

**Vice-Chair**  
Ochoa Bogh, Rosilicic

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

# California State Senate

## EDUCATION



**CONNIE LEYVA**  
CHAIR

**Staff Director**  
Lynn Lorber

**Principal Consultant**  
Olgallia Ramirez  
Ian Johnson

**Consultant**  
Kordell Hampton

**Committee Assistant**  
Lauren Robinson  
Irma Kam

1021 O Street, Room 6740  
(916) 651-4105  
FAX: (916) 324-0917

## AGENDA

Wednesday, March 23, 2022  
9 a.m. -- 1021 O Street, Room 2100  
(Please note room change)

### MEASURES HEARD IN FILE ORDER

- |    |        |            |   |
|----|--------|------------|---|
| 1. | SB 941 | Portantino | Local educational agency instruction collaboration agreements: science, technology, engineering, and mathematics: dual language immersion programs. |
| *  | 2.     | SB 1016    | Portantino<br>Special education: eligibility: fetal alcohol spectrum disorder.  |
|    | 3.     | SB 1302    | Portantino<br>Pupil health: pupil wellness centers: grant program.  |
| *  | 4.     | SB 1080    | Min<br>College and career fairs.  |
| *  | 5.     | SB 1299    | Min<br>Pupil instruction: California State Summer School for Mathematics and Science: funding: tuition and application fee.                         |
|    | 6.     | SB 997     | Pan<br>Local control and accountability plans: parent advisory committee: student advisory committee.   |

\*Proposed Consent

---

# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

---

**Bill No:** SB 941 **Hearing Date:** March 23, 2022  
**Author:** Portantino  
**Version:** February 8, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Lynn Lorber

**Subject:** Local educational agency instruction collaboration agreements: science, technology, engineering, and mathematics: dual language immersion programs.

## SUMMARY

This bill authorizes local educational agencies (LEAs) to enter into an agreement with one or more LEA to offer individual classes and coursework to a student from another LEA who has been impacted disruptions or cancellations in classes in science, technology, engineering, and mathematics (STEM) or dual language immersion programs, or teacher shortages in those classes or programs.

## BACKGROUND

Existing law:

- 1) Requires each person between the ages of 6 and 18 years to be subject to compulsory full-time education, and requires attendance at the public full-time day school and for the full length of the schoolday by the governing board of the school district in which the residency of either the parent or legal guardian is located. (Education Code § 48200)
- 2) Provides that a student complies with the residency requirements for school attendance in a school district if he or she is any of the following:
  - a) A student placed within the boundaries of that school district in a regularly established licensed children's institution or a licensed foster home, or a family home.
  - b) A student who is a foster child who remains in his or her school of origin.
  - c) A student for whom inter-district attendance has been approved.
  - d) A student whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipation.
  - e) A student who lives in the home of a caregiving adult that is located within the boundaries of that school district.

- f) A student residing in a state hospital located within the boundaries of that school district.
  - g) A student whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the student at the place of his or her employment within the boundaries of the school district for a minimum of three days during the school week. (EC § 48204)
- 3) Authorizes the governing boards of two or more school districts to enter into an agreement, for a term not to exceed five school years, for the inter-district attendance of student who are residents of the school districts. (EC § 46600)
  - 4) Authorizes the governing board of a school district to elect to operate the school district as a school district of choice and may accept transfers from school districts of residence, as specified. Existing law requires, if a school district elects to accept transfers pursuant to District of Choice provisions, this school district to determine and adopt, by resolution, the number of transfers it is willing to accept and must accept all students who apply to transfer until the school district is at maximum capacity. Existing law requires the school district of choice to ensure that students are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon his or her academic or athletic performance, physical condition, proficiency in English, any of individual characteristics, and, except for purposes of determining priority for students eligible for free or reduced-price meals, family income. (EC § 48300)

## ANALYSIS

This bill authorizes LEAs to enter into an agreement with one or more LEA to offer individual classes and coursework to a student from another LEA who has been impacted disruptions or cancellations in classes in STEM or dual language immersion programs, or teacher shortages in those classes or programs. Specifically, this bill:

- 1) Authorizes the governing board or body of an LEA to enter into an agreement with one or more LEAs to offer individual classes and coursework to a student from another LEA, subject to an agreement between the LEAs, who has been impacted by any of the following:
  - a) Disruptions or cancellations in STEM classes.
  - b) Disruptions or cancellations in dual language immersion programs.
  - c) Teacher shortages in STEM classes or dual language immersion programs.
- 2) Requires LEAs, if they elect to accept students pursuant to this bill, to determine the number of students it is willing to offer coursework to under and must accept students who apply for coursework until the LEA is at maximum capacity.
- 3) Requires an LEA that accepts students to ensure that the students admitted are selected through an unbiased process that prohibits an inquiry into, or evaluation

or consideration of, whether or not a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in English, any individual characteristics, or family income.

