriate waivers and exemptions if available or if possible rather than mandating the Commission to solicit such a waiver or exemption that may not exist.* Similar flexibility is provided in the bill related to pursuing exemptions or waivers for payments impacting eligibility for other state or local social service programs including CalWORKS and CalFresh.
- 5) **Program administration?** The bill does not identify an entity to implement its provisions yet directs the administrator to do a variety of things to operate the

SOAR program and associated fund. Staff notes that the Department of Social Services (CDSS) administers a similar program for foster youth. However, according to the author's office, conversations with California Department of Education (CDE) are ongoing around the department assuming responsibility for administering the program. *Should this bill move forward, the author's office has agreed to continue to work with, and inform committee staff on changes related to CDE and program administration.*

- 6) **How many California students are homeless?** According to CDE, there were over 183,000 (15,000 in grade 12) California public school students in the 2020-21 school year who at one point during that school year met the federal definition of homelessness, representing about 3.8 percent of the total student population. This is a 9.2 percent decrease in cumulative enrollment from the 2019-20 school year, when there were 194,709 students identified.
- 7) **Similar program for foster youth.** The Budget Act of 2021 provided \$35 million for the California Guaranteed Income Pilot Program administered by CDSS. Under this program, cities and counties may apply for funds from CDSS to support local pilot programs that prioritize foster youth who have exited the foster care system. This bill establishes, presumably outside of the CDSS system, a separate program with the similar goal of offering assistance with less prescriptive eligibility requirements to youth who have financial need.
- 8) **Prior and related legislation.**

SB 739 (Cortese, 2021) creates a universal basic income pilot project for foster youth who exited foster care at 21 years of age to be administered by the CDSS. Similar provisions found in SB 739 were adopted in the budget. SB 739 was heard and approved by Senate Human Services Committee and is currently in the Assembly Committee on Appropriations.

AB 65 (Low, 2021) would have created a universal basic income program administered by the Franchise Tax Board. AB 65 was held in the Assembly Appropriations Committee.

AB 153 (Committee on Budget, Chapter 86, Statutes of 2021) the public social services trailer budget bill, established a guaranteed income pilot program and required the CDSS to administer the program to provide grants to an eligible city or county to provide income payments to participants. AB 153 required CDSS to prioritize funding for pilots that serve residents exiting the extended foster care program and pregnant individuals. As mentioned, the Budget Act of 2021 provided funds for this purpose.

## SUPPORT

All Home  
 Community Financial Resources  
 Economic Security Project Action (UNREG)  
 End Poverty in California (EPIC)  
 Glide

John Burton Advocates for Youth  
National Association of Social Workers, California Chapter  
Schoolhouse Connection  
Silicon Valley Community Foundation  
Universal Income Project

**OPPOSITION**

None received.

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# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 955 **Hearing Date:** April 6, 2022  
**Author:** Leyva  
**Version:** February 9, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Kordell Hampton

**Subject:** Pupil attendance: excused absences: civic or political events

## SUMMARY

This bill would allow students in grades 6 – 12 to have one excused absence per year to participate in a civic or political event.

## BACKGROUND

Existing law:

- 1) Clarifies each person between the ages of 6 and 18 years subject to compulsory full-time education and each person subject to compulsory continuation education must attend the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district where the parent or guardian is located. (Education Code § 48200)
- 2) Clarifies all persons between the ages of 16 and 18 must attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring high school district, for not less than four 60-minute hours per week for the regularly established annual school term and may be done in any combination of attendance upon special continuation education classes and regional occupational centers or programs. (EC § 48400)
- 3) Specifies that excused absences are deemed to be absences in computing average daily attendance (ADA) and shall not generate state apportionment payments. (EC § 48205).
- 4) Provides a list of reasons that constitute an excused absence, which include, among others that the absence of a student is to be excused when the absence:
  - a) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health; quarantine under the direction of a county or city health officer; have a medical, dental, optometric, or chiropractic services during school hours.

- b) For the purpose of attending the funeral services of a member of the pupil's immediate family or spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services
  - c) Jury duty or justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
  - d) Attending a naturalization ceremony to become a United States citizen; participating in a cultural ceremony or event. (EC § 48205)
- 5) Provides that a valid excuse may include other reasons that are within the discretion of school administrators and based on the facts of the pupil's circumstances. (EC § 48260)

## ANALYSIS

This bill would allow students in grades 6 – 12 to have one excused absence per year to participate in a civic or political event. Specifically, this bill:

- 1) Adds civic and political events to list of excused absences for middle or high school students.
- 2) Clarifies that an excused absence to attend a civic or political event counts as one schoolday and is available once every school year to middle or high school students.
- 3) Adds that a middle or high school student who is absent to attend a civic or political event may be granted additional absences to attend a civic or political event at the discretion of the school administration.
- 4) Specifies that a "civic or political event" includes, but is not limited to, voting, poll working, permitted protesting, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

## STAFF COMMENTS

- 1) **Need for the bill.** According to the author's office "Educational priorities in K-12 schools oftentimes severely limit the time available for civics instruction. When civics is taught, high-quality learning practices associated with ongoing civic engagement are distributed inequitably. For example, youth in Advanced Placement (AP) classes, in predominantly white districts, and in families with parents who have a college education are more likely to receive the best civic education. As a result, the institution best positioned to reach and prepare all

youth for democratic participation is leaving a significant number of young people behind.

The author goes on to say, "SB 955 seeks to encourage middle and high school aged children to participate in civic opportunities by requiring local education agencies to allow students to have one approved absence each school year for civic engagement. This bill emphasizes the importance of getting students more involved in government and their community by prioritizing student opportunities for civic learning and engagement both within and outside their education."

