LEGISLATIVE UPDATE
2019-2020
CALIFORNIA STATE LEGISLATURE
CHAPTERED BILLS 2019-2020

California Assembly

California Senate Bills

Effective January 1, 2020 - Unless otherwise indicated as Urgent Legislation
Immediate Fund Revisions

- Early Learning and Care Infrastructure Grant Program
- Early Learning and Care Workforce Development Grants Program
- Special Education Preschool
- Limits to Parent Advisory Committees and Council – 6 years maximum
- Ethnic Studies model curriculum development and California Department of Education adoption
- Special Education apportionment calculations
- STRS/PERS retirement funding protections
Court Placements in Juvenile Proceedings

- If minor lacks ability to consult with counsel, therefore lacks competency to understand the nature of the charges: mental disorder, mental illness, developmental disability, or developmental immaturity.

- Suspend all proceedings if minor is incompetent due to developmental disability and eligible for services.

- Regional Center Director or Designee – determine if there is a developmental disability and eligible for services.

- Appropriate alternative to juvenile hall confinement many not include developmental centers
Membership and Commitment:

- Rather than a symbolic position, pupils on local school boards may be assigned to subcommittees or may decline due to time commitment.
- Alternate pupil member may serve as needed.
- Pupils may be awarded elective course credit.
- Pupil members may attend other functions and events with board.
- Limits the membership in closed session, to maintain privacy and confidentiality.
Training:

- Native American children who are members of a tribe. Child’s tribe may exercise their right to approve a home.

- Social and cultural standards of community to resource family approval for children.

- Home environment assessment and permanency assessment criteria shall be utilized. Not solely emergency placement consideration.

- United, family friendly, child-centered resource family approval process to replace the existing multiple processes for licensing foster family homes.
Establish County Community Schools

Report to Governor by July 1, 2021

▪ Enable pupils to recover credits of unsuccessful course attempts
▪ Pupil passing, receiving credit, not new classes toward graduation.
▪ Increase data from CDE to Governor, not currently collected.
▪ Legitimate second chances to graduate from high school
▪ Expand helpful programs to promote academic success and prepare for higher education and employment.
Universal Cannabis Symbol

- The symbol is to be no smaller than $\frac{1}{4}$” x $\frac{1}{4}$”
- Adult Use of Marijuana Act (AUMA)
- Non-medical use must be 21 years of age and older
**SB 75**
**BUDGET TRAILER BILL**

- Kinder Grant $300M
- State Pre-School Eligibility
- Master Plan on Universal Pre-K
- Early Learning and Care Infrastructure Grant Program and Workforce Development Grant Program
- One time $10M CDE fund for child care organizing.
- Charter Schools: discipline, LCAP
- Career Tech Grants

**EDUCATION FINANCE COMMITTEE**

- Adjusts pre-K Special Education Early Intervention Grant
- Statewide base rater for all LEA Special Education funding
- Settles Prop 98 funds
- Mental Health Student Services grant fund partners.
- Cradle to Career $10M funding
- Extends wildfire attendance aid
- Breakfast programs
- Uniform Complaint Policy (i.e. Minimum PE grades 9-12)
Prescribed Asthma Medications and Binational Health Plans

- School Nurse may administer with medication, method, amount, and schedules to be taken

- Parent provides written statement by physician or surgeon if pupil may carry and self-administer inhaled asthma medication or if school nurse is to assist.

- Mexico doctors – provide health plans in English and Spanish, with contact information for the physician or surgeon

- Protects school nurse and district from liability if student used in accordance with written statement and suffers an adverse reaction
Existing: school district or charter schools that offer interscholastic athletic program must have at least 1 AED for each school within school district or charter school

Clarifies language:
- Require district or charter school offering interscholastic athletic program to have at least 1 AED for each school that participates in program
- Staff (coaches) required to have CPR certification and shall also receive training on use of AED
- Trained staff to be present at athletic on-campus activities/events at all times
Jojo’s Act - Medicinal Cannabis Administration at School

- District may adopt policy that allows parent of student to possess & administer medicinal cannabis at school

Policy must include:
- No disruption of educational environment or exposure to other students
- Parent shall remove any remaining cannabis from school site after administration to student
- Parent must sign in at school site before administration
- Parent to provide written medical recommendation – keep on file
Jojo’s Act - Medicinal Cannabis Administration at School

- Records related to administration shall be treated as confidential medical records
- School board can amend or rescind policy for any reason
- Staff not required to administer
- May not use smoke or vape form of cannabis to administer to student while on campus
CDPH to **annually review immunization reports** from all schools to identify ME forms for any of following:

- Schools with overall immunization rate below 95%
- Physicians who have submitted 5 or more MEs in a calendar year
- Schools that do not provide reports of immunization rates
SB 714
IMMUNIZATIONS MEDICAL EXEMPTIONS (ME)

Operative only if SB 276 enacted

▪ For ME authorized before state form implementation on January 1, 2021.