- 4) Requires LEAs to conduct a public random drawing if the number of students seeking a classroom opportunity exceeds the number of seats available in a classroom of the receiving LEA.
- 5) Requires LEAs that enter into a collaborative agreement to publicly post information, as specified, to ensure that students and their families are aware of the opportunities to participate under the agreement.
- 6) Requires the average daily attendance (ADA) attributable to a student to remain with the LEA that the student transferred from for purposes of state apportionment. This bill requires the agreement between the LEAs to include an appropriate shared cost structure negotiated by the collaborating LEAs.
- 7) Requires the California Department of Education (CDE) to evaluate the programs implemented pursuant to this bill, including an analysis of whether students benefited from the programs and any obstacles to creating the programs.
- 8) Sunsets the provisions of this bill on July 1, 2029.
- 9) Defines "local educational agency" as a school district, county office of education, or charter school.
- 10) States legislative findings and declarations relative to:
  - a) The consideration of inter-district collaborations as an alternative to canceling classes or seeking emergency credentials for teachers who have not benefited from a complete academic education background or student teaching experiences.
  - b) One viable alternative is collaborative agreements whereby a LEA with classroom space or excess capacity may offer to share facilities and opportunities with students from neighboring LEAs, whether in person or online.

## STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "California has the most public school students in the nation and faced a critical shortage of teachers even before disruptions from the COVID-19 pandemic. In the 2017-18 school year, 80% of California school districts faced a shortage of teachers. Nine out of 10 school districts stated that the shortage was getting worse. A recent report on school districts around the state by the Learning Policy Institute found that the most pronounced shortages include math, science, and bilingual education. The deficit of certified teachers is more pronounced in rural regions and communities of color and has only been exacerbated by the current pandemic.

“School districts are being forced to cancel classes or seek emergency credentials for teachers who have not benefited from a complete academic education background or student teaching experiences. An alternative to class cancellations or emergency credentials is to allow inter-district collaborations.”

- 2) *Existing examples of students attending multiple schools.* Students may be enrolled in only one school at a time. It is likely that some LEAs currently have agreements with neighboring LEAs to allow students to take some courses at a school in which they are not enrolled; however, there are no known statewide programs/initiatives that specifically authorize or prescribe criteria for such agreements between LEAs. While there may be examples of such local agreements, the most well-known situations involve high school students who also take community college courses (such as dual enrollment and Middle College High School). This bill authorizes LEAs to enter into specific agreements, but does not require local agreements to be limited to STEM or dual immersion courses or to follow the process prescribed by this bill.
- 3) *Enrollment in home LEA is maintained.* This bill provides that the ADA attributable to a student admitted by another LEA is to remain with the LEA that the student transferred from for purposes of state apportionment. However, students will not “transfer” pursuant to this bill; rather, students will remain enrolled in their home school district and attend (but not be enrolled in) another school for purposes of taking STEM or dual immersion courses. *The author may wish to consider changing terminology from “transferred from” to “is enrolled in.”*
- 4) *What is a “disruption”?* This bill authorizes students who have been impacted by disruptions or cancellations in STEM classes and dual immersion programs. However, this bill does not define “disruption” nor does it prescribe a timeframe for when disruptions or cancellations occurred; presumably such disruptions are related to the COVID pandemic. *The author may wish to consider defining or placing parameters around what constitutes a disruption.*
- 5) *How will LEAs determine if a student experiences a disruption?* This bill authorizes LEAs to provide courses in STEM and dual immersion to students who have experienced a disruption or cancellation of such courses, or experienced a shortage of teachers in these courses. However, this bill does not prescribe a process or criteria by which receiving LEAs will determine if a student experienced a disruption, and if there is disagreement between the LEAs as to whether individual students have experienced these disruptions. Presumably the agreement between the LEAs will provide such details, or the LEAs will choose not to enter into an agreement. Further, it is possible these questions could be answered by defining “disruption.”
- 6) *Why just STEM and dual immersion?* As noted by the author, a recent report by the Learning Policy Institute noted that teacher shortages are particularly acute in math, science, special education, and bilingual education. Teacher shortages persist in many subject areas, but have historically been more pronounced in the above-mentioned subject areas.

[https://learningpolicyinstitute.org/sites/default/files/product-files/California COVID Teacher Workforce REPORT.pdf](https://learningpolicyinstitute.org/sites/default/files/product-files/California_COVID_Teacher_Workforce_REPORT.pdf)

- 7) *Admission criteria.* This bill requires LEAs, if they elect to accept students pursuant to this bill, to take certain steps in determining how many students to accept, selecting students through an unbiased process, and conduct a public random drawing if the number of students seeking an opportunity exceeds the number of seats available in a classroom. These provisions are consistent with existing law related to inter-district transfer and Districts of Choice.
- 8) *How will students and families know about this opportunity?* This bill requires LEAs that enter into a collaborative agreement to publicly post information to ensure that students and their families are aware of the opportunities to participate under the agreement. This bill does not specify how or where LEAs are to post this information, or whether they must take into consideration that not all families have access to the internet. Further, this bill does not make any provision for the transportation of students from one LEA to another; presumably that would be addressed in the agreement as well. *The author may wish to address these issues moving forward.*
- 9) *Program evaluation.* This bill requires CDE to evaluate the programs implemented pursuant to this bill, including an analysis of whether students benefited from the programs and any obstacles to creating the programs. This bill does not specify how CDE will determine if a student “benefited” or how LEAs will provide information about the programs and students to CDE. *The author may wish to address this moving forward.*

**SUPPORT**

Association of California School Administrators

**OPPOSITION**

None received

-- END --

---

# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

---

**Bill No:** SB 1016 **Hearing Date:** March 23, 2022  
**Author:** Portantino  
**Version:** February 14, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Special education: eligibility: fetal alcohol spectrum disorder

## SUMMARY

This bill requires the State Board of Education (SBE) to include "fetal alcohol spectrum disorder" in the regulatory definition of "other health impairment" for the purpose of special education eligibility.

