

WHAT'S
NEW FOR

2021

A compendium
of new laws
that impact
K-12 education
in California



Dear Governing Board Leaders,

2020 will go down in history as one of the most challenging years for California school leaders in the last 100 years. Schools across the state faced immense new challenges, from the difficulties related to rapidly deploying distance learning for all students to the question of how and when to safely reopen schools under the strain of significant underfunding.

In Sacramento, lawmakers contended with these and other questions as they pivoted to a tight focus on COVID-19 response during a 2019–20 legislative session that was interrupted by intermittent closures at the state Capitol.

In this midst of all this, CSBA has worked tirelessly to communicate the needs and concerns of governing boards and schools during this unprecedented crisis. Our Governmental Relations team reviewed every bill introduced in the Legislature, analyzed hundreds of K-12 related proposals, worked with CSBA's Legislative Committee to take positions on the most critical pieces of legislation, and advanced critical advocacy strategies to ensure the interests of students and local educational agencies were addressed .

This detailed report is a direct extension of the advocacy and policy analysis work of our Government Relations team during the 2019–2020 legislative session. It provides a comprehensive list of the legislation signed into law in 2020 that will impact K-12 education. As you will read in the report, it covers both bills on which CSBA actively adopted a position and lobbied, as well those that CSBA tracked throughout the legislative session but did not take a position on.

And while this this year's report is shorter than its predecessors due to the Legislature's truncated legislative session and focus on COVID-19 issues, it does identify the impacts, if any, on governing board policies. This additional feature will help governance teams quickly identify policies that may need to be reviewed as a result of new laws.

I hope this report helps you prepare for what's to come in 2021. And as always, CSBA and our Government Relations team is available to help you understand these new laws and the state politics involved in crafting these bills.



—Vernon M. Billy,
CEO & Executive Director

What's New For 2021

This report provides a comprehensive list of new legislation signed into law in 2020 that impacts K-12 education in California. Much of the legislation in this report are bills that CSBA has adopted a specific position on and actively lobbied for or against. Also included are a number of bills CSBA monitored closely throughout the year to assess impact on public schools, but on which the organization did not adopt a formal position.

IMPORTANT NOTE: Many of the bills in this report show “No Official Position,” indicating that CSBA did not adopt a formal legislative position on the bill. However, each bill in this report will have an impact on K-12 public education, even if CSBA did not adopt a position or if CSBA board policies will not be impacted.

Each bill listing is grouped by subject (Charter Schools, District Operations, Employees, Facilities, Finance, Governance, Health & Wellness, and Students) and provides the following information:

- » The bill number, author, title and a brief summary
- » The bill's chapter number (Statutes of 2020)
- » When the bill takes effect (Most new statutes take effect on Jan. 1, 2020, unless passed with an urgency clause or unless an alternative effective date is included)
- » Which CSBA Policy Pillar(s) the bill falls under (www.csba.org/policyplatform):
 - › **Strengthen Local Governance**
 - › **Secure Fair Funding**
 - › **Improve Conditions of Children**
 - › **Ensure Achievement for All**
- » Which CSBA **sample board policies** are impacted, if applicable
 - › **Note:** As CSBA sample policies are continuously updated based on newly signed laws, it is possible that additional CSBA sample policies may be impacted by a particular bill in addition to those listed.
- » What sections of the Education Code and/or other relevant code sections are affected
- » CSBA's position on the bill (see next page for details on positions)



Descriptions of CSBA legislative positions:

Position	Description	New Laws with this Position
Sponsor	CSBA drafts bill language, secures a legislator to author and strongly pursues passage	0
Co-sponsor	Share sponsor role with other organizations	0
Support	Actively monitor, pursue and lobby in support	7
Support & Seek Amendments	Support and seek appropriate amendments	0
Support if Amended	Support only if specific amendments made	0
Approve	Approve in concept or principle but do not actively lobby in support	0
Neutral	Existence of bill is noted, but no action taken	24
Disapprove	Disapprove in concept or principle but do not actively lobby in opposition	0
Oppose Unless Amended	Seek defeat unless specific amendments are made	0
Oppose	Actively monitor, pursue and lobby in opposition	1

Additional information on new bills

Details on 2019-20 legislation: [leginfo.legislature.ca.gov](https://leginfo.ca.gov)

News and updates from 2020: www.csba.org/legislativenews

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2020 bills signed

View details on each bill beginning on page 9.

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AB 1350 (Gonzalez)	Retroactive grant of high school diplomas: COVID-19 crisis	22
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Charter Schools

Assembly Bill 2765 (*O'Donnell*) – Public works: prevailing wages

Current law defines “public works,” for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation or repair work done under contract and paid for, in whole or in part, out of public funds. Current law further requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a willful violation of this requirement. This bill would expand the definition of “public works,” for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation or repair work done under private contract on a project for a charter school, as defined, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, as defined, that were issued on or after Jan. 1, 2021.

Sample Policies Impacted: None

Chapter #: 355

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to add Section 1720.8 to the Labor Code, relating to public works.

District Operations

AB 1981 (*Nazarian*) – Los Angeles Unified School District: best value procurement

Current law establishes a pilot program authorizing the Los Angeles USD to use, before Dec. 31, 2020, a best-value procurement method for bid evaluation and selection for public projects that exceed \$1,000,000. The pilot program establishes various requirements applicable to the use of the best-value procurement method under the authorization. Current law requires the school district to submit an interim and final report to the appropriate policy and fiscal committees of the Legislature on the use of the best-value procurement method as provided and in accordance with a specified schedule. These provisions are repealed on Jan. 1, 2021. This bill would extend the pilot program authorization for the school district to use the best-value procurement method for projects before Dec. 31, 2025, delete the interim report deadline, extend the remaining report deadline, and extend the repeal date for the pilot program to Jan. 1, 2026.