- 2) **California Task Force on K-12 Civic Learning of 2014 (Task Force).** In 2014, the Chief Justice of California and the State Superintendent of Public Instruction formed the Task Force with the intention to craft a set of recommendations to improve civic learning in our schools to address the need to revitalize civic learning in our state. To this end, the Task Force makes the following system-wide recommendations to improve civic learning in every district, in every school, for every child:
- a) Revise the California History-Social Science Content Standards and accompanying curriculum frameworks to incorporate an emphasis on civic learning, starting in kindergarten, so all students acquire the civic knowledge, skills and values they need to succeed in college, career and civic life.
  - b) Integrate civic learning into state assessment and accountability systems for students, schools and districts. Civic knowledge, skills, values and whether students are receiving learning opportunities that promote these outcomes must be assessed and linked to revised California History-Social Science Content Standards and relevant Common Core State Standards. This will enable periodic reporting to the legislature and the public on the state of students' civic learning.
  - c) Improve professional learning experiences for teachers and administrators to help them implement civic learning in schools. Connect professional learning in civics to Common Core State Standards professional learning experiences.
  - d) Develop an articulated sequence of instruction in civic learning across all of K-12, pegged to revised standards. At each grade level, civic learning should draw on the research-based and include work that is action-oriented and project-based and that develops digital literacy.
  - e) Establish a communication mechanism so community stakeholders can easily connect with teachers and students on civic education and engagement. Students need to get out of the school building to practice civic engagement, and civic leaders need to come into schools to engage students.

- f) Provide incentives for local school districts to fund civic learning in Local Control Accountability Plans under the new Local Control Funding Formula (LCFF).

This bill appears to align with the six proven practices listed above by creating an opportunity for students in middle school or high school to be engaged.

- 3) ***Pre-Registration to Vote.*** According to Tufts University's Center for Information & Research on Civic Learning and Engagement (CIRCLE) research has consistently shown youth engagement can lead to increased academic performance and improved social-emotional well-being. In 2009, the Legislature took its first step by allowing persons at the age of 17 to preregister to vote (AB 30, Price; 2009) and later at the age of 16 (SB 113, Jackson; 2014). According to the National Conference of State Legislatures (NCLS), a series of studies have shown the preregistration has a positive effect on youth as turnout among 18 to 29-year-olds is consistently lower than other age brackets.
- 4) ***State Seal Of Civic Engagement (SSCE).*** In October 2017, then-Governor Jerry Brown signed AB 24 (Eggman; 2017). The law requires the State Superintendent of Public Instruction (SSPI), on or before January 1, 2020, to recommend to the State Board of Education (SBE) criteria for awarding a SSCE to pupils who have demonstrated excellence in civics education and participation and an understanding of the United States Constitution, the California Constitution, and the democratic system of government. The law also requires the SSPI to consider, among other criteria, the successful completion of history, government, and civics courses, including courses that incorporate character education and voluntary participation in community service or extracurricular activities.

A hallmark of the SSCE is its accessibility to all students, regardless of their backgrounds, communities, and experiences. This includes taking into consideration how local educational agencies (LEAs) can support California's most underserved students in earning the seal in ways that may not always mirror traditional student paths to civic engagement and learning. As civic engagement may look different from community to community, the California Department of Education (CDE) encourages LEAs to work with local and statewide organizations to develop local criteria and to design and implement impactful civic engagement programs and pathways that reflect community interests, needs, and resources. To date, 5,359 seals have been awarded.

- 5) ***The Local Control Funding Formula (LCFF).*** The LCFF recognizes the necessity of investing in the reduction and ultimate removal of inequitable outcomes in California public schools. Revitalizing civic learning opportunities, in an equitable manner, can contribute to meeting these goals.
- 6) ***Related Legislation.***

***AB 824 (Bennett; 2021)*** authorizes a pupil petition requesting that a county board of education or the governing body of a charter school appoint one or more

pupil board members to be submitted to a board or body operating one or more high schools. *Chapter 669 (2021)*.

**AB 261(Thurmond)** provides that a pupil member of the governing board of a school district shall have preferential voting rights. *Chapter 257 (2017)*.

**AB 30 (Price)** allows a person who is 16 years of age to pre-register to vote, provided he or she would otherwise meet all eligibility requirements. *Chapter 364 (2009)*.

**SUPPORT**

California Student Board Member Association (CSBMA)  
Generation Up  
1 Individual

**OPPOSITION**

None on file.

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 976 **Hearing Date:** April 6, 2022  
**Author:** Leyva  
**Version:** March 16, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Lynn Lorber

**Subject:** Universal Preschool Act

**NOTE:** This bill has been referred to the Committees on Education and Human Services. A "do pass" motion should include referral to the Committee on Human Services.

### SUMMARY

This bill establishes a free universal system of preschool by expanding access to the State Preschool Program to all three- and four-year old children, regardless of family income, and expands the types of child care providers who may be eligible to offer state preschool.

### BACKGROUND

Existing law:

#### *Title 22*

- 1) These providers include licensed centers, licensed family child care homes (FCCHs), and license-exempt care. The licensed programs must adhere to requirements of Title 22 of the California Code of Regulations. Title 22 centers and FCCHs are reimbursed up to a maximum ceiling of the 75<sup>th</sup> percentile of the rates charged by private providers in the area offering the same type of child care (the 75<sup>th</sup> percentile of the 2018 Regional Market Rate survey). License-exempt care providers are generally reimbursed up to 90% of the FCCHs maximum rate (75<sup>th</sup> percentile).

#### *Title 5*

- 2) The California Department of Social Services (CDSS) contracts directly with several hundred agencies for licensed child care (through centers and Family Child Care Home Education Networks) and the California Department of Education contracts directly with state preschools. In addition to Title 22 licensing requirements, these providers must also adhere to the requirements of Title 5 of the California Code of Regulations. Beginning January 1, 2022, these programs will no longer be reimbursed through the Standard Reimbursement Rate, but will instead be reimbursed at the greater of:
  - a) The 75<sup>th</sup> percentile of the 2018 Regional Market Rate survey; or,

- b) The contract per-child reimbursement amount as of December 31, 2021.

*California state preschool*

- 3) Requires state preschool programs to include, but not be limited to, part-day age and developmentally appropriate programs designed to facilitate the transition to kindergarten for three- and four-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development. (Education Code § 8235)
- 4) Establishes that three- and four-year-old children are eligible for the part-day state preschool program if the family meets at least one of the criteria described in # 5 (a) below (a current aid recipient, income eligible, homeless, or one whose children are recipients of protective services). (EC § 8235)
- 5) Requires state preschool providers to give first priority to three- or four-year-old neglected or abused children who are recipients of child protective services; second priority is for eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program; third priority is for eligible three-year-old children. (EC § 8236)

*Eligibility*

- 6) Provides that families must meet at least one requirement in each of the following areas to be eligible for state preschool:
  - a) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, or (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.
  - b) A family needs the childcare services (i) because the child is identified as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated. (Education Code § 8208)

**ANALYSIS**

This bill establishes a free universal system of preschool by expanding access to the State Preschool Program to all three- and four-year old children, regardless of family income, and expands the types of child care providers who may be eligible to offer state preschool. Specifically, this bill:

*Makes State Preschool Universal*

- 1) Provides that the universal preschool program is to be free, inclusive, and available to all three- and four-year-olds.
- 2) Strikes income eligibility requirements and parent fees.

