

WHAT'S  
NEW FOR

# 2023

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



## Dear School District and County Board Leaders,

Legislators returned to the Capitol in early 2022 eager to dig into a mountain of legislative bill ideas and budget proposals they had set aside during the early days of the pandemic. CSBA, no less determined to meet the moment, advocated for the needs and concerns of schools and governing boards at every step of the legislative process — and secured major victories along the way.

Our Governmental Relations staff, along with our Legal and Policy teams, reviewed each of the more than 2,000 bills introduced in the Legislature, analyzed hundreds of proposals, worked with CSBA's Legislative Committee to take positions on the most critical pieces of legislation and advanced specific advocacy strategies to ensure the interests of students and local educational agencies were addressed.

This work paid off as CSBA won key battles with sponsored legislation, advancing a pair of bills, Assembly Bill 2584 (Berman, D-Menlo Park) and Senate Bill 1061 (Laird, D-Santa Cruz), that will reform school board special elections and recalls by protecting election integrity and improving the information provided to voters. In another victory, AB 2295 (Bloom, D-Santa Monica) will address both the educator and housing shortages by removing bureaucratic hurdles and increasing incentives for school districts to develop education workforce housing on surplus or vacant school property.

Even more exciting, after months of dogged advocacy from CSBA and school board members across the state, we secured a state budget that delivers for schools. In response to CSBA's sponsored bill, AB 2933 (O'Donnell), the final budget act revitalizes the home-to-school transportation program by doubling the reimbursement rate for schools. Additionally, the budget provides a double-digit percent increase to the Local Control Funding Formula base funding; provides attendance protections and relief to counteract the impacts of pandemic and declining enrollment; and ensures the success of expanded school nutrition programs with increased reimbursement rates and funds to support kitchen infrastructure and food procurement. These hard-fought wins will improve the lives of the California's students for years to come.

These victories and many more are highlighted in this year's What's New for 2023 report, which contains a comprehensive list of measures signed into law in 2022 impacting K-12 education. This report covers bills on which CSBA actively adopted a position and lobbied, as well as those CSBA tracked throughout the legislative session but did not take a position on. It also identifies the impacts, if any, of each new law on governing board policies. This additional feature will help governance teams quickly identify policies that may need to review and adjust.

As you look ahead to the year to come, I hope this report aids you and your leadership team in advancing your LEA's goals. And, as always, CSBA staff is available to help you understand these new laws, the politics involved in crafting them and the potential implications they may have for your schools.



— Vernon M. Billy,  
CEO & Executive Director

# What's New For 2023

This report provides a comprehensive list of new legislation signed into law in 2022 that impacts TK-12 education in California. Many of the laws in this report are bills that CSBA adopted a specific position on and actively lobbied for or against. Also included are 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 TK-12 public education, even if CSBA did not adopt a position.

Each bill listing is grouped by subject (Broadband & Technology, District Operations, Early Childhood Education, Facilities, Finance, Health & Wellness, Governance, Instruction, Labor & Human Resources, Safety and Students) and provides the following information:

- The bill number, author, title and a brief summary
- Which CSBA sample board policies are anticipated to be 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.
- The bill's chapter number (Statutes of 2022)
- Which CSBA Policy Pillar(s) the bill falls under ([www.csba.org/policyplatform](http://www.csba.org/policyplatform)):
  - › **Strengthen Local Governance**
  - › **Secure Fair Funding**
  - › **Improve Conditions of Children**
  - › **Ensure Achievement for All**
- When the bill takes effect (Most new statutes take effect on Jan. 1, 2023, unless passed with an urgency clause or unless an alternative effective date is included.)
- CSBA's position on the bill (See next page for details on positions.)
- What sections of the Education Code and/or other relevant code sections are affected



## Descriptions of CSBA legislative positions

Position	Description	New laws with this position
<b>Sponsor</b>	CSBA drafts bill language, secures a legislator to author and strongly pursues passage	3
<b>Co-sponsor</b>	Share sponsor role with other organizations	0
<b>Support</b>	Actively monitor, pursue and lobby in support	15
<b>Support &amp; Seek Amendments</b>	Support and seek appropriate amendments	0
<b>Support if Amended</b>	Support only if specific amendments are made	3
<b>Approve</b>	Approve in concept or principle but do not actively lobby in support	5
<b>Neutral/No official position</b>	Existence of bill is noted, but no action taken	68
<b>Disapprove</b>	Disapprove in concept or principle but do not actively lob-by in opposition	5
<b>Oppose unless Amended</b>	Seek defeat unless specific amendments are made	4
<b>Oppose</b>	Actively monitor, pursue and lobby in opposition	2