## BACKGROUND

Existing state law:

- 1) Defines "individuals with exceptional needs" as persons who satisfy all the following:
  - a) Identified by an individualized education program (IEP) team as a child with a disability, as that phrase is defined in federal law.
  - b) Their impairment requires instruction and services which cannot be provided with modification of the regular school program in order to ensure that the individual is provided a free appropriate public education.
  - c) Meet eligibility criteria set forth in regulations adopted by the State Board of Education.

Existing state regulations:

- 1) Specify that a child shall qualify as an individual with exceptional needs, pursuant to state law, if the results of the required assessment demonstrate that the degree of the child's impairment requires special education in one or more program options.
- 2) Specifies that the decision as to whether or not the assessment results demonstrate that the degree of the child's impairment requires special education shall be made by the IEP team, taking into account all the relevant material which is available on the child.
- 3) Defines "other health impairment" as having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that:

- a) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and
- b) Adversely affects a child's educational performance.

## ANALYSIS

This bill requires the State Board of Education (SBE) to include "fetal alcohol spectrum disorder" in the regulatory definition of "other health impairment" for the purpose of special education eligibility.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "In California, most professionals are not trained in Fetal Alcohol Spectrum Disorder (FASD) or even aware of the disorder. As a result, the overwhelming number of affected children and adults in the state do not receive a diagnosis and, therefore, do not receive appropriate care. Without proper diagnosis and interventions, individuals with FASD face a life of challenges, including behavioral, cognitive, mental health, substance use, homelessness, and involvement with the criminal justice system, as youth and adults. Even having a typical IQ is not protective. Without early diagnosis and intervention, 80% of adults with FASD and typical range IQ will never live independently as adults.

"Currently, FASD is not a recognized category for special education under the Individuals with Disabilities Education Act (IDEA). It is also not named as a disorder under the Other Health Impaired category by the California Department of Education. Hence, students with the most prevalent developmental disability in the US are being underserved in school districts across the state, with detrimental lifelong consequences."

- 2) ***The basics about FASD.*** FASD is a group of conditions that can occur in a person who was exposed to alcohol before birth. These effects can include physical problems and problems with behavior and learning. Often, a person with FASD has a mix of these problems.

Different FASD diagnoses are based on particular symptoms and include:

- a) ***Fetal Alcohol Syndrome (FAS):*** FAS represents the most involved end of the FASD spectrum. People with FAS have central nervous system problems, minor facial features, and growth problems. People with FAS can have problems with learning, memory, attention span, communication, vision, or hearing. They might have a mix of these problems. People with FAS often have a hard time in school and trouble getting along with others.
- b) ***Alcohol-Related Neurodevelopmental Disorder (ARND):*** People with ARND might have intellectual disabilities and problems with behavior and



learning. They might do poorly in school and have difficulties with math, memory, attention, judgment, and poor impulse control.

- c) *Alcohol-Related Birth Defects (ARBD)*: People with ARBD might have problems with the heart, kidneys, or bones or with hearing. They might have a mix of these.
- d) *Neurobehavioral Disorder Associated with Prenatal Alcohol Exposure (ND-PAE)*: A child or youth with ND-PAE will have problems in three areas: (1) thinking and memory, where the child may have trouble planning or may forget material he or she has already learned, (2) behavior problems, such as severe tantrums, mood issues, and difficulty shifting attention from one task to another, and (3) trouble with day-to-day living, which can include problems with bathing, dressing for the weather, and playing with other children. In addition, to be diagnosed with ND-PAE, the mother of the child must have consumed more than minimal levels of alcohol before the child's birth.

Diagnosing FASD can be difficult because there is no medical test, like a blood test, for these conditions. And other disorders, such as ADHD (attention-deficit/hyperactivity disorder) and Williams syndrome, have some symptoms like FAS. To diagnose FASD, doctors typically look for prenatal alcohol exposure, central nervous system problems, lower-than-average height and/or weight, and abnormal facial features. While there is no cure for FASD, research shows that early interventions—diagnosis before age 6, stable home environment, medications, and special education and other social services—can improve a child's development.

- 3) ***The US Department of Education declined to add FASD to the Individuals with Disabilities Education Act.*** In the most recent reauthorization of the federal IDEA, a public comment noted that many children with FAS do not receive special education and related services and recommended adding a disability category for children with FAS to solve this problem. In response, the department asserted that existing federal law and regulations are sufficient to include children with FAS because special education and related services are based on the identified needs of the child and not on the disability category in which the child is classified.