*Expands Preschool to additional settings*

- 3) Expands the definition of preschool to include, in addition to programs in childcare centers or licensed family childcare home networks:
  - a) Programs operated in a Head Start agency or delegate agency.
  - b) Individual family childcare homes (licensed).
- 4) Expands the administration of preschool programs from those offered through childcare centers and family childcare home networks to also include preschool programs offered through Head Start and individual family childcare homes.

*Preschool program activities component*

- 5) Modifies the “age and developmentally appropriate activities” component of the preschool program to require those activities to meet evidence-based preschool standards that, at a minimum, are as rigorous as the standards for Head Start Act or pursuant to this bill.

*Requirements for “non-traditional” licensed preschools*

- 6) Includes universal preschool providers operating through alternative payment programs serving licensed childcare centers, family childcare homes, and family childcare home education networks in the existing requirement that family childcare home network preschool programs do certain things, such as enroll eligible children, train providers, and monitor program quality.

*Administration of universal preschool*

- 7) Requires the California Department of Education (CDE), in consultation with CDSS, to administer the universal preschool program pursuant to this bill.
- 8) Expands the requirement that the State Superintendent of Public Instruction (SPI) adopt rules and regulations related to eligibility, enrollment and priority of services to require the SPI to consult with the Director of CDSS and to adopt rules and regulations related to the provision of outreach and enrollment support for families of eligible children, including specific outreach to families of underserved populations.
- 9) Requires the Director of CDSS, in partnership with the SPI, to expand existing childcare resource and referral services to include navigation, referral, and enrollment services for the universal preschool program, including transitional kindergarten, state preschool, Head Start, general childcare programs, private childcare centers, and family childcare options for preschool programs. This bill

requires these resource and referral services to include all of the following:

- a) Types of services, including setting, hours, and eligibility requirements.
- b) Navigation support for families to enroll in programs.
- c) Expansion of the internet website "<https://mychildcare.ca.gov/>" to include universal preschool options.

*Eliminates part-day preschool and lengthens minimum program days per year*

- 10) Eliminates existing provisions that provide for a minimum day of three hours and a minimum year of 175 days, and instead provides that universal preschool programs are to operate for a minimum of 246 days per year.
- 11) Strikes reference to eligibility for the part-day state preschool program.

*Wraparound for Transitional Kindergarten*

- 12) Clarifies the existing authority for LEAs that administer a preschool program to place four-year olds in a transitional kindergarten classroom to include five-year olds and that the decision to enroll the child in transitional kindergarten is up to the parent.

*Living wage*

- 13) Increases the level at which each agency is to pay each of its employees from at least the minimum wage to at least a living wage.
- 14) Requires CDE, in consultation with CDSS, to ensure the standard reimbursement rate provides at least a living wage for all universal preschool site supervisors, teachers, and staff.

*Financial support for preschool staff*

- 15) Requires CDE, in consultation with CDSS, to offer financial support to current and aspiring universal preschool site supervisors, teachers, and other support staff in obtaining required credentials and degrees, including baccalaureate degrees, to work in the preschool classroom or setting.
- 16) States the purpose of this financial support is to ensure universal preschool is widely available throughout the state and that each individual working in a universal preschool classroom or setting meets the necessary requirements.
- 17) Requires financial support to be distributed equitably, in the highest need areas.
- 18) Eliminates fees for the issuance or renewal of each child development permit (issued by the Commission on Teacher Credentialing).

*Quality*

- 19) Modifies and expands the existing requirement that the SPI develop standards for high-quality preschool programs to instead require the SPI to consult with the Director of CDSS to also develop standards for high-quality preschool programs in all settings, including universal preschool, transitional kindergarten, general childcare, Head Start centers, and family childcare homes.
- 20) Expands the prekindergarten learning development guidelines to include three-year old children.

*Coordination Council*

- 21) Requires the CDE and the Director of CDSS to convene a statewide coordination council including, but not be limited to, all of the following:
  - a) Representatives from county offices of education.
  - b) Resource and referral programs.
  - c) Alternative payment programs.
  - d) First 5 county commissions.
  - e) Contracted state preschool programs.
  - f) General childcare programs.
  - g) Tribal preschool programs.
  - h) Family childcare homes.
  - i) Center-based childcare providers.
  - j) Head Start.
- 22) Requires the council to develop goals, guidelines, and best practices to be used at a local level to implement a universal preschool program in order to ensure equitable access across the state to universal preschool services.

*Miscellaneous*

- 23) Defines "family childcare home" as a facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home.
- 24) Eliminates provisions related to an obsolete family literacy supplemental grant.

**STAFF COMMENTS**

- 1) *Need for the bill.* According to the author, "Pursuant to the enabling legislation passed in 2021, public elementary schools are the exclusive setting where transitional kindergarten can be provided. Under current law, age eligible children would not have the option to stay with their current community childcare provider to receive state sponsored transitional kindergarten, as this is currently offered only by school districts, only during school hours and school calendar year.

"While some children and families will benefit directly from transitional kindergarten, many have different needs and will not be able to access or benefit from this system due to individual child needs or parent needs for hours of care to align to their work.

"In addition the public school only model creates significant challenges for a childcare system that is on the brink of collapse because of the pandemic. Due to the high cost of caring for infants and toddlers, childcare programs rely on serving a range of age groups.

"SB 976 ensures that the goals of universal transitional kindergarten are accomplished by providing flexible childcare options for California's working families. This bill not only provides parents with the logistical flexibility that they require, but it also allows them to choose a provider that fits in with their unique cultural and linguistic needs.

"Furthermore, SB 976 promotes educational continuity for children and much-needed stability for licensed community based providers and their employees, most of whom are women of color."