Sample Policies Impacted: None

Chapter #: 46

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Sections 20119, 20119.1, 20119.2, 20119.3, 20119.5, and 20119.7 of the Public Contract Code, relating to best value procurement.



Employees

AB 685 (*Reyes*) – COVID-19: imminent hazard to employees: exposure: notification: serious violations

Will authorize the Division of Occupational Safety and Health, when, in its opinion, a place of employment, operation or process, or any part thereof, exposes workers to the risk of infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2, also known as COVID-19), so as to constitute an imminent hazard to employees, to prohibit the performance of that operation or process, or entry into that place of employment. The bill would require the division to provide a notice thereof to the employer, to be posted in a conspicuous place at the place of employment. The bill would require such a prohibition to be limited to the immediate area in which the imminent hazard exists, as specified. The bill would require such a prohibition to be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power or water.

Sample Policies Impacted: E 4112.9/4212.9/4312.9 - Employee Notifications

Chapter #: 84

Policy Pillar: Strengthen Local Governance

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend, repeal and add Sections 6325 and 6432 of, and to add and repeal Section 6409.6 of, the Labor Code, relating to occupational safety.

AB 1859 (*Santiago*) – School district employees: merit system: appointments

Current law requires, with certain exceptions, vacancies in the classified service of a school district that has adopted the merit system to be filled by appointments made from the eligible applicants having the first three ranks on the eligibility list who are ready and willing to accept the position. In a school district with a pupil population over 400,000, current law authorizes, until Dec. 31, 2020, an appointment to specified classifications of positions to be made from other than the first three ranks on the eligibility list if one or more of specified criteria are required for successful job performance of the position to be filled, in which case existing law requires the appointment to be made from among the highest three ranks of eligible candidates on the list who meet the special requirements and are ready and willing to accept the position. Current law requires a school district that makes an appointment pursuant to this provision to study the effectiveness of the selection method, the vacancy rates for each class and the length of time to hire for each class, and to submit a report of its findings to any affected labor union. This bill would extend the operation of the latter provisions from Dec. 31, 2020, until Jan. 1, 2027, and apply those provisions to the Los Angeles Unified School District instead of a school district with a pupil population over 400,000.

Sample Policies Impacted: None

Chapter #: 67

Policy Pillar: Improve Conditions of Children

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Section 45277.5 of the Education Code, relating to school district employees.



AB 2017 (Mullin) – Employee: sick leave: kin care

Current law requires an employer who provides sick leave for employees to permit an employee to use the employee's accrued and available sick leave entitlement to attend to the illness of a family member and prohibits an employer from denying an employee the right to use sick leave or taking specific discriminatory action against an employee for using, or attempting to exercise the right to use, sick leave to attend to such an illness. This bill would provide that the designation of the sick leave taken under these provisions is at the sole discretion of the employee.

Sample Policies Impacted: AR 4161.1/4361.1 - Personal Illness/Injury Leave; AR 4261.1 - Personal Illness/Injury Leave

Chapter #: 211

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Section 233 of the Labor Code, relating to employment.

AB 2234 (Chau) – Classified school and community college employees: personnel commission: legal counsel

Current law requires a district that adopts a merit system to appoint a personnel commission consisting of either three or five members and requires the commission to classify employees and positions within the jurisdiction of the governing board or of the commission. Current law requires the legal counsel of the governing board to represent the commission in all legal matters, except that existing law requires the legal counsel to refuse to represent the commission in circumstances in which the legal counsel knows, or has reason to know, that a conflict exists between the interests of the commission and the interests of the governing board or the district. This bill would authorize a single member of the personnel commission to also declare that a conflict exists between the interests of the commission and the interests of the governing board or the district. The bill would authorize the commission to employ its own attorney if the commission approves that declaration by majority vote.

Sample Policies Impacted: None

Chapter #: 48

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Sections 45313 and 88132 of the Education Code, relating to school and community college employees.

AB 2967 (O'Donnell) – Public Employees' Retirement System: contracting agencies: exclusion from membership

PERL authorizes a public agency to contract to make all or a portion of its employees members of PERS, subject to specified conditions, and requires membership in PERS to be compulsory for all employees included under a contract. Current law prohibits these contracts from providing for the exclusion of some, but not all, firefighters and specified public safety officers. With regard to other groups of employees, existing law requires that they be based on general categories, such as departments or duties, and not on individual employees. This bill would delete provisions of PERL that generally authorize a public agency contracting with PERS to make all or a portion of its employees members of the system. The bill would generally prohibit exclusions of groups of employees from being made by amendment of a public agency contract with PERS, except as provided. The bill would apply these provisions to contracts entered into, amended or extended on and after Jan. 1, 2021.



Sample Policies Impacted: None

Chapter #: 223

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Sections 20460 and 20502 of the Government Code, relating to public employees' retirement.

AB 3308 (Gabriel) – School districts: employee housing

Would specify that the state policy created by the Teacher Housing Act of 2016 includes permitting school districts to restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, including permitting school districts and developers in receipt of tax credits designated for affordable rental housing to retain the right to prioritize and restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, so long as that housing does not violate any other applicable laws. The bill would specify that a school district may allow local public employees or other members of the public to occupy housing created through the act, and would provide that the school district retains the right to prioritize school district employees over local public employees or other members of the public to occupy housing.