Another public comment requested that FAS be added to the list of acute or chronic health conditions in the definition of other health impairment. The department's response was that the list of acute or chronic health conditions in the definition of other health impairment is not exhaustive, but rather provides examples of problems that children have that could make them eligible for special education and related services under the category of other health impairment. The department declined to include FAS (along with bipolar disorders, dysphagia, and other organic neurological disorders) in the definition of other health impairment because these conditions are commonly understood to be health impairments.

- 4) ***Issue brief from the Center for FASD Justice and Equity.*** As part of the FASD Educational Equity Project, the Center for FASD Justice and Equity released an issue brief titled “Fetal Alcohol Spectrum Disorders: The Impact on Public Education A Complicated And Pressing Public Health Issue With Major Implications For Schools”. The summary of the brief states the following in support of the overall goal of this bill:

“The failure to identify FASD as an eligibility category creates an environment of inconsistency. While the commentary from the previous IDEA reauthorization stressed that FAS was commonly known and understood to be a health impairment the reality is that schools are not grasping this disorder as a health impairment consistently. As a result, many families are frustrated and concerned about their child’s ability to receive an appropriate education. They are also concerned that schools do not have an understanding of FASD and are over reliant on school discipline as a result. The fact is that regardless of any form of discipline applied to a child on the spectrum that punishment is not going to reverse the brain damage associated with FASD. Furthermore, as the respondents across our survey for families, professionals, and individuals on the spectrum indicated that school experience plays a role in the development of secondary disabilities. The national committee strongly believes by recognizing and appropriately addressing FASD in education we can disrupt the trend towards secondary disabilities and disrupt the school-to-prison pipeline for students on the FASD spectrum. FASD needs to be addressed in education. It is a matter of justice.”

## **SUPPORT**

FASD Now! (Sponsor)  
 Alcohol Justice  
 Alliance for Children's Rights  
 American Academy of Pediatrics  
 California Alcohol Policy Alliance  
 Center for Public Interest Law  
 First 5 Santa Clara County  
 Fresno Council on Child Abuse Prevention  
 John Burton Advocates for Youth  
 Kids in Common  
 McGowan Advocacy Group  
 The Arc and United Cerebral Palsy California Collaboration  
 The Arc of Riverside County  
 The Children’s Initiative  
 The Institute for Fetal Alcohol Spectrum Disorder Discovery  
 United Parents  
 Violence Intervention Program  
 Western Center on Law & Poverty

## **OPPOSITION**

None received

-- END --



services to public school students by providing LEAs with intensive assistance and support to build the capacity for long-term sustainability by leveraging multiple revenue sources. Existing law provides that the project is intended to provide training and technical assistance on the requirements for health care provider participation in the Medi-Cal program to enable LEAs to participate in, contract with, and conduct billing and claiming in the Medi-Cal program. (EC § 49421)

- 8) Establishes the California Community Schools Partnership Act to assist schools in developing and sustaining strong and intentional community partnerships ensuring student learning and whole child and family development, which specifically includes integrated supports services that ensure coordination and support with county and LEA resources and nongovernmental organizations, and family and collaborative leadership and practices for educators and administrators, among other things. (EC § 8900)

## ANALYSIS

This bill appropriates \$1 billion to the SPI to provide grants to high schools for student wellness centers. Specifically, this bill:

- 1) Appropriates \$1 billion from an unspecified Fund to the SPI.
- 2) Requires the California Department of Education (CDE) to award annual student wellness center grants of up to \$250,000 to eligible entities to establish or improve student wellness centers that provide comprehensive medical and behavioral health services, including, but not limited to, services that address any of the following:
  - a) Emotional issues such as depression, anxiety, sexual identity, stress, self-esteem, and relationship problems.
  - b) Counseling services related to sexually transmitted diseases and pregnancy prevention, healthy eating and weight management, addiction, and healthy lifestyles.
  - c) A menu of wellness and healthy lifestyle programs for individuals.
  - d) Chronic health issues such as asthma or acne.
  - e) Acute illnesses such as headaches, stomach problems, sore throats, colds, flus, and injuries.
  - f) Sexual health issues such as sexually transmitted disease treatment, birth control counseling, pregnancy tests, menstrual issues, and HIV tests.
  - g) Help with quitting smoking, drinking, and using drugs.

- 3) Requires CDE to identify criteria for the evaluation of applicants and the awarding of grants.
- 4) Authorizes applicants for a student wellness center grant to include any of the following eligible entities that meet the criteria established by CDE:
  - a) A high school, including a charter school serving high school students.
  - b) A school district serving high school students.
  - c) A consortia composed of any of the entities described in a) and b) above.
- 5) Requires that a student wellness center grant be used for activities that will help students to be healthy in body, mind, and spirit in order to learn successfully. This bill authorizes a student wellness center to provide care that includes any of the following:
  - a) Health, mental health, and substance abuse counseling.
  - b) Parent support and linkages.
  - c) Student success team support.
  - d) Community referrals.
- 6) Authorizes a student wellness center grant to also be used for wellness coordinators, nurses, community health outreach workers, counselors, mental health therapists, and wellness therapy workers and interns who advance student health and wellness on campus.