## Additional information on new bills

Details on 2022 legislation: [leginfo.legislature.ca.gov](https://leginfo.legislature.ca.gov)

News and updates from 2022: [www.csba.org/legislativenews](https://www.csba.org/legislativenews)

### QUESTIONS?

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## 2022 bills signed

*View details on each bill beginning on page 10.*

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<b>AB 22 (McCarty)</b>	Preschool data: data collection	19
<b>AB 32 (Aguiar-Curry)</b>	Telehealth	42
<b>AB 58 (Salas)</b>	Pupil health: suicide prevention policies and training	42
<b>AB 102 (Holden)</b>	Pupil attendance at community colleges: College and Career Access Pathways partnerships: county offices of education	49
<b>AB 152 (Committee on Budget)</b>	COVID-19 relief: supplemental paid sick leave	55
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<b>AB 181 (Committee on Budget)</b>	Education finance: education omnibus budget trailer bill	27
<b>AB 182 (Committee on Budget)</b>	COVID-19 emergency response: Learning Recovery Emergency Fund: appropriation	28
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<b>AB 190 (Committee on Budget)</b>	Higher education budget trailer bill	30
<b>AB 210 (Committee on Budget)</b>	Early childhood: childcare and education	30
<b>AB 321 (Valladares)</b>	Childcare services: enrollment priority	19
<b>AB 408 (Quirk-Silva)</b>	Homeless children and youths: reporting	72
<b>AB 452 (Friedman)</b>	Pupil safety: parental notification: firearm safety laws	67
<b>AB 551 (Rodriguez)</b>	Disability retirement: COVID-19: presumption	55
<b>AB 558 (Nazarian)</b>	School meals: Child Nutrition Act of 2022	73
<b>AB 740 (McCarty)</b>	Foster youth: suspension and expulsion	73
<b>AB 748 (Carrillo)</b>	Pupil mental health: mental health assistance posters	43

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<b>AB 1667 (Cooper)</b>	State Teachers' Retirement System: administration	56
<b>AB 1672 (Boerner Horvath)</b>	Public swimming pools: lifeguards	67
<b>AB 1703 (Ramos)</b>	California Indian Education Act: California Indian Education Task Forces	50
<b>AB 1735 (Bryan)</b>	Foster care: rights	74
<b>AB 1751 (Daly)</b>	Workers' compensation: COVID-19: critical workers	57
<b>AB 1758 (Aguiar-Curry)</b>	Board of Behavioral Sciences: marriage and family therapists: clinical social workers: professional clinical counselors: supervision of applicants for licensure via videoconferencing	43
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<b>AB 1801 (Nazarian)</b>	State holidays: Genocide Remembrance Day	12
<b>AB 1810 (Levine)</b>	Pupil health: seizure disorders	45
<b>AB 1824 (Committee on Public Employment and Retirement)</b>	Public employees' retirement	57
<b>AB 1857 (Garcia)</b>	Solid waste	13
<b>AB 1867 (Lee)</b>	School facilities: modernization projects: bathrooms	22
<b>AB 1868 (Rivas)</b>	School accountability: English language acquisition status: data	74
<b>AB 1876 (Seyarto)</b>	Substitute teachers: emergency career substitute teaching permit: employment verification	58
<b>AB 1912 (Bonta)</b>	Emergency apportionments: closure and consolidation requirements	14
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<b>AB 2028 (Davies)</b>	Pupil instruction: bicycle and scooter safety instruction	51
<b>AB 2072 (Gabriel)</b>	Mental health professionals: natural disasters: county offices of education: personnel sharing agreements	14