▪ Child w/ prior ME allowed to continue enrollment until enter next grade span

▪ Shall not conditionally admit or readmit to school or admit/advance to 7th grade, unless child immunized or parent files ME form that complies

▪ Eliminates “under penalty of purjury” from SB 276 and replaces language with “true, accurate, and complete”.
LEA may adopt policy to limit or prohibit use at school or event or under LEA supervision

May NOT be prohibited:
- In cases of emergency or response to threat of danger
- When permitted by teacher or administrator: subject to reasonable limits
- Possession is determined medically necessary by physician or surgeon
- Accommodation in an IEP or 504 plan
Documents that a FORMER STUDENT may utilize for request:

Government issued documentation – proof of name and/or gender change:

- Driver license
- Birth certificate
- Passport
- Social Security card
- Court orders

[EC 49070 & 49062.5]
AB 711
NAME AND GENDER CHANGES

Requested by former student

- Date of request
- Date of reissuance
- List of records and type of documentation
- Name of district, charter or county office staff member completing the request
- Maintain current and former name or gender: CALPADS

[EC 49070 & 49062.5]
AB 711
NAME AND GENDER CHANGES

Requested by current student or parents of minor
- Maintain mandatory permanent student records while enrolled
- Legal name and gender
- Court order, if any, to facilitate change of records
- Keep request to change student’s: name, gender, or both
- Add document to permanent record:
  - Date of request and Date corrected
  - List of records to be corrected and type of records
  - Name of employee completing request
  - Former and New names, gender, or both
- Maintain confidentiality
- If requested, without legal documents, can go through process similar to challenge to records
HOLDEN

AB 982
HOMEWORK: SUSPENDED PUPILS

▪ Parent may request assigned homework
  ▪ student in grades 1-12
  ▪ suspended for 2 or more school days
▪ Work is due upon return or when actual due date; whichever is later
▪ If not graded before end of term, then not admissible to overall grade
▪ Applies to all public schools: districts and charter schools
▪ Must approve *intradistrict* transfer if bullying with written complaint filed with school, district, or law enforcement

▪ If unable to accommodate victim of bullying with intradistrict transfer
  ▪ allow interdistrict release to another district, pending approval
Desired district will approve to maximum capacity
Selected with unbiased process
Upon parent request – provide transportation assistance for active military or bullying victim (Free/Reduced eligibility)

Admissions **NOT** based upon:
- Academic or Athletic performance
- Physical condition
- English proficiency
- Family income
- Race or ethnicity
- Gender, gender identity or expression
- Immigration status
AB 1319
MIGRANT: RESIDENCY

- Allow migrant student to continue to attend while identified with migrant status
- Matriculate to middle or high school with peers
- When NO longer migrant status can remain:
  - K-8 : until end of school year
  - 9-12 : until graduation
- Immediate enrollment – do NOT cause delay
  - regardless of owed fees or fines
  - uniform or clothing
  - pending school records
  - pending immunization records
SB 419

DISCIPLINE: WILLFUL DEFIANCE

School Districts:
- July 1, 2020 the ban on suspension for willful defiance currently in place for grades K-3rd and expanded up to 8th grade.
- extension to grades 6 – 8: sunset July 1, 2025.

Charter Schools:
- July 1, 2020 – grades K-5
AT RISK invokes Stigma

- Living in difficult situations is hard enough
- “At Risk” creates mindset of deficit - focus on fault
- Positive approach – encourages individuals
- Emphasis on potential to succeed – “At Promise”
Fair Treatment

- No shame or different treatment when pupil has unpaid meal fees
- Same treatment, same meals offered
- Same food choices, not alternative menu
- No child to be left hungry and with negative feelings about school.
AB 175

Foster Youth Rights

- Expand the duties of the *Office of the State Foster Care Ombudsperson*
  - Provide training and technical assistance on:
    - Rights of children and youth in foster care
    - Reasonable and prudent parent standards
    - Services provided by the office

- Update to Foster Youth Rights
  - Right to be referred to by youth’s preferred name and gender pronoun
  - Right to privacy of youth’s sexual orientation and gender identity
  - Right to clothing, grooming and hygiene products which reflect culture, ethnicity, and gender identity
  - Freedom from medications and chemical substances without consequences of retaliation
Foster Care Independence Program - John H. Chafee GRANT

- Authorizes California Student Aid Commission (CSAC) to over award Chafee grants in order to facilitate quicker disbursements
- Limits Chafee grant to 5 years (maximum age 26 years old)
- Links struggling students with structured academic supports
  - Working with an advisor to develop an education plan
  - Strongly encouraged by the institutions: CCC, CSU, and UC
- Defined appeal process, if eligibility is lost
AB 605

SPECIAL EDUCATION: ASSISTIVE TECHNOLOGY (AT) DEVICES

**Ability to Communicate IN and OUT of School**

- Continuity for augmentative communication devices
- Practice at home and in community – reinforce communication skills
- Functional communication decreases frustration and challenging behaviors through to graduation or age 22 adult transition program.
- LEA to provide school-purchased AT devices in FAPE offer, as appropriate.
- “ON LOAN” for **two months or until replacement is secured** (whichever occurs first) when enrolling in another LEA or charter school.
AB 1172
NON-PUBLIC SCHOOLS (NPS)