- 2) *How does this bill affect Transitional Kindergarten?* This bill does not amend or alter any provisions related to transitional kindergarten. This bill provides a free universal full-day preschool option. Families may continue to choose to enroll their four-year olds in transitional kindergarten or maintain enrollment in a preschool program. This bill provides additional preschool settings and options. This bill could affect transitional kindergarten to the extent families choose to keep their four-year olds in preschool rather than enrolling in transitional kindergarten.
- 3) *Expands who may provide preschool programs.* Currently, state preschool programs contract directly with CDE and must meet statutory and regulatory requirements related to staff qualifications, staffing ratios, and program quality standards. This bill authorizes preschool programs to include, in addition to programs in childcare centers or licensed family childcare home networks, programs operated in a Head Start agency or individual family childcare homes (licensed).

This bill does not alter preschool program standards or staffing qualifications. This bill includes several components to assist other types of programs to meet preschool program standards in order to operate as a state preschool program,

including:

- a) Modifying and expanding the existing requirement that the SPI develop standards for high-quality preschool programs to instead require the SPI to consult with the Director of CDSS to also develop standards for high-quality preschool programs in all settings, including universal preschool, transitional kindergarten, general childcare, Head Start centers, and family childcare homes.
  - b) Requiring universal preschool providers operating through alternative payment programs serving licensed childcare centers, family childcare homes, and family childcare home education networks to train providers, and monitor program quality.
  - c) Offering financial support to current and aspiring universal preschool site supervisors, teachers, and other support staff in obtaining required credentials and degrees, including baccalaureate degrees, to work in the preschool classroom or setting.
- 4) *Eligibility and priority.* This bill expands eligibility for the state preschool program by enabling all age-eligible children to enroll, regardless of family income. However, this bill maintains existing priorities for enrollment, with first priority for three- and four-year olds who are abused or neglected, second priority for four-year olds who are not enrolled in transitional kindergarten (in order of priorities within this category), and third priority for eligible three-year olds. This bill adds four-year olds who are above income eligibility as the third priority, and shifts the existing third priority (three-year olds) to the fourth priority.
- 5) *Capacity.* This bill expands the state preschool program by enabling all age-eligible children to enroll, regardless of family income, and by authorizing preschool to be offered in additional settings. Additionally, this bill eliminates part-day provisions and instead provides for a full-day, full-year program. Further, this bill increases the level at which each agency is to pay each of its employees from at least the minimum wage to at least a living wage.

It is possible that existing preschool programs, as well as other programs seeking to become preschool programs, will need time to increase their capacity to serve additional children or meet preschool program requirements. In addition, the fiscal investments necessary to implement this bill are significant and may need to be made over time. *The author may wish to consider phasing-in the expansion proposed by this bill, such as beginning with families who are just above the income eligibility threshold and incrementally expanding eligibility based on family income. Further, the author may wish to consider reinstating part-day preschool options until sufficient full-day options exist to serve all families who chose to enroll their children in a full-day preschool program.*

- 6) *Council.* This bill requires the CDE and the Director of CDSS to convene a statewide coordination council to develop goals, guidelines, and best practices to be used at a local level to implement a universal preschool program in order to ensure equitable access across the state to universal preschool services. This

bill requires the council to include representatives of program providers. **Staff recommends amendments** to also task the council with developing the standards for high-quality preschool in all settings, jointly with the SPI, and to specifically include educators and educator bargaining representatives as members of the council.

- 7) *Fiscal impact.* This bill increases the number of children who can participate in the state preschool program, and therefore would have a significant cost (both Proposition 98 and non-Proposition 98).
- 8) *Related legislation.* SB 1047 (Limon) expands the range of types of child care and early learning services that a State Preschool contracting agency may provide, until January 1, 2029. SB 1047 is scheduled to be heard in this committee on April 6.
- 9) *Prior legislation.* AB 123 (McCarty, 2020) would have required the CDE to allow state preschool programs and general child care providers to serve children age 0-12 in a commingled classroom, authorizes state preschool providers and general child care providers to waive family fees if serving students only via distance learning, and requires CDE to allow and arrange interagency adjustments between California state preschool contracts and general child care contracts. AB 1234 also would have deemed recipients of Medi-Cal or CalFresh as eligible for subsidized child care, authorizes state preschool programs to serve younger two-year-olds. AB 123 was held in the Senate Appropriations Committee.

AB 1754 (McCarty, 2018) would have modified the enrollment priorities for state preschool to authorize slots remaining after high-priority children to enable all children to enroll without any requirement to substantiate income eligibility. AB 1754 was held in the Senate Appropriations Committee.

AB 47 (McCarty, 2015) would have established the Preschool for All Act of 2015 and required that by June, 30 2018, all children eligible for state subsidized child development services that are not enrolled in transitional kindergarten have access to the state preschool program the year before they enter kindergarten, contingent upon funding in the annual Budget Act. AB 47 was vetoed by the Governor, whose veto message read:

***Last year's education omnibus trailer bill already codified the intent to make preschool and other full-day, full year early education and care opportunities available to all low-income children. The discussion on expanding state preschool - which takes into account rates paid to providers as well as access and availability for families - should be considered in the budget process, as it is every year. A bill that sets an arbitrary deadline, contingent on a sufficient appropriation, is unnecessary.***

## SUPPORT

California Child Care Resource and Referral Network (co-sponsor)  
Child Care Resource Center (co-sponsor)



Everychild California (co-sponsor)  
First 5 California (co-sponsor)  
Building Blocks Preschool  
California Alternative Payment Program Association  
California Association for The Education of Young Children  
Californians for Quality Early Learning  
Catalyst Family INC.  
Child Action, INC.  
Child Care Law Center  
Child Development Resources of Ventura County, INC.  
Children Now  
Community Child Care Council of Sonoma County  
Council for A Strong America  
Crystal Stairs, INC.  
Early Care & Education Pathways to Success  
Early Care and Education Consortium  
Early Care Educators of San Francisco  
Fight Crime: Invest in Kids  
Good2know Partners  
Kindercare Education  
Laurel Hill Nursery School  
Learning Care Group, INC.  
Loomis Community Preschool  
Mission: Readiness  
Northern Directors Group  
Old Firehouse School, Mill Valley  
Only Love Children's Center  
Pacifica Co-op Nursery School  
Parent Voices California  
ReadyNation  
San Bernardino City Unified School District  
YMCA of San Diego County  
Young Horizons  
29 Individuals

**OPPOSITION**

2 Individuals

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# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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**Bill No:** SB 1222 **Hearing Date:** April 06, 2022  
**Author:** Dahle  
**Version:** February 17, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Kordell Hampton

**Subject:** Comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education

**NOTE:** This bill was previously heard by this Committee on March 30, 2022 and failed passage, but reconsideration was requested and granted.