Sample Policies Impacted: None

Chapter #: 199

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No Official Position

An act to amend Sections 53571, 53572, and 53574 of the Health and Safety Code, relating to housing.

SB 1159 (Hill) – Workers' compensation: COVID-19: critical workers

Would define "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until Jan. 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.

Sample Policies Impacted: AR 4157.1/4257.1/4357.1 - Work-Related Injuries

Chapter #: 85

Policy Pillar: Strengthen Local Governance

Effective: Immediately

CSBA Position: Oppose

An act to add Section 77.8 to, and to add and repeal Sections 3212.86, 3212.87, and 3212.88 of, the Labor Code, relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.



Facilities

AB 831 (Grayson) – Planning and zoning: housing: development application modifications

The Planning and Zoning Law, until Jan. 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit, if the development satisfies specified objective planning standards, including, among other things, that the development is located on a site that satisfies specified location, urbanization and zoning requirements. Current law requires a local government that determines that a development submitted pursuant to these provisions is in conflict with any of the objective planning standards to provide the development proponent written documentation of which standard or standards the development conflicts with and an explanation of the reasons, as specified. This bill would require the development and the site on which it is located to satisfy the specified location, urbanization and zoning requirements.

Sample Policies Impacted: None

Chapter #: 194

Policy Pillar: Secure Fair Funding

Effective: Immediately

CSBA Position: No official position

An act to amend Section 65913.4 of the Government Code, relating to housing, and declaring the urgency thereof, to take effect immediately.

AB 841 (Ting) – Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program

Current law requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. That law requires that the programs proposed by electrical corporations seek to minimize overall costs and maximize overall benefits. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if they are consistent with the above-described purposes, do not unfairly compete with nonutility enterprises, include performance accountability measures, and are in the interests of ratepayers. This bill would require not less than 35% of the investments pursuant to these provisions to be in underserved communities, as defined. The bill requires certain large electric and gas companies in the state to establish the joint School Energy Efficiency Stimulus Program within each of its energy efficiency portfolios that consist of: (1) the School Reopening Ventilation and Energy Efficiency Verification and Repair Program to provide grants to LEAs to reopen schools with functional ventilation systems that are tested, adjusted, and, if necessary or cost effective, repaired, upgraded or replaced to increase efficiency and performance, and (2) the School Noncompliant Plumbing Fixture and Appliance Program to provide grants to LEAs to replace noncompliant plumbing fixtures and appliances that fail to meet water efficiency standards and waste potable water and the energy used to convey that water, with water-conserving plumbing fixtures and appliances. This bill contains other related provisions and other existing laws.

Sample Policies Impacted: None

Chapter #: 372

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: No official position



An act to amend Section 740.12 of, to add Sections 740.18, 740.19, and 740.20 to, and to add and repeal Chapter 8.7 (commencing with Section 1600) of Part 1 of Division 1 of, the Public Utilities Code, relating to energy.

Finance

AB 76 (Committee on Budget) – Education finance: apportionments.

Current law requires the Controller to draw warrants on the State Treasury throughout each year in specified amounts for purposes of apportioning funding to school districts, county offices of education and charter schools. This bill, commencing with the 2019–20 fiscal year, would require the warrants scheduled to be drawn in June to instead be drawn in July of the same calendar year.

Sample Policies Impacted: None

Chapter #: 5

Policy Pillar: Secure Fair Funding

Effective: Immediately

CSBA Position: No official position

An act to amend Section 14041.5 of, to add Section 41207.48 to, and to add and repeal Section 84321.61 of, the Education Code, and to amend Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019), relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

AB 84 (Committee on Budget) – Public employment and retirement

Current law appropriates \$2,246,000,000 from the General Fund for the 2018–19 fiscal year to the Teachers' Retirement Fund for the Defined Benefit Program, to be apportioned in specified amounts to the credit of required employer contributions for the 2019–20 and 2020–21 fiscal years, pursuant to the direction of the Department of Finance. For the 2020–21 fiscal year, the apportioned payment to the Teachers' Retirement Fund is an amount to pay in advance a part of the contributions required of the employers for the 2020–21 fiscal year that results in a reduction of employer contributions of 0.70 percentage point for that fiscal year from the percentage set by another specified provision. Current law requires the uncommitted remainder of the payment to be allocated to reducing the employers' unfunded actuarial obligations, as specified. This bill would revise the application of the 2018–19 fiscal year General Fund appropriation described above.

Sample Policies Impacted: None

Chapter #: 16

Policy Pillar: Secure Fair Funding, Strengthen Local Governance

Effective: Immediately

CSBA Position: No official position

An act to amend Sections 6363.9, 6363.10, 6902.5, 17053.95, 17935, 17941, 17948, 19533, 23695, 61015, 61020, and 61030 of, and to add Sections 6295, 12209, 17039.3, 17276.23, 23036, 23036.3, and 24416.23 to, the Revenue and Taxation Code, to amend Sections 426 and 4456 of, and to add Section 4750.6 to, the Vehicle Code, and to amend Section 12 of Chapter 34 of the Statutes of 2019, relating to state taxes and charges, and making an appropriation therefor, to take effect immediately, bill related to the budget.