#### STAFF COMMENTS

- 1) *Need for the bill.* According to the author, "California students are facing a mental health crisis, but schools may not be adequately equipped to provide the necessary services. The past decade has seen a rise in mental health needs, partly due to unemployment and economic uncertainty, the growth of social media, and the prevalence of environmental calamities and natural disasters. These problems were compounded by the COVID-19 pandemic and the accompanying remote learning and isolation.

"Schools represent a crucial link through which students can access mental health services. However, teachers and administrators are overwhelmed and additional professionals are needed to meet the crisis. If left unaddressed, the implications will be felt for generations.

"Expanding wellness centers in California high schools would meet the growing need for mental health care among students. Mental health needs of California students are crucial to long-term wellbeing and academic success; unaddressed anxiety, depression, and trauma can impact future wellbeing and interpersonal relationships, academic achievement, and economic prosperity, as well as

increasing demands on social and health care systems.”

- 2) *Related report.* A 2020 report by the California Mental Health Services Oversight and Accountability Commission noted that surveys of California high school students “paint a sobering picture of student disconnection, victimization and mental health symptomology”: only 48 percent of high school students feel connected to their school; approximately one in three feel chronically sad and hopeless; one in five report being harassed or bullied; and, almost one in five have seriously considered suicide in the past year.” This report further noted that “The vast majority of students will not receive the services and supports they need. Unmet trauma and mental health needs are strongly associated with barriers to learning such as disengagement, chronic absenteeism, suspension and expulsion (and by extension, the school-to-prison pipeline), and school dropout. More than 75 percent of school principals in California indicate that students’ emotional and mental health were a moderate or severe problem at their school. Furthermore, two-thirds of teachers report they are unequipped to address their students’ mental health needs. California school climate data show disparities in student outcomes that may be associated with unmet mental health needs.”

This report recommended that the State establish collaborative leadership among its agencies, local governments, and LEAs to develop a statewide strategy for making schools centers of wellness and healing, with a clear focus on prevention and intervention as early as possible for those birth to five years old. The report suggests the state make a multi-year foundational investment that increases services while also building the necessary infrastructure of programming, data management, workforce and sustainable funding models so all schools are centers of wellness and healing regardless of the economic cycle. Further, the report recommended that the state provide technical assistance to schools, health agencies, and other community partners to strengthen capacity to integrate local resources and service systems, adapt proven practices and drive continuous improvement.

[https://mhsoac.ca.gov/sites/default/files/schools\\_as\\_centers\\_of\\_wellness\\_final.pdf](https://mhsoac.ca.gov/sites/default/files/schools_as_centers_of_wellness_final.pdf)

- 3) *Existing school-based health and community school strategy.* As noted in the background section of this analysis, the Legislature has recently enacted several initiatives related to school-based health, such as the development of model referral protocols, identifying best practices for training, the creation of the Office of School-Based Health Programs, the creation of the position of state nurse, the creation of the School Health Demonstration Project, and funding the California Community Schools Partnership Act. This bill appropriates \$1 billion for high schools to establish or improve student wellness centers, which is consistent with the goals of the above-mentioned initiatives.
- 4) *Criteria to evaluate applicants.* This bill requires CDE to identify criteria for the evaluation of applicants and the awarding of grants. *The author may wish to consider* including some parameters for CDE’s criteria, such as ensuring awardees serve a high proportion of low-income students, and are located in the

various geographical areas of the state.

- 5) *Unspecified funding source.* This bill appropriates \$ 1 billion from an unspecified fund. According to the author, work is ongoing to identify the funding source.
- 6) *Related legislation.* SB 387 (Portantino) requires an LEA, on or before January 1, 2025, to certify to the CDE that 75 percent of its classified employees and 75 percent of its certificated employees who have direct contact with students at each school have received specified youth behavioral health training. SB 387 is pending in the Assembly.

**SUPPORT**

California Student Board Member Association

**OPPOSITION**

None received

-- END --



---

## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

---

**Bill No:** SB 1080 **Hearing Date:** March 23, 2022  
**Author:** Min  
**Version:** February 15, 2022  
**Urgency:** No **Fiscal:** No  
**Consultant:** Olgalilia Ramirez

**Subject:** College and career fairs.

### SUMMARY

This bill requires a school district or school planning to hold a college or career fair to notify each community college districts that has overlapping jurisdiction.

### BACKGROUND

Existing law requires a school district or school that is planning to hold a college or career fair to notify each apprenticeship program in the same county as the school district or school of the college of the college and career fair. (Labor Code § 3074.2)

### ANALYSIS

This bill:

- 1) Requires a school district or school that is planning to hold a college or career fair to notify each community college district that has overlapping jurisdiction with the school district or school of, and provide an opportunity to participate in, the fair.
- 2) Requires that the notice be delivered by first class mail or email before the planned date and include both of the following:
  - a) The planned date and time of the college or career fair.
  - b) The planned location of the college or career fair.
- 3) Defines various terms for purposes of the bill.

### STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "Overall enrollment at California Community Colleges (CCC's) has been in decline, a situation that has been exacerbated during the coronavirus pandemic. In recognition of declining enrollment, the state and federal governments have made funding available for student recruitment and retention at community colleges.