## SUMMARY

This bill amends the California Healthy Youth Act (CHYA) by requiring local educational agencies (LEAs) to adopt a policy at a publicly noticed meeting specifying how parents and guardians of pupils may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.

## BACKGROUND

Existing law:

- 1) Establishes the CHYA, which requires LEAs (defined as school districts, charter schools, county boards of education, county superintendents of schools, and the California Schools for the Deaf and for the Blind – hereafter referred to as “LEA”, to provide comprehensive sexual health and HIV prevention instruction to all students in grades 7 to 12, at least once in middle school and once in high school. (Education Code § 51933)
- 2) Requires that pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education at least once in junior high or middle school and at least once in high school. (EC § 51934)
- 3) Requires that the instruction and related instructional materials be, among other things:
  - a) Age appropriate.
  - b) Medically accurate and objective.
  - c) Appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners.

- d) Made available on an equal basis to a pupil who is an English learner, consistent with the existing curriculum and alternative options for an English learner pupil.
  - e) Accessible to pupils with disabilities. (EC § 51934)
- 4) Authorizes an LEA to provide comprehensive sexual health education and HIV prevention education earlier than grade 7 using instructors trained in the appropriate courses and age-appropriate and medically-accurate information. (EC § 51933)
- 5) Requires LEAs, at the beginning of each school year, or, for a pupil who enrolls in a school after the beginning of the school year, at the time of that pupil's enrollment, to provide parents and guardians with a notice:
- a) About instruction in comprehensive sexual health education and HIV prevention education and research on pupil health behaviors and risks planned for the coming year.
  - b) Advise the parent or guardian that the educational materials used in sexual health education are available for inspection.
  - c) Advise the parent or guardian whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultant, as provided.
  - d) Advise the parent or guardian that the parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education and that in order to excuse their child they must state their request in writing to the LEA. (EC § 51938)
- 6) Provides that the parent or guardian of a pupil has the right to excuse their child from all or part of that education, including related assessments, through a passive consent ("opt-out") process. (EC § 51938)
- 7) Prohibits a school district from requiring active parental consent ("opt-in") for sexual health education for pupils of any grade. (EC § 51938)
- 8) Requires all notices, reports, statements, and records sent to the parent or guardian of any pupil by the public school or school district, if 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the California Department of Education (CDE) in the preceding year, to be written in that primary language, in addition to English, and may be responded to either in English or the primary language. (EC § 48985)

## ANALYSIS

This bill amends the CHYA by requiring LEAs to adopt a policy at a publicly noticed meeting specifying how parents and guardians of pupils may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education. Specifically, this bill:

- 1) Requires LEAs to adopt a policy at a publicly noticed meeting specifying how parents and guardians of pupils may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education that is consistent with all of the following:
  - a) The materials shall be made available at each schoolsite and publicly posted on the LEA's internet website, if the LEA maintains an internet website or upon establishing an internet website.
  - b) If the LEA is not authorized to post the materials on its publicly available internet website due to copyright protections, the material shall be made available through a parent or guardian portal if the school district already maintains a portal or upon establishing a portal.
  - c) Updates or changes to the materials shall be made available at each schoolsite and publicly posted on the LEA's internet website, and, if applicable, through a parent or guardian portal, within 30 days of adoption of the updates or changes to the materials, but in no event later than 14 days before the instruction is given.
  - d) If a school district contracts with outside consultants or guest speakers, the materials used by the outside consultants or guest speakers shall be made available at each schoolsite and publicly posted on the LEA's internet website, and, if applicable, through a parent or guardian portal, within 30 days of contracting with the outside consultants or guest speakers, but in no event later than 14 days before the instruction is given.
  - e) Materials to be used by outside consultants or guest speakers that were contracted for before January 1, 2023, be made available at each schoolsite and publicly posted on the school district's internet website, and, if applicable, through a parent or guardian portal within 30 days of adoption of the policy, but in no event later than 14 days before the instruction is given.
- 1) Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for-inspection pursuant to the policy adopted by the school district.

## STAFF COMMENTS

- 1) **Need for the bill.** The author states, "The California Healthy Youth Act does not require school districts to make curricula available on their websites before it is taught in the classroom, so the materials are not readily accessible to parents. The shift to internet-based and technology heavy education has prevented parents from physically accessing the school campus during the pandemic. This

inhibits the ability of parents to have equitable access to review curricula and make informed decisions regarding their child's education. In order for parents to make an informed decision, sexual health education and human immunodeficiency virus (HIV) prevention education curricula should be accessible for parents to review.”

- 2) **California Healthy Youth Act.** The CHYA took effect in 2003 and was originally known as the Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. Initially, the act authorized LEAs to provide comprehensive sexual health education in any grade, including kindergarten, so long as it consisted of age-appropriate instruction and used instructors trained in the appropriate courses. Beginning in 2016 with AB 329 (Weber, 2015) the act was renamed the CHYA and for the first time required LEAs, excluding charter schools, to provide comprehensive sexual health education and HIV prevention education to all students at least once in middle school and at least once in high school. Beginning 2019, AB 2601 (Weber, 2018) required charter schools to provide that same instruction. From its inception in 2003 through today, the CHYA has always afforded parents the right to opt their child out of part, or all, of the instruction and required LEAs to notify parents and guardians of this right. Parents and guardians are able to exercise this right by informing the LEA in writing of their decision.
- 3) **Comprehensive sexual health education in lower grades.** Comprehensive sexual health education in lower grades has always been, and remains, optional. Under existing law, for grades 6 and below, an LEA must “opt-in” to offer that instruction to students. The LEA is then required by law to notify parents and guardians of their right to “opt-out” their child, whether in part or completely. Existing law has always required that all comprehensive sexual health education be age-appropriate, medically accurate, and objective – regardless of grade.

According to the CDE, in elementary school it is permissible to teach knowledge and skills related to comprehensive sexual health and HIV prevention education in grades kindergarten through grade six (K–6), inclusive. All instruction and materials in grades K–6 must meet the instructional criteria or baseline requirements of the CHYA and the content that is required in grades 7–12 may be also be included in an age-appropriate way in earlier grades.