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<b>AB 2188 (Quirk)</b>	Discrimination in employment: use of cannabis	59
<b>AB 2229 (Rivas)</b>	Peace officers: minimum standards: bias evaluation	68
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<b>AB 2413 (Carrillo)</b>	Classified school and community college employees: disciplinary hearings: compensation	60
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<b>AB 2598 (Weber)</b>	Pupil rights: restorative justice practices	75
<b>AB 2638 (Bloom)</b>	School facilities: drinking water: water bottle filling stations	23
<b>AB 2640 (Valladares)</b>	Pupil health: food allergies: California Food Allergy Resource internet web page	46
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<b>SB 1002 (Portantino)</b>	Workers' compensation: licensed clinical social workers	63
<b>SB 1016 (Portantino)</b>	Special education: eligibility: fetal alcohol spectrum disorder	78
<b>SB 1057 (Committee on Education)</b>	Elementary and secondary education: omnibus bill	40
<b>SB 1061 (Laird)</b>	School district and community college district elections: special elections: petition requirements: election timing	40
<b>SB 1100 (Cortese)</b>	Open meetings: orderly conduct	41
<b>SB 1127 (Atkins)</b>	Workers' compensation: liability presumptions	64
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<b>SB 1168 (Cortese)</b>	Public employees' retirement: beneficiary payment	65
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<b>SB 1299 (Min)</b>	Pupil instruction: California State Summer School for Mathematics and Science: eligibility: funding: tuition and application fee	54
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## Broadband & Technology

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### **Assembly Bill 2355** (*Salas*) – School cybersecurity

Existing law prohibits a school district from permitting access to pupil records to a person without written parental consent or under judicial order except as authorized by specified state and federal law. This law requires a school district, county office of education or charter school to report any cyberattack, as defined, impacting more than 500 pupils or personnel to the California Cybersecurity Integration Center. The law also requires the California Cybersecurity Integration Center to establish a database that tracks reports of cyberattacks submitted by local educational agencies and to annually, by Jan. 1, submit a report to the Governor and the relevant policy committees of the Legislature with specified information related to cyberattacks or data breaches of LEAs. This law will repeal those provisions as of Jan. 1, 2027.

**Anticipated Sample Policy Impact:** 0440 – District Technology Plan; 3580 – District Records; 1340 – Access To District Records; 4119.23 – Unauthorized Release Of Confidential/Privileged Information; 5125 – Student Records

**Chapter #:** 498

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Approve

*An act to add and repeal Article 8.5 (commencing with Section 35265) of Chapter 2 of Part 21 of Division 3 of Title 2 of the Education Code, relating to school security.*

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### **Assembly Bill 2750** (*M. Bonta*) – Department of Technology: state digital equity plan

This law requires the Department of Technology, by Jan. 1, 2024, in consultation with the public, the Public Utilities Commission, and the California Broadband Council, to develop a state digital equity plan. The law requires the plan to include, among other things, the identification of barriers to digital equity faced by specified populations, including, among other barriers, the availability and affordability of access to fixed and wireless broadband technology. The law additionally requires the plan to include measurable objectives for documenting and promoting digital equity among those populations and an assessment of existing digital navigator programs, as specified. The law requires the department, to the extent practicable, to obtain all available federal funding for the purposes of developing and implementing the plan.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 597

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2024

**CSBA Position:** Support

*An act to add Section 11546.46 to the Government Code, relating to state government.*



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### **Assembly Bill 2879 (Low) – Online content: cyberbullying**

This law requires a social media platform, as defined, and subject to specified exceptions, to disclose all cyberbullying, as defined, reporting procedures in the social media platform’s terms of service, and requires a social media platform to establish a mechanism within its internet-based service that allows an individual, whether or not that individual has a profile on the internet-based service, to report cyberbullying or any content that violates the existing terms of service, as specified.

Beginning Sept. 1, 2023, this law makes a social media platform that intentionally violates these provisions subject to specified civil penalties or injunction, to be prosecuted in a court of competent jurisdiction by the Attorney General. The law specifies that its provisions do not create a private right of action or limit any existing private right of action.

**Anticipated Sample Policy Impact:** 1114 – District-Sponsored Social Media; 5131.2 – Bullying

**Chapter #:** 700

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Chapter 22.2.9 (commencing with Section 22589) to Division 8 of the Business and Professions Code, relating to online content.*

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### **Senate Bill 717 (Dodd) – Department of Technology: broadband communications: report**

This law requires the Department of Technology, on or before May 1, 2024, with input from relevant state agencies and stakeholders, to conduct, complete and submit a report to specified legislative committees that reviews and identifies barriers to, and opportunities for, investment in, and efficient building of, broadband access points on