“Community colleges are able to recruit students in a number of different ways, including through online advertising, social media, traditional media, and in-person recruitment at local high schools. In-person recruitment at high school college fairs provides community college representatives an opportunity to directly communicate with potential students and provide them information on the academic, extracurricular, and community elements of campus life, as well as answer any specific questions that students may have.

“Increasingly, community college recruitment representatives are being prevented from participating in college fairs that occur on high school campuses, particularly early in the college application process. Often times, community college representatives are only being allowed to meet directly with students after the application and acceptance notifications from four-year institutions are released.

“High school students should be made aware of all options that are academically and financially appropriate for their goals. High school campuses hosting college fairs should provide equal access for community colleges and 4-year institutions alike.”

- 2) **Similar requirement for apprenticeship programs.** Current law requires notification be given to apprenticeship programs when a college or career fair is held by a school or school district in the same county. This bill’s provision largely mirror requirements outlined in current law for apprenticeship programs.
- 3) **California Community Colleges.** CCCs are designated to have an open admission policy and bear the most extensive responsibility for lower-division undergraduate instruction. Its three primary areas of mission include education leading to associates degrees and university transfer, career technical education, and basic skills. The system is composed of 73 community college districts and 116 colleges, and 47 percent of students do not pay enrollment fees. The community college system is one of three within California’s public higher education system that also includes the California State University and University of California. This bill is specific to California community colleges. *Should the bill be expanded include notification to CSU and UC campuses?*

## SUPPORT

Coast Community College District  
Rancho Santiago Community College District  
South Orange County Community College District

## OPPOSITION

None received

-- END --

---

# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

---

**Bill No:** SB 1299 **Hearing Date:** March 23, 2022  
**Author:** Min  
**Version:** February 18, 2022  
**Urgency:** No **Fiscal:** No  
**Consultant:** Ian Johnson

**Subject:** Pupil instruction: California State Summer School for Mathematics and Science: funding: tuition and application fee

## SUMMARY

This bill extends by five years existing law related to tuition and financial aid for the California State Summer School for Mathematics and Science (COSMOS), operated by the University of California (UC), from January 1, 2023 to January 1, 2028.

## BACKGROUND

Existing law:

- 1) Establishes the COSMOS, operated by the UC, to provide intensive educational enrichment for pupils who have demonstrated academic excellence in mathematics and science.
- 2) Specifies that pupils who have demonstrated academic excellence in mathematics and science and who meet one of the following criteria shall be eligible for admission:
  - a) The pupil has graduated or will graduate, from grade 8 at the end of the school year immediately preceding the summer school session for which he or she is applying.
  - b) The pupil is currently enrolled in any of grades 9 to 12, inclusive.
  - c) The pupil graduated from high school during the school year immediately preceding the summer school session for which he or she is applying.

Until January 1, 2023, existing law related to the program's tuition and financial aid:

- 1) Expresses the intent of the Legislature that at least 50 percent, but not more than 75 percent, of the actual costs of COSMOS for each fiscal year, be financed by state funds beginning in 1999–2000, with the balance of the operating costs financed with fees and private support.
- 2) Requests the Regents of the UC to set a tuition fee within a range that corresponds to actual program costs, up to \$2,810 per session beginning in 2012 and increased by up to five percent each year thereafter.

- 3) Expresses the intent of the Legislature that the University of California (UC) award full or partial scholarships on the basis of need and that pupils who are unable to pay all or part of the fee may petition the UC for a fee reduction or waiver to ensure that a qualified applicant is not denied admission solely because of his or her inability to pay part or all of the fee.
- 4) Specifies that any public announcement regarding the summer school program should include notification that need-based scholarships are available and information regarding the procedure for applying for a scholarship award.
- 5) States that, for pupils who are not California residents, it is the intent of the Legislature that the Regents of the UC set a tuition fee that is not less than the total actual costs to the summer school of services per pupil.
- 6) Authorizes funds raised from the private sector to be used by the summer school for general program operating costs, scholarships, program augmentation, public relations, recruitment activity, or special projects.

## ANALYSIS

This bill:

- 1) Extends by five years existing law related to tuition and financial aid for the COSMOS, operated by the UC, from January 1, 2023 to January 1, 2028.
- 2) Increases the application fee for the COSMOS from a maximum of \$30 to a maximum of \$40 in 2023, with the fee authorized to be increased by five percent each year thereafter.
- 3) Updates the tuition fee for the COSMOS from a maximum of \$2,810 in 2012 to a maximum of \$4,550 in 2023, with the tuition fee to be increased by five percent each year thereafter.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "SB 1299 will provide for crucial opportunities in STEM education for California middle school and high school students by extending the sunset date for the California State Summer School in Mathematics and Science (COSMOS) program to January 1, 2028. Consistent with previously chaptered sunset extension legislation related to the COSMOS program, this bill would also update the application and tuition fees and authorize this fee to be increased by up to 5% each year."
- 2) ***Program mission and goals.*** The mission of COSMOS is to provide outstanding high school students in the science, technology, engineering, and mathematics (STEM) disciplines with opportunities to delve deeply into their subjects and to prepare for careers in the STEM fields. In 2002, UC convened an expert advisory board to design the COSMOS program. The board set out the following goals for the COSMOS program:

- a) To engage talented students in high-level teaching and learning.
- b) To establish a community of scholars that fosters analytical thinking and experimentation.
- c) To connect students to institutions of higher learning and research facilities.
- d) To develop models for excellence in science and mathematics education.
- e) To ensure that the California State Summer School for Mathematics and Science (COSMOS) student body reflects California's geographic, economic, and cultural diversity.