AB 2101 (Committee on Public Employment and Retirement) – Public employees' retirement

The Teachers' Retirement Law, establishes the State Teachers' Retirement System and creates the Defined Benefit Program of the State Teachers' Retirement Plan, which provides a defined benefit to members of the program,



based on final compensation, credited service and age at retirement, subject to certain variations. STRS is administered by the Teachers' Retirement Board. The Defined Benefit Program is funded by employer and employee contributions, as well as investment returns and state appropriations, which are deposited or credited to the Teachers' Retirement Fund. Current law authorizes a member to elect continued defined benefit coverage in STRS when taking a position that provides a defined benefit in another public retirement system, and requires the election to be made in writing and to be filed with STRS and the other public retirement system. This bill would remove the requirement that the election be filed with the other public retirement system, and would instead require the employer to retain a copy of the election form.

Sample Policies Impacted: None

Chapter #: 275

Policy Pillar: Secure Fair Funding

Effective: 1/1/21

CSBA Position: No official position

An act to amend Sections 22106.2, 22119.5, 22144.3, 22156.1, 22170.5, 22501, 22509, 22711, 22714, 22717, 22718, 24204, 25025, 26113, 26801, 26803, 26804, 26808, 26810, and 27204 of, to add Sections 23011 and 26303.7 to, and to repeal Section 22151 of, the Education Code, and to amend Sections 20230, 20731, 22772, 22960.95, 22970.85, 31465, 31627.1, 31627.2, 31631.5, 31641.45, 31646, 31662.2, 31670, 31672, 31672.1, 31672.2, 31672.3, 31706, 31760.1, 31760.2, 31765, 31765.1, 31776.3, 31781.1, 31781.2, 31785, 31785.1, 31786, 31786.1, 31787, 31787.5, 31855.3, and 75088.3 of, to add Sections 31454.7 and 31680.10 to, to repeal Sections 31649.5, 31649.6, 31650, and 31651 of, and to repeal and add Section 31649 of, the Government Code, relating to public employees' retirement, and making an appropriation therefor.

Senate Bill 98 (Committee on Budget and Fiscal Review) – Education finance: education omnibus budget trailer bill

A full list of the funding and budget provisions contained in this bill can be viewed online [here](#).

Sample Policies Impacted: AR 0430 - Comprehensive Local Plan for Special Education; AR 0460 - Local Control and Accountability Plan; BP 3280 - Sale or Lease of District-Owned Real Property; AR 6159 - Individualized Education Program; BP 6170.1 - Transitional Kindergarten; AR 6174 - Education for English Learners

Chapter #: 24

Policy Pillar: Secure Fair Funding, Improve Conditions of Children, Ensure Achievement for All

Effective: Immediately

CSBA Position: No official position

An act to amend Sections 313.3, 2572, 8209, 8227.7, 8280, 8280.1, 14002, 14041, 14041.5, 14041.6, 17375, 17524, 35710.5, 38000, 41203.1, 41327.1, 41341, 41370, 42127, 42127.6, 42127.8, 42131, 42238.02, 42238.025, 42238.03, 42238.15, 44955.5, 46200.5, 46201.5, 47604.1, 47605, 47607, 47607.2, 47607.5, 47612.5, 47612.7, 47632, 47635, 47644, 48000, 51461, 52064, 52074, 52202, 54444.2, 54444.3, 56122, 56195.1, 56345, 56477, 56836.06, 56836.07, 56836.08, 56836.10, 56836.11, 56836.159, 56836.165, 56836.21, 56836.22, 56836.24, and 56836.31 of, to amend and renumber Sections 56836.145 and 56836.15 of, to amend and repeal Section 56213 of, to add Sections 8227.8, 14041.8, 41020.9, 41204.2, 42238.021, 44225.4, 44235.4, 44266.5, 45227, 47653, 47654, 47655, and 56214 to, to add Article 2.2 (commencing with Section 56836.14) to Chapter 7.2 of Part 30 of Division 4 of Title 2 of, to add and repeal Sections 17463.7 and 42603.1 of, to add and repeal Part 24.5 (commencing with Section 43500) to Division 3 of Title 2 of, and to repeal Section 56836.045 of, the Education Code, to amend Section 17581.6 of the Government Code, to amend Sections 97.2 and 97.3 of the Revenue and Taxation Code, to add Chapter 5.4 (commencing with Section 13265) to Part 3 of Division 9 of, and to add Part 1.7 (commencing with Section 10200) to Division 9 of, the Welfare and Institutions Code, to amend the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019) by amending Items 6100-158-0001, 6100-194-0001,



and 6100-196-0001 of Section 2.00 of that act, and to amend Sections 1, 4, and 9 of Chapter 3 of the Statutes of 2020, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

SB 115 (Committee on Budget and Fiscal Review) – Budget Act of 2019: Budget Act of 2020

A full list of the funding and budget provisions contained in this bill can be viewed online [here](#).