- 4) **Right to inspection.** Existing law requires LEAs to notify parents and guardians of their right to inspect written and audiovisual materials. However, existing law does not prescribe how that inspection must be implemented. This bill proposes to prescribe, only for materials related to comprehensive sexual health and HIV prevention education, parameters for inspection, including that materials be translated, available online, and before the date of instruction. This bill helps ensure adequate lead-time and ease of accessibility for parents and guardians, and also fosters a transparent development process for the inspection process of sexual health and HIV prevention education. However, the authors bill on limits this transparency and inspection process for one topic. Moving forward, the author may want to consider adding other subject areas such as mathematics, science, and English.

- 5) **Argument in Support.** According the Right to Life League “As the law stands, parents are often kept in the dark about what their children are taught in school regarding sexual health and HIV prevention. Current legislation does not require school districts to post their current sexual education curricula online, and parents often suffer the consequences of this discretion. There has been a lack of transparency in California regarding what our children are learning at school, and in some cases, it’s proven difficult for parents to access information about their own kids’ educations, with some schools not disclosing information upon parents’ wishes. In other cases, parents find it challenging to make it to their children’s schools and witness what their children are learning in person due to work schedules or life circumstances.

“If SB 1222 is passed, schools will be obliged to disclose their children’s’ schools’ current sexual health and HIV prevention programs online so they can review the material when and where it is most comfortable for them. SB 1222 will keep parents informed and up-to-date on their children’s’ education, enabling them to make the right decisions about their children’s formation and development.”

- 6) **Arguments in Opposition.** According to The American Civil Liberties Union California Action, Equality California, and Planned Parenthood Affiliates of California “As sponsors of the California Healthy Youth Act (CHYA) (AB 329, Weber, 2015; AB 2601, Weber, 2018) we have concerns around the feasibility of the requirement to post all comprehensive sexual health education curricula online in full for parent review. This approach imposes a one-size-fits-all requirement on school districts that does not provide schools with any flexibility or support they would need to meaningfully increase access for parents and guardians.

“The California Healthy Youth Act governs the provision of comprehensive sexual health education in California public schools, including charter schools, requiring instruction at least once in middle school and once in high school. CHYA currently strikes a balance that requires districts to advise parents and guardians that curriculum materials are available to preview, while also giving districts flexibility to tailor how they meet those requirements to the needs of their communities. SB 1222 could result in districts needing to purchase and implement new or additional online platforms to host curriculum materials for the sole purpose of review by parents and guardians, which could be extremely burdensome for districts.

“As the COVID pandemic continues to impact the way students are being educated, it is critical that sexual health education remains a priority and we do not impose potential or additional barriers to students receiving sex ed. School districts are best positioned to know how to communicate with their parent communities about curriculum and opt-out notices, and they should be supported in utilizing that expertise. The requirements in SB 1222 impose a burden on the schools and districts working to deliver education, including sexual health education, at a critical time, and for these reasons our organizations respectfully oppose this legislation.”

- 7) **Previous legislation.** SB 217 (Dahle; 2021) was a previous iteration of SB 1222 (Dahle; 2022). SB 217 was held on suspense in Senate Appropriations.

SB 1045 (Melendez; 2022) this bill would require a classroom instructor to provide a parent or guardian with a copy of the classroom instructor's lesson plan, upon request. This bill is currently in Senate Education.

SB 673 (Morrell; 2019) was similar to this bill and would have amended the California Healthy Youth Act by: (1) requiring active parental consent ("opt-in") with a signature for sexual health and HIV prevention education in grades lower than 7, (2) specifically requiring local educational agencies to make written and audio visual materials available for inspection before the date of instruction on the local educational agency's Internet website, and (3) requiring those material to be translated. SB 673 failed passage in this committee.

## **SUPPORT**

California Capitol Connection  
California Catholic Conference  
California Family Council  
Capitol Resource Institute  
Concerned Women for America  
Pacific Justice Institute  
Right to Life League of Southern California  
Siskiyou Conservative Republicans  
The Right to Life League  
The Salt and Light Council  
5 Individuals

## **OPPOSITION**

ACLU California Action  
Association of California School Administrators (ACSA)  
California School Board Association (CBSA)  
Equality California  
Planned Parenthood Affiliates of California

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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

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<b>Bill No:</b>	SB 1273	<b>Hearing Date:</b>	April 06, 2022
<b>Author:</b>	Bradford		
<b>Version:</b>	February 18, 2022		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Kordell Hampton		

**Subject:** School safety: mandatory notifications

**NOTE:** This bill has been referred to the Committee on Education and Public safety. A “do pass” motion should include referral to the Committee on Public Safety. This bill was previously heard by this Committee on March 30, 2022 and failed passage, but reconsideration was requested and granted.

**SUMMARY:** This bill eliminates criminal penalties for “willful disturbance” of a school or school meeting and grants a school principal discretion to report an incident to law enforcement if it does not include a firearm.

### BACKGROUND

Existing law:

- 1) Provides that any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500) and require LEAs notify law enforcement. (Education Code § 32210)
- 2) Authorizes an employee of a Local Educational Agency (LEA) or County Office of Education (COE) to promptly report the incident to local law enforcement if an employee is attacked, assaulted, or physically threatened by any pupil. Failure to make the report shall be an infraction punishable by a fine of not more than one thousand dollars (\$1,000). A member of the governing school board, a county superintendent of schools, or an employee of a LEA or COE shall not directly or indirectly inhibit or impede the making of the report prescribed by a person under a duty to make the report or shall be subject to a fine not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000). Current law also specifies that the governing school board, a county superintendent of schools, or an employee of a LEA or COE shall impose any sanctions against a person under a duty to make the report. (EC § 44014)
- 3) Requires the principal of a school, or their designee, to notify law enforcement of any acts of assault before a pupil is suspended or expelled. (EC § 48902)
- 4) Requires the principal of a school, or their designee, to notify law enforcement by telephone or any other appropriate method of any acts the pupil that may violate within one day of a pupil's expulsion or suspension. (EC § 48902)



- 5) Requires the principal of a school, or their designee, shall notify law enforcement of any acts of a pupil that may involve the possession or sale of narcotics or of a controlled substance. (EC § 48902)

## ANALYSIS

This bill eliminates criminal penalties for “willful disturbance” of a school or school meeting and grants a school principal discretion to report an incident to law enforcement if it does not include a firearm. Specifically, this bill:

- 1) Removes the provision related to a willful disturbance to any public school or any public school meeting and the fine associated.
- 2) Eliminates the provision related mandatory reporting of incidences in which an employee of a LEA or COE is attacked, assaulted, or physically threatened by a pupil and the fine associated with impeding or inhibiting the submission of an incident report to law enforcement.
- 3) Deletes the provision related to reporting an incident to law enforcement before or after a pupil’s expulsion or suspension by the principal of a school or their designee.
- 4) Retains the section related to reporting an incident to law enforcement if a pupil violates Section 626.9 or 626.10 of the Penal Code, but excludes a violation involving an instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, a spot marker gun, a razor blade, or a box cutter.
- 5) Aligns incident reports to law enforcement with the federal Gun-Free Schools Act.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Under existing California statutes (SECTION 44014 and 48902 of the Education Code), educators are mandated to report a broad range of student behavior to law enforcement, including things as minor as possession of cannabis or alcohol. Teachers and other school personnel are denied the discretion to decide how to handle various kinds of behavior based on the specifics of the particular incident. The result is unnecessary student contact with law enforcement, leaving students less likely to graduate high school and more likely to wind up in jail or prison. This system disproportionately affects Black students, Latinx students, Indigenous students, other students of color, and students with disabilities, who are more likely to be referred to law enforcement, cited, and arrested. Educators and school administrators are in a better position to support students by responding to behavioral issues in an appropriate manner. SB 1273 will eliminate the mandatory requirements for notification of law enforcement under Education Code section 48902 (drug and alcohol offenses, certain dangerous objects possession) and 44014 (criminal penalties for school staff who fail to report any assault or physical threat to a school employee, no matter how minor). The bill would also eliminate criminal penalties for “willful disturbance” of a school or

school meeting, a provision that has led to the arrest of a student for an offense as simple as knocking on classroom doors when class is in session. By eliminating mandatory notification of law enforcement for incidents involving drugs and alcohol, the bill removes provisions that limit educator discretion to handle school related misbehaviors in ways that do not criminalize students.”

- 2) ***Guns Free Schools Act (GFSA) of 1994.*** In 1994, Congress passed the Gun-Free Schools Act, which required states receiving federal funds to enact legislation requiring LEAs to expel, for at least one year, any student who is determined to have brought a firearm or weapon to school. The GFSA further required LEAs to develop policies requiring referral to the criminal justice or juvenile delinquency system for any student who brings a firearm or weapon to school. In a law review published the University of Illinois Chicago (UIC), they found that “detering violence and disruptive outbursts can be an important part of maintaining classroom order and safety, both of which are important goals in educational environments. However, by outlawing otherwise normal behavior and calling it disruptive, zero tolerance policies have created an environment where children are not students who are there to learn, but are treated as suspected criminals.” Since 2010, the Legislature has made tremendous strides in removing zero-tolerance policies while ensuring student and employee safety.
- 3) ***California Department of Education (CDE).*** In recent years there have been other statutory provisions designed to limit the use of suspensions and promote alternatives to suspension. These provisions aim to address the root causes of the student’s behavior and to improve academic outcomes:
  - a. **Minimize Suspension for Attendance Issues:** It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
  - b. **Instead of Suspension, Support:** A superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age-appropriate and designed to address and correct the pupil’s misbehavior.

The state has also established a Multi-Tiered System of Supports (MTSS), which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, that may be used to help students gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.
  - c. **Suspension as a Last Resort:** Suspension shall be imposed only when other means of correction fail to bring about proper conduct, and then continues to provide an extensive list of suggested positive, non-exclusionary alternative practices. Other means of correction may include additional academic supports, to ensure, for example, that instruction is academically

appropriate, culturally relevant, and engaging for students at different academic levels and with diverse backgrounds.

- 4) ***Suspensions are declining.*** The initial prohibition for suspending pupils in kindergarten or grades 1-3 for willful defiance took effect January 1, 2015. According to data from CDE, 96,421 pupils were suspended for willful defiance in the 2015-16 school year, the first full school year after implementation, which is a decrease of almost 30,000 suspensions for willful defiance over the previous school year. However, data from the 2011-12 to 2017-18 schools years reveals that suspensions for disruption or willful defiance, and suspensions overall, have been steadily declining, making it difficult to attribute this decline to the prohibition alone. For example, in the 2011-12 school year there 709,702 total suspensions, approximately 47 percent of which were for disruption or willful defiance. For the 2012-13 school year, those numbers fell to 609,810 and 42 percent, respectively. For the 2013-14 school year, those numbers continued to decline to 503,191 and 36 percent, respectively. For the 2014-15 school year, overall suspensions decreased to 420,881 and disruption or willful defiance accounted for approximately 30 percent of those suspensions. For the 2015-16 school year, overall suspensions declined to 396,751, and disruption or willful defiance accounted for approximately 24% of those suspensions. For the 2016-17 school year, overall suspensions were down to 381,835, and disruption or willful defiance accounted for approximately 20 percent of those suspensions. Finally, for the 2017-18 school year, overall suspensions were lowered to 363,406, and disruption or willful defiance accounted for approximately 14 percent of those suspensions.

To fully illustrate the steep decline in suspensions, and the percentage of which are attributable to willful defiance, one need only compare total suspensions overall in 2017-2018 (363,406) with those for willful defiance only in 2011-12 (335,079). Suspensions for willful defiance decreased approximately 82 percent since 2011-12.

- 5) ***Equity concerns in subjective discipline.*** Research and data confirm that Black students, other students of color, students with disabilities, and LGBTQ students are disproportionately suspended for low-level subjective offenses, such as defiance/disruption. Suspensions also cause California students to lose significant instruction time. A recent study revealed that students lost over 150,000 days of school due to defiance/disruption suspensions in 2016-17. These concerns are supported by data from CDE. For example, in 2011-12, African American pupils accounted for 6.8 percent of enrollment, but 18.5 percent of suspensions for willful defiance. Most recently, in 2017-18, African American pupils accounted for 5.6 percent of enrollment, but 15.6 percent of suspensions for willful defiance. Conversely, in 2011-12, white pupils accounted for 25.8 percent of enrollment, but just 19.6 percent of suspensions for willful defiance. Most recently, in 2017-18, white pupils accounted for 23.2 percent of enrollment, but just 20.2 percent of suspensions for willful defiance. These disproportionate figures underscore the concerns surrounding willful defiance suspensions and that neither time, the prohibition on K-3suspensions, or Local Control Funding Formula (LCFF) priorities have fully addressed these issues.