In the course of a four-week summer session, COSMOS courses address advanced topics in the science, technology, engineering, and mathematics (STEM) fields that go beyond the typical high school curriculum. The courses typically consist of two science and/or mathematics courses, and a science communication course. The courses vary by campus—offered at University of California (UC) Davis, UC Irvine, UC San Diego, and UC Santa Cruz—and may cover astronomy, aerospace and mechanical engineering, biomedical sciences, computer science, ecology, marine science, robotics, game theory, and more. Each campus can accommodate about 150 pupils for each summer session and admission is competitive, with about 40 percent of the school's applicants being admitted.

- 3) ***Program costs for students and the state.*** The average cost per student for a four-week COSMOS summer session, including the costs of providing room and board and the costs of instruction, is \$5,742. In 2019, eligible in-state residents paid a maximum tuition of \$3,932. Full and partial financial assistance is available to families earning up to \$120,000 annually. For example, a family of four with an annual income of \$43,000 could qualify for a full scholarship, while a family of four with an annual income of \$112,000 could qualify for a 20 percent scholarship.
- 4) ***The effectiveness of the program.*** Existing law requires the UC to report to the Legislature and the Governor on the effectiveness of COSMOS in increasing the quality and supply of science and mathematics students and teachers. According to the UC's March 2021 evaluation, upon completion of high school, a vast majority (nearly 90 percent) of COSMOS alumni enroll in post-secondary education. About 55 percent attend a UC campus, about 30 percent enroll at a private or out-of-state university, 12 percent attend a community college, and about 3 percent attend a California State University campus.

The March 2021 evaluation also includes the following COSMOS data:

- a) From 2016 through 2019, 3,128 students participated in the program. Had there been a program in 2020, an additional 911 students would have attended. Over time, enrollment has risen steadily, from 728 participants in 2016 to 911 in 2020, an increase of 25 percent.

- b) The demand for admission to the program has been strong since its inception. Specifically, of the 4,833 completed applications for 2019, 1,060 (22 percent) were accepted, and 340 (7 percent) were wait-listed.
  - c) UC has been able to track 3,354 of 3,483 (96 percent) participants from 2011 to 2015 as having enrolled at a college or university within one year of completing high school. Similarly, even though not all participants from 2016 to 2019 have yet completed high school, 2,832 of 3,172 (89 percent) have enrolled in a college or university. This means that at least nine out of ten (6,186 or more of 6,655) participants from the past decade have already enrolled in a college or university.
  - d) Of the 6,186 alumni enrolled at colleges and universities, 5,440 (90 percent) were at four-year institutions, with 3,384 (55 percent) at UC campuses, 1,858 (30 percent) at private or out-of-state universities, and 198 (3 percent) at CSU campuses. Another 737 (12 percent) enrolled at California Community Colleges (two-year programs), and the remaining 9 (less than 0.1 percent) enrolled at private or out-of-state two-year institutions.
  - e) After UC, the top ten four-year universities at which COSMOS alumni most often enrolled are Stanford University, University of Southern California, Massachusetts Institute of Technology, Carnegie Mellon University, California Polytechnic State University, Cornell University, University of Pennsylvania, University of Illinois at Urbana, University of Chicago, and Brown University.
- 5) **Technical amendment.** The author's office has indicated that this bill includes a drafting error. Specifically, the bill's tuition amount for 2023 should be set at not exceeding \$4,770. As currently drafted, the 2023 tuition level is set as not exceeding \$4,550. If it is the desire of the Committee to pass this measure, **staff recommends** amending the bill to increase the 2023 maximum tuition amount from \$4,550 to \$4,770.

## SUPPORT

University of California (sponsor)

## OPPOSITION

None received

-- END --

---

# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2021 - 2022 Regular

---

**Bill No:** SB 997 **Hearing Date:** March 23, 2022  
**Author:** Pan  
**Version:** March 14, 2022  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Local control and accountability plans: parent advisory committee: student advisory committee

## SUMMARY

This bill requires school districts serving middle or high school students and county offices of education (COEs) to either include two students on an existing parent advisory committee or establish a student advisory committee for purposes of developing and adopting the Local Control and Accountability Plan (LCAP).

## BACKGROUND

Existing law:

- 1) Requires local educational agencies (LEAs) to adopt and annually revise LCAPs, establishing annual goals and identifying specific actions for all pupils and specific subgroups of pupils, in the eight state priority areas.
- 2) Requires the governing board of a school district, the county board of education, and a charter school to consult with teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP.
- 3) Requires school district governing boards and county superintendents of schools to establish a parent advisory committee to provide advice related to the development of the LCAP and annual update.
- 4) Requires school district governing boards and county superintendents of schools to establish an English learner parent advisory committee if the enrollment of the district or COE includes at least 15 percent English learners and enrolls at least 50 pupils who are English learners.
- 5) Requires the superintendent of a school district and the county superintendent of schools to do all of the following before the district's governing board may consider adopting the LCAP or annual update:
  - a) Present the LCAP or annual update to the parent advisory committee for review and respond, in writing, to any comments received.
  - b) Present the LCAP or annual update to the English learner parent advisory committee for review and respond, in writing, to any comments received.