Sample Policies Impacted: None

Chapter #: 40

Policy Pillar: Secure Fair Funding

Effective: Immediately

CSBA Position: No official position

An act to amend the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019) by amending Item 0250-101-0001 of that act, and to amend the Budget Act of 2020 (Chapters 6 and 7 of the Statutes of 2020) by amending Items 0250-301-0660, 0650-001-0001, 0690-490, 0820-001-0001, 0820-001-0460, 1111-001-3252, 1701-001-0240, 1701-001-0299, 1701-001-3363, 2240-103-6069, 2240-495, 2740-001-0044, 3360-001-3117, 3360-101-3211, 3540-494, 3600-001-6088, 3600-101-6083, 3600-491, 3600-492, 3640-001-0447, 3760-492, 3790-101-6088, 3790-493, 3825-101-6088, 3840-001-0890, 3860-001-6083, 3860-101-6083, 3860-301-6083, 3900-492, 3940-495, 4170-001-0001, 4300-301-0001, 4560-001-3085, 4560-101-3085, 5180-101-0001, 5180-111-0001, 5180-151-0001, 5225-301-0001, 5225-301-0660, 5225-495, 6100-001-0001, 6100-001-0890, 6100-112-0890, 6100-113-0890, 6100-125-0890, 6100-134-0890, 6100-136-0890, 6100-137-0890, 6100-156-0890, 6100-161-0001, 6100-166-0890, 6100-194-0001, 6100-194-0890, 6100-195-0890, 6100-196-0001, 6100-197-0890, 6100-294-0890, 6100-488, 6120-212-0001, 6870-301-6087, 7300-001-3078, 7350-001-0223, 7350-001-3121, 7350-001-3152, 7600-001-0001, 7730-001-0001, 8570-101-0001, 8955-301-0660, and 9210-110-0001 of, adding Items 0521-491, 0540-101-6083, 0540-601-6088, 0559-002-0001, 3540-101-0005, 3860-101-6031, 3940-012-0439, 3940-101-6013, 3940-101-6019, 3940-101-6029, 3940-101-6031, 4180-001-0001, 4700-101-0001, 6440-301-0658, 6440-301-0705, 6440-301-0791, 6440-301-6028, 6440-301-6041, 6440-301-6048, and 7600-011-0001 to, and repealing Item 4260-101-3366 of, Section 2.00 of, and amending Sections 39.00 and 99.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

SB 117 (Committee on Budget and Fiscal Review) – Education finance: average daily attendance and timeline waivers: protective equipment and cleaning appropriation: COVID–19

1. Existing law requires the governing board of a school district to report to the Superintendent of Public Instruction during each fiscal year the average daily attendance of the school district for all full school months, and describes the period between July 1 and April 15, inclusive, as the “second period” report for the second principal apportionment. Existing law requires a county superintendent of schools to report the ADA for the school and classes maintained by the county superintendent and the ADA for the county school tuition fund. For LEAs that comply with Executive Order N–26–20, this bill would specify that for purposes of attendance claimed for apportionment purposes pursuant to the provision described above, for the 2019–20 school year ADA reported to the State Department of Education for the second period and the annual period for LEAs only includes all full school months from July 1, 2019, to Feb. 29, 2020, inclusive.
2. If an LEA fails to offer a specified minimum number of instructional days and minutes, existing law requires the LEA’s apportionment of funds from the State School Fund to be reduced, as specified. To prevent the loss of funding related to an instructional time penalty because of a school closed due to the coronavirus (COVID–19), this bill would deem the instructional days and minutes requirements described above to have been met during the period of time the school was closed due to COVID–19. The bill would require a superintendent of a school district, county superintendent of schools or charter school administrator to



certify in writing to the State Superintendent that the school was closed due to COVID–19. By imposing additional duties on LEAs, the bill would impose a state-mandated local program.

3. Existing law establishes the After School Education and Safety Program and describes the purpose of the program as creating incentives to establish locally driven before and afterschool enrichment programs that partner public schools and communities to provide academic and literacy support and a safe, constructive alternative for youth. If a program grantee is temporarily prevented from operating its entire program due to natural disaster, civil unrest or imminent danger to pupils or staff, existing law authorizes the department to approve a grantee's request for pupil attendance credit equal to the average annual attendance that the grantee would have received had it been able to operate its entire program during that time period. This bill would specify that a school closure due to COVID–19 is a qualifying event for the purposes described above. The bill would waive a grantee's obligation to submit a request for pupil attendance credits, and would require a grantee to be credited with the average annual attendance it would have received had it been able to operate its entire program during the time the school was closed due to COVID–19.
4. Existing law requires a school district that has one or more pupils who are English learners, and, to the extent required by federal law, a county office of education and a charter school, to assess the English language development of each pupil in order to determine the pupil's level of proficiency. Existing law requires this assessment to be conducted upon a pupil's initial enrollment and at least annually during a 4-month period after Jan. 1. This bill would extend the deadline to conduct the English learner assessment by 45 days, unless otherwise determined by the State Superintendent.
5. Existing law establishes the California Assessment of Student Performance and Progress (CAASPP) as the statewide system of pupil assessments, under which various assessments are required or authorized to be administered in public schools, as specified. Existing law also requires the governing board of a school district maintaining any of grades 5, 7, and 9 to administer to each pupil in those grades a physical performance test, as specified. This bill would extend the testing window for the annual English learner assessment described in (4), the CAASPP and the physical performance test by the length of time a school is closed due to COVID–19, or until the end of the testing window, whichever comes first.
6. Existing law establishes timelines affecting special education programs, including, among other timelines, requiring a proposed assessment plan to determine if a pupil is an individual with exceptional needs to be developed within 15 calendar days of referral for assessment, excluding calendar days between the pupil's regular school sessions or terms and calendar days of school vacation in excess of five schooldays. This bill would require the State Department of Education to consider the days a school is closed due to COVID–19 as days between a pupil's regular school session for purposes of the timelines affecting special education programs. The bill would waive certain special education timelines if an LEA has closed due to COVID–19 up until the school reopens and the regular school session reconvenes. The bill would specify that it is not waiving requirements imposed by federal law.
7. This bill appropriated \$100,000,000 from the General Fund to the State Superintendent to be apportioned to certain LEAs for purposes of purchasing personal protective equipment, or paying for supplies and labor related to cleaning schoolsites, or both.