- 6) **Continuing Work.** The author's office and the sponsors of the bill are continuing to have meaningful engagement with stakeholders regarding employee/employer reporting.
- 7) **Related Legislation. SB 906 (Portantino; 2021-2022).** This bill requires local education agencies to 1) annually require parents to disclose whether any firemen are located in the home of the student and specific information about the storage of any firearm; 2) requires school officials to report to law enforcement any threat or perceived threat of an incidence of mass casualty; and 3) requires an immediate investigation and assessment of such threats or perceived threats. (This bill was previously heard by this Committee on March 30, 2022 and failed passage, but reconsideration was requested and granted.)

**AB 610 (Kalra; 2021-2022).** The bill would eliminate criminal penalties for "willful disturbance" of a school or school meeting and aligns disciplinary notification requirements with the federal Gun-Free Schools Act. (*Held in Assembly Education*).

**SB 419 (Skinner; 2019-2020)** This bill extends the prohibition against suspending a pupil enrolled in kindergarten or any of grades 1 to 3 for disrupting school activities or otherwise willfully defied the valid authority of school staff to include grades 4 to 8 permanently, and grades 9 to 12 until January 1, 2025, and applies these prohibitions to charter schools. *Chapter 279 (2019)*.

**AB 420 (Dickerson; 2013-2014)** This bill eliminates the option to suspend or recommend for expulsion a pupil who disrupted school activities or otherwise willfully defied the authority of school officials and instead authorizes schools to suspend a pupil in grades 6-12 who has substantially disrupted school activities or substantially prevented instruction from occurring. *Chapter 660 (2014)*.

- 8) **Argument in support.** Alliance for Boys and Men of Color states "Decades of research show the long-term harm to young people of even minimal contact with justice systems. Young people arrested in school are less likely to graduate from high school and more likely to wind up incarcerated. Alarming, Black, Indigenous, and Latinx students, as well as students with disabilities, are disproportionately referred to law enforcement, cited, and arrested. Yet existing law forces school administrators and staff to notify law enforcement of certain types of incidents, even when they know doing so will be harmful and regardless of the particular circumstances of the incident. SB 1273 makes several positive and 21st century changes to existing law. First, it eliminates overreaching state mandates for school notification of law enforcement, thereby encouraging schools to adopt non-punitive, trauma-informed, and health-based approaches to school-related behaviors. By eliminating these mandates, the bill increases educator discretion in determining when to notify law enforcement about a student's school-related behaviors so that they can take into consideration the totality of the circumstances. Second, the bill eliminates criminal penalties for school staff who fail to report incidents of alleged assaults or physical threats against school employees. Finally, SB 1273 repeals Education Code section 32210, which makes it a misdemeanor to "willfully disturb" a public school or public school meeting. Section 32210 has been used to criminalize student

behavior more appropriately handled through behavioral supports or school discipline. Moreover, this provision is unneeded: other Penal Code provisions exist that may apply if someone is creating a serious disturbance on a school campus. SB 1273 will keep students in school by increasing educator discretion to decide how to handle student behavior and by protecting students from unnecessary contact with the legal system.”

- 9) **Argument in opposition.** According to the California State Sherriff’s Association “Senate Bill 1273, which would eliminate the requirement that school teachers and administrators notify law enforcement when a student engages in certain unlawful behaviors on campus. School officials and law enforcement should work collaboratively, especially when it comes to students whose behavior violates the law and jeopardizes school safety. Removing requirements that information about these incidents be shared with law enforcement runs counter to that notion and impedes law enforcement from being able to best protect our schools. Successful models of school and law enforcement partnerships benefit from this collaboration aimed at keeping classrooms and campuses safe. Removing the requirement that educators report unlawful behavior on campus will only reduce the level of student safety.”

## SUPPORT

ACLU CA Action (Sponsor)  
 Alliance for Boys and Men of Color (Sponsor)  
 Disability Rights California (Sponsor)  
 Dolores Huerta Foundation (Sponsor)  
 East Bay Community Law Center (Sponsor)  
 Coleman Advocates for Children & Youth (Sponsor)  
 Public Counsel (Sponsor)  
 Black Organizing Project (Sponsor)  
 Black Parallel School Board (Sponsor)  
 Alliance for Children Rights  
 Anti-Defamation League  
 Arts for Healing and Justice Network  
 Association of California School Administrators  
 Brown Issues  
 Brother, Sons, Selves Coalition  
 California Coalition For Women Prisoners  
 California For Safety and Justice  
 California School-Based Health Alliance  
 Californians For Justice  
 Child Care Law Center  
 Children Now  
 Children’s Defense Fund- California  
 Coleman Advocates for Children & Youth (Sponsor)  
 Communities United For Restorative Youth Justice (CURYJ)  
 Congregations Organized For Prophetic Engagement  
 Courage California  
 Educators for Excellences – Los Angeles  
 Ella Baker Center For human Rights  
 Empowering Pacific Islander Communities (EPIC)

Equality Justice Society  
Fresno Barrios Unidos  
Friends Committee on Legislation of California  
Generation Up  
GENUP  
Initiate Justice  
John Burton Advocates for Youth  
Law Foundation of Silicon Valley  
Lawyers Committee for Civil Rights of San Francisco Bay Area  
Mid-City Community Advocacy Network  
MILPA (Motivating Individual Leadership Advancement)  
National Center for Youth Law  
Project Knucklehead  
Public Advocates  
Riverside County Public Defender's Office  
Sigma Beta Xi, INC. (SBX Youth and Family Services)  
Starting Over INC.  
Trauma Informed Los Angeles  
United Teachers Los Angeles  
United Teachers Los Angeles – PACE  
Youth Alive!  
Youth Alliance  
3 Individuals

**OPPOSITION**

Arcadia Police Officer Association  
Burbank Police Officers Association  
California Coalition of School Safety Professionals  
California State Sheriffs' Association  
Claremont Police Officer Association  
Corona Police Officer Association  
Culver City Police Officers' Association  
Fullerton Police Officers' Association  
Inglewood Police Officer Association  
Los Angeles School Police Officers Association  
Newport Beach Police Association  
Palos Verde Police Officer Association  
Placer County Deputy Sheriffs' Association  
Pomona Police Officer Association  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
Santa Ana Police Officers Political Action Committee  
Upland Police Officers Association  
1 Individual

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