LEAs Conduct on-site monitoring visits

- NPS to notify CDE if and student-involved incident with law enforcement
- CDE results in public health or safety compromise – suspend or revoke NPS certification.
- NPS serving behavioral needs
  - Must have qualified behaviorist on site
  - Provide staff training in evidenced-based practices and interventions
  - CDE to provide training option list to NPS
Specified bullying and harassment prevention policies and procedures in a prominent location on existing Internet Web site

Address vulnerable groups at higher risk:
- Students with disabilities
- LGBTQ youth
- Physical, emotional, suicidal, health, substance abuses
- Low academic achievement and poor social/school adjustment

“An aim to better the lives of students in schools in a targeted, precise manner.”
High Schools – Grades 9-12

- Post school’s sexual harassment policy – all public and charter schools
- Written policy copy to all continuing students: quarterly, semester, and at new student orientation.
- Displays – LEA to decide all appropriate locations:
  - bathroom and lockers rooms on the school site (required)
  - public areas, classrooms, hallways, gymnasiums, auditoriums, cafeterias (optional)

“We need to destigmatize asking for help, we need to begin early with our youth to feel safe and respected in order to be in the best position to learn and thrive.”
Extends Policy to grades K-6: “mirror of AB 2246”

- One child 12 years old and younger dies by suicide every five days in the US.
- Student’s mental health thoughts of self-harm and suicide are fueled by bullying in the classroom and over the internet.
- LEAs must adopt an age-appropriate sensitive policy for Kindergarten and grades 1-6 student needs.

“Facilitating improved coordination around the delivery of school-based mental health services is a shared goal.”
AB 1774
EXTENSION OF FAFSA DEADLINE

Free Application for Financial Aid

- Application deadline may be postponed up to 30 calendar days.
  - Regional natural disasters
  - States of Emergency
  - Labor Actions or Strike

- Alameda, Butte, and LA Counties were hit the hardest
  - Unprecedented wildfires and evacuations
  - Outside student controls
Diversity and Inclusion – Justice and Equity

▪ Hair texture, protective hairstyles, braids, locks, and twists.
▪ Hairstyles are included in “identifiable race distinction” and are a prohibited form of discrimination in both workplaces and in schools.

“Prevents schools from disrupting a child’s education based on the way they wear their hair.”
Add Domestic Violence Hotline Number

- Public, Private, and Charter Schools – grades 7-12
- In addition to the National Suicide Prevention Lifeline
- Domestic Violence Hotline: (800) 799-7233 OR Local DV Hotline
- Confidential support services for domestic violence or stalking
- Available 24/7
- Commence printing October 1, 2020, on ID cards
AB 1219 & AB 1505
CHARTER SCHOOL BILLS

AB 1219 CTC – charter school assignments (Jones-Sawyer)
- Creates statewide process to monitor for qualified teachers

AB 1505- petitions and renewals (O’Donnell)
- Amends the process for submission and establishment of charter petitions (new timelines, elements, and considerations)
- Amends process for renewals, revocations, and appeals
- Removes the state as an authorizer
- Employ credentialed teachers for all subject matter areas.
- Two year moratorium on non-classroom based schools
Boundaries:

- Removes the exceptions allowing charter schools to locate outside the boundaries of their sponsoring district for any reason.
- Non-classroom charter school may establish one or more resource centers within the school district where the charter is located.
- Charter schools currently outside of district may continue operating until renewal.
Subject to Ralph M. Brown Act, Public Records Act, and Conflict of Interest Compliance

- Not a strict application of these doctrines, creates some unique rules
- Creates specific requirements regarding meeting locations, teleconferencing, and posting that may supersede Brown Act requirements
- Does not impose these requirements on the activities of organizations that are “unrelated to a charter school.”
By July 2021, CDE to develop resources for school site and community resources for the support of LGBTQ pupils

LEAs are encouraged to use the resources developed by CDE to provide training at least once every two years to teachers and other certificated employees at those schools that serve pupils in grades 7 to 12.

“In time of crisis, student may turn to their schools and teacher. Give teachers the tools and training to support LGBTQ students.”
California 2020 Ballot Propositions

California School and College Facilities Bond (March 2020) Authorizes $15 billion in general obligation bonds for school and college facilities, including $9 billion for preschool and K-12 schools, $4 billion for universities, and $2 billion for community colleges.

Tax on Commercial and Industrial Properties for Education and Local Government Funding Initiative (Split-Roll Initiative) (November 2020) Requires commercial and industrial properties to be taxed based on market value and dedicates revenue to local governments and school districts.

California Tax on Income Above One Million for Education Funding Initiative (November 2020) - Increases the state's personal income tax and corporate income tax on earnings above $1 million and allocates the revenue to local education agencies (school districts, charter schools, and county education offices) and community colleges.
"Sometimes people tell me that, hey, with limited resources they say you should focus on kids who show promise and potential and I really reject that notion. I think all of our students show promise and potential and it's up to us, the adults, to help them to find their way and to refine their potential."
THANK YOU!

STUDENT SUPPORT SERVICES:
Legislative Update
2019-2020

562.922.6233