Sample Policies Impacted: None

Chapter #: 3

Policy Pillar: Secure Fair Funding, Strengthen Local Governance

Effective: Immediately

CSBA Position: Support

An act relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.



SB 820 (Committee on Budget and Fiscal Review) – Education finance

A full list of the funding and budget provisions contained in this bill can be viewed online [here](#).

Sample Policies Impacted: AR 3460 - Financial Reports and Accountability; AR 6146.2 - Certificate of Proficiency/High School Equivalency; AR 6174 - Education for English Learners

Chapter #: 110

Policy Pillar: Secure Fair Funding

Effective: Immediately

CSBA Position: No official position

An act to amend Sections 313.3, 8209, 14041.8, 17199.4, 17391, 17463.7, 37700, 41024, 41207.47, 43501, 43502, 43503, 43504, 43505, 43509, 48412, 51461, 52065, 52074, 56836.07, 56836.148, 56836.24, 60010, 69996.3, 71000, and 92495 of, to add Sections 1241, 17199.15, 43502.5, 43506.5, and 92411 to, and to add and repeal Section 92496.1 of, the Education Code, to amend Sections 14900, 14901, 14902, 14903, 14904, 14905, 14906, 14910, and 14911 of, to add Section 8880.4.1 to, and to repeal Section 14905.1 of, the Government Code, to amend Sections 8025, 102426, and 102430 of, and to add Section 8024 to, the Health and Safety Code, to repeal Section 48 of Chapter 29 of the Statutes of 2016, to amend Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Chapter 3 of the Statutes of 2020, and to amend Sections 95, 97, 110, 111, 112, 116, 117, 118, and 119 of Chapter 24 of the Statutes of 2020, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Governance

AB 992 (Mullin) – Open meetings: local agencies: social media

The Ralph M. Brown Act defines “meeting” for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that, until Jan. 1, 2026, the prohibition described above does not prevent a member from engaging in separate conversations or communications outside of a meeting authorized by this act with any other person using an internet-based social media platform, as defined, to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members do not use the internet-based social media platform to discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body, and that a member shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted or shared by any other member of the legislative body.

Sample Policies Impacted: BB 9012 - Board Member Electronic Communications; BB 9320 - Meetings and Notice

Chapter #: 89

Policy Pillar: Strengthen Local Governance

Effective: 1/1/21

CSBA Position: No official position

An act to amend, repeal and add Section 54952.2 of the Government Code, relating to local government.

Assembly Constitutional Amendment 4 (Mullin) – Elections: voting age

The California Constitution authorizes any person who is a United States citizen, at least 18 years of age, and a resident of the state to vote. This measure, in addition, would authorize a United States citizen who is 17 years of age, is a resident of the state, and will be at least 18 years of age at the time of the next general election to



vote in any primary or special election that occurs before the next general election in which the citizen would be eligible to vote if at least 18 years of age.

Sample Policies Impacted: None

Chapter #: 30

Policy Pillar: Strengthen Local Governance

CSBA Position: Support

Effective: Pending the [results](#) of the Nov. 3, 2020 election. Appears on ballot as Proposition 18.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article II thereof, relating to elections.

ACA 5 (Weber) – Government preferences

The California Constitution, pursuant to provisions enacted by the initiative Proposition 209 in 1996, prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting. The California Constitution defines the state for these purposes to include the state, any city, county, public university system, community college district, school district, special district or any other political subdivision or governmental instrumentality of, or within, the state. This measure would repeal these provisions.

Sample Policies Impacted: None

Chapter #: 23

Policy Pillar: Strengthen Local Governance

CSBA Position: Support

Effective: Pending the [results](#) of the Nov. 3, 2020 election. Appears on ballot as Proposition 16

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 31 of Article I thereof, relating to government preferences.

Health & Wellness

AB 1145 (Garcia) – Child abuse: reportable conduct

The Child Abuse and Neglect Reporting Act requires a mandated reporter, as defined, to make a report to a specified agency whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Current law provides that “child abuse or neglect” for these purposes includes “sexual assault.” This bill would provide that “sexual assault” for these purposes does not include voluntary sodomy, oral copulation or sexual penetration, if there are no indicators of abuse, unless that conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age.

Sample Policies Impacted: AR 5141.1 - Child Abuse Prevention and Reporting

Chapter #: 180

Policy Pillar: Improve Conditions of Children

Effective: 1/1/21

CSBA Position: No official position

An act to amend Section 11165.1 of the Penal Code, relating to crimes.



AB 1929 (Rubio) Child abuse and neglect reporting

Current law, only until Jan. 1, 2021, authorizes certain county welfare agencies to develop a pilot program for internet-based reporting of child abuse and neglect, as specified, by specified mandated reporters. Existing law, only until Jan. 1, 2021, also requires the State Department of Social Services to consult with the County Welfare Directors Association of California and the county welfare agencies of the individual counties to determine which counties may be involved in the pilot program and to oversee and administer the pilot program. Existing law requires a county that chooses to participate in the pilot program to hire an evaluator to monitor implementation of the program, to develop outcome measures that determine the effectiveness of the pilot program of the county, as specified, and to report to specified committees of the Legislature on or before Jan. 1, 2020, on the effectiveness of the pilot program. Current law authorizes the department to conclude a county pilot program prior to Jan. 1, 2021, if the evaluation and monitoring indicate that implementation of the program compromises the safety of children. This bill would extend operation of the pilot program indefinitely and would permit the reporting system developed to receive reports from any mandated reporter.