- c) Notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP or annual update, using the most efficient method of notification possible.
  - d) Review the district's School Plan for Student Achievement and ensure that the specific actions included in the LCAP or annual update are consistent with strategies included in the school plan.
  - e) Consult with the district's special education local plan area administrator(s) to determine that specific actions for individuals with exceptional needs are included in the LCAP or annual update and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.
- 6) Requires LEA governing boards to hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or annual update. The governing board shall adopt the LCAP or annual update at a subsequent public meeting.

## ANALYSIS

This bill:

- 1) Requires school districts serving middle or high school students and COEs to either include two students on their existing parent advisory committee or establish a student advisory committee.
- 2) Requires school districts and COEs to take into consideration that the pupil members represent the diversity of the LEA's pupils, including geographical, socioeconomic, cultural, physical, and educational diversity, with particular effort made to reach out to at-risk or disadvantaged pupils as their participation provides keen insight.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "In the wake of the COVID-19 pandemic, the most pressing educational challenges—learning loss, chronic absenteeism, mental health crises, and more—are becoming increasingly difficult to address. LEAs must involve students directly in LCAP conversations in order to adapt their priorities and ensure that services reflect the immediate needs of students. While parental involvement is required under the auspices of a parental advisory committee, student involvement is included by means of general consultation. Current methods of getting student input include surveys of pupils, forums with pupils, pupil advisory committees, or meetings with pupil government bodies or other groups representing pupils. While these methods are helpful, they are not as effective as giving students a seat at the table. Students provide



valuable insights on educational experiences, and their input cannot be substituted with input from adult stakeholders.”

- 2) **Parent and community engagement through the LCAP process.** Current law identifies the minimum consultation requirements for development of the LCAP and annual update. School districts and COEs are required to have and consult with the parent advisory committee and English learner parent advisory committee, as applicable, as well as parents, students, teachers, principals, administrators, other school personnel, local bargaining units, and the local community. However, the LEA is not required to establish a new advisory committee if the LEA has already established an advisory committee that meets the Local Control Funding Formula (LCFF) statutory and regulatory requirements.

Parent advisory committees and English learner parent advisory committees are subject to the meeting requirements of the Greene Act. These committees are not subject to the Brown Act requirements. The LCAP instructions provided by the CDE state that the LCAP should be shared with, and LEAs should request input from, school-site level advisory groups as applicable (e.g. school site councils, English Learner Advisory Councils, student advisory groups, etc.) to facilitate alignment between school-site and district level goals and actions.

- 3) **How has statewide community engagement been going?** Since the establishment of the LCFF in 2013, LEAs have been implementing the LCAP development process. The research related to the parent and community components of LCAP development has been limited; the majority of research comes from a small set of case studies but not a representative sample.

The 2018 report, “Getting Down to Facts II: Taking stock of stakeholder engagement in California’s LCFF: What can we learn from the past four years to guide next steps?” reports the following related to stakeholder engagement:

- a) Despite reported learning and improvement over time, most districts are complying with the letter of the LCFF policy but not the full spirit of democratic engagement. We find variation in the breadth and depth of engagement in case study districts within and across years: the majority of districts demonstrated shallow forms of engagement, while a set of “outlier” districts achieved deeper and broader engagement. Statewide survey and case study data indicate widespread struggles to attract participation, particularly among traditionally underserved stakeholders and groups targeted by LCFF.
- b) State guidelines for completing the LCAP (the “template”) state the importance of “meaningful engagement” from parents, students, and other stakeholders individuals connected to subgroups targeted for extra funding (e.g., foster youth and English learners). Neither the statute nor template provides guidance on the number or proportion of individuals or groups to involve and or how to engage them (or what “meaningful” engagement entails). While the statute established the California Collaborative for Educational Excellence (CCEE) to support districts in

achieving the goals outlined in their adopted LCAPs, the state has not provided technical assistance or information on how to implement stakeholder engagement requirements.

- c) While superintendents statewide perceive a lack of interest on the part of stakeholders, polling data indicate that the majority of voters are in fact interested in contributing to school and district decisions around goals and resources and would like to be more involved. Instead, our data suggest that a host of other conditions may be contributing to the low participation in Local Control Funding Formula (LCFF)-related activities and the shallow nature of these interactions with the district, including conditions related to individual stakeholders (lack of awareness, fatigue, limited capacity), relationships of trust (between districts and community, unions and districts), organizations (lack of capacity) and broader institutional pressures. Conversely, districts demonstrating deeper and/or broader forms of engagement appeared to benefit from not only greater capacity and levels of trust, but also a history of community engagement, strategic plans, and assistance from external organizations and partners.

## **SUPPORT**

California Student Board Member Association (co-sponsor)

GenUP (co-sponsor)

Public Advocates

## **OPPOSITION**

None received

-- END --