Sample Policies Impacted: None

Chapter #: 242

Policy Pillar: Ensure Achievement for All

CSBA Position: No official position

Effective: 1/1/21

An act to amend Section 11166.02 of the Penal Code, and to amend Section 10612.5 of the Welfare and Institutions Code, relating to child abuse.

AB 2112 (Ramos) – Suicide prevention

Would authorize the State Department of Public Health to establish the Office of Suicide Prevention within the department, would require the office to perform specified duties, including providing information and technical assistance to statewide and regional partners regarding best practices on suicide prevention policies and programs and reporting on progress to reduce rates of suicide, and authorize the office to apply for and use federal, state and foundation grants. The bill would require the office to consult with the Mental Health Services Oversight and Accountability Commission to implement suicide prevention efforts. The bill would require that the duties and responsibilities of the office be accomplished with existing staff and resources. The bill would make these provisions operative subject to an appropriation for these purposes in the annual Budget Act or another statute.

Sample Policies Impacted: None

Chapter #: 142

Policy Pillar: Improve Conditions of Children

Effective: 1/1/21

CSBA Position: No official position

An act to add Chapter 3 (commencing with Section 131300) to Part 1 of Division 112 of the Health and Safety Code, relating to suicide prevention.

AB 2300 (Cooper) California Youth Football Act

Under the California Youth Football Act beginning Jan. 1, 2021, a youth sports organization, as defined, that conducts a tackle football program must comply with certain requirements, including, among other things, having a licensed medical professional, which may include a state-licensed emergency medical technician, paramedic or higher-level licensed medical professional, present during games. Under existing law, the emergency medical technician, paramedic or higher-level licensed medical professional is authorized to evaluate and remove a youth tackle football participant from a game who exhibits an injury, including but not limited to, a concussion or other head injury. This bill would additionally



authorize a certified emergency medical technician, state-licensed paramedic or higher-level licensed medical professional to provide prehospital emergency medical care or rescue services consistent with their certification or license.

Sample Policies Impacted: None

Chapter #: 49

Policy Pillar: Improve Conditions of Children

Effective: 1/1/21

CSBA Position: No official position

An act to amend Section 124241 of the Health and Safety Code, relating to public health.

AB 2741 (Rubio) – Children’s advocacy centers

Would authorize a county, in order to implement a multidisciplinary response to investigate reports involving child physical or sexual abuse, exploitation or maltreatment, to use a children’s advocacy center that includes representatives from specified disciplines and provides dedicated child-focused settings for interviews and other services. The bill would authorize members of a multidisciplinary team associated with a children’s advocacy center to share with each other information in their possession concerning the child, the family of the child, and the person who is the subject of the abuse or neglect investigation, as specified. The bill would exempt an employee or designated agent of the center from liability under specified circumstances.

Sample Policies Impacted: None

Chapter #: 353

Policy Pillar: Improve conditions of children

Effective: 1/1/21

CSBA Position: No official position

An act to add Section 11166.4 to the Penal Code, relating to child abuse.

SB 86 (Durazo) – Department of Pesticide Regulation: chlorpyrifos: quarterly reports

Would, beginning with the first quarter of 2021, require the Department of Pesticide Regulation to prepare and submit to specified Senate and Assembly committees and the Office of the Surgeon General quarterly reports containing information, as prescribed, regarding granular chlorpyrifos use, monitoring and exposure during the quarter.

Sample Policies Impacted: None

Chapter #: 299

Policy Pillar: Improve Conditions of Children

Effective: 1/1/21

CSBA Position: Support

An act to add Chapter 3.5 (commencing with Section 105240) to Part 5 of Division 103 of the Health and Safety Code, relating to pesticides.

SB 793 (Hill) – Flavored tobacco products

The Stop Tobacco Access to Kids Enforcement (STAKE) Act prohibits a person from selling or otherwise furnishing tobacco products, as defined, to a person under 21 years of age. Current law also prohibits the use of tobacco products in county offices of education, on charter school or school district property, or near a playground or youth sports event, as specified. This bill would prohibit a tobacco retailer, or any of the tobacco retailer’s agents or employees, from selling, offering for sale or possessing with the intent to sell or offer for sale, a flavored tobacco product or a tobacco product flavor enhancer, as those terms are defined, except as specified.



Sample Policies Impacted: None
Chapter #: 34
Policy Pillar: Improve Conditions of Children
Effective: 1/1/21
CSBA Position: Support

An act to add Article 5 (commencing with Section 104559.5) to Chapter 1 of Part 3 of Division 103 of the Health and Safety Code, relating to tobacco products.

SB 803 (Beall) – Mental health services: peer support specialist certification

Current law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law establishes a schedule of benefits under the Medi-Cal program and provides for various services, including behavioral and mental health services that are rendered by Medi-Cal enrolled providers. This bill would require the department, by July 1, 2022, subject to any necessary federal waivers or approvals, to establish statewide requirements for counties or their representatives to use in developing certification programs for the certification of peer support specialists, who are individuals who self-identify as having lived experience with the process of recovery from mental illness, substance use disorder, or both.

Sample Policies Impacted: None
Chapter #: 150
Policy Pillar: Improve Conditions of Children
Effective: 7/1/22
CSBA Position: No official position

An act to add Article 1.4 (commencing with Section 14045.10) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

SB 855 (Wiener) – Health coverage: mental health or substance use disorders

The California Mental Health Parity Act requires every health care service plan contract or disability insurance policy issued, amended, or renewed on or after July 1, 2000, that provides hospital, medical or surgical coverage to provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses of a person of any age, and of serious emotional disturbances of a child under the same terms and conditions applied to other medical conditions, as specified. Existing law requires those benefits to include, among other things, outpatient services, inpatient hospital services, partial hospital services and prescription drugs, if the plan contract or policy includes coverage for prescription drugs. This bill would revise and recast those provisions, and would instead require a health care service plan contract or disability insurance policy issued, amended, or renewed on or after Jan. 1, 2021, provide coverage for medically necessary treatment of mental health and substance use disorders, as defined, under the same terms and conditions applied to other medical conditions.

Sample Policies Impacted: None
Chapter #: 151
Policy Pillar: Improve Conditions of Children
Effective: 1/1/21
CSBA Position: No official position

An act to add Sections 1367.045 and 1374.721 to, and to repeal and add Section 1374.72 of, the Health and Safety Code, and to add Section 10144.52 to, and to repeal and add Section 10144.5 of, the Insurance Code, relating to health coverage.



Students

AB 901 (Gipson) – Juveniles

In a county that has not elected to participate in a truancy mediation program, current law authorizes the county superintendent of schools to petition the juvenile court on behalf of a pupil for proper disposition of a case. In a county that has not established a school attendance review board, existing law authorizes the school district to notify the district attorney or probation officer, as specified, that available community resources cannot resolve the problem of truancy or insubordination. This bill would eliminate the authority of the county superintendent of schools to petition the juvenile court on behalf of a pupil, as described above, in a county that has not elected to participate in a truancy mediation program.

Sample Policies Impacted: AR 5113.1 - Chronic Absence and Truancy; AR 5113.12 - District School Attendance Review Board

Chapter #: 323

Policy Pillar: Improve Conditions of children

CSBA Position: No official position

Effective: Immediately

An act to amend Sections 48263, 48267, 48268, and 48269 of the Education Code, and to amend Sections 236, 601, 601.3, 653.5, and 654 of, and to add Section 651.5 to, the Welfare and Institutions Code, relating to juveniles.

AB 908 (O'Donnell) – Pupils: extracurricular activities: work permits

Existing law requires the governing board of a school district that maintains one or more schools containing any of grades seven to 12, inclusive, to establish a policy regarding participation in extracurricular and co-curricular activities by pupils in those grades as a condition for the receipt of specified school funding allocations. Existing law requires the policy to condition pupil participation in extracurricular and cocurricular activities upon satisfactory educational progress in the previous grading period. Existing law authorizes the governing board of each school district to adopt, as part of the policy, provisions that would allow a pupil who does not achieve satisfactory educational progress in the previous grading period to remain eligible to participate in extracurricular and cocurricular activities during a probationary period that does not exceed one semester in length. Existing law prohibits a pupil who does not achieve satisfactory educational progress during the probationary period from participating in extracurricular and cocurricular activities in the subsequent grading period. This bill would authorize the governing board of each school district to adopt a policy that would allow a probationary period to exceed one semester in length through the completion of the 2020–21 school year due to the impact of COVID-19.

Sample Policies Impacted: AR 5113.2 - Work Permits; BP 6145 - Extracurricular and Cocurricular Activities

Chapter #: 64

Policy Pillar: Ensure Achievement for All

CSBA Position: Support

Effective: Immediately

An act to amend Sections 35160.5 and 49132 of, and to add Article 8 (commencing with Section 49200) to Chapter 7 of Part 27 of Division 4 of Title 2 of, the Education Code, relating to pupils, and declaring the urgency thereof, to take effect immediately.



AB 1350 (Gonzalez) – Retroactive grant of high school diplomas: COVID-19 crisis

Would authorize a high school district, unified district, county office of education or the governing body of a charter school to retroactively grant a high school diploma to a person who was in their senior year of high school during the 2019–20 school year; in good academic standing and on track to graduate at the end of the 2019–20 school year, as of March 1, 2020; and unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

Sample Policies Impacted: BP 6146.1 - High School Graduation Requirements

Chapter #: 66

Policy Pillar: Ensure Achievement for All

CSBA Position: Support

Effective: 1/1/21

An act to amend Section 51430 of the Education Code, relating to high school diplomas.

SB 860 (Beall) – Foster Youth Services Coordinating Program: postsecondary education financial aid applications

As part of the Foster Youth Services Coordinating Program, current law authorizes a county office of education, or a consortium of county offices of education, to apply to the State Superintendent for grant funding to operate an education-based foster youth services coordinating program. As a condition of receiving funds, existing law requires a program to develop and implement a foster youth services plan that includes, among other things, a description of how the local program will facilitate coordination with local postsecondary educational institutions to ensure foster youth pupils meet admission requirements and access programs that support their matriculation needs. This bill would require the plan to also describe how the program will coordinate efforts to ensure, to the extent possible, the completion of the Free Application for Federal Student Aid or the California Dream Act Application for foster youth pupils who are in grade 12.

Sample Policies Impacted: None

Chapter #: 231

Policy Pillar: Ensure Achievement for All

Effective: 1/1/21

CSBA Position: Support

An act to amend Sections 42921 and 42923 of the Education Code, relating to foster youth.





California
School Boards
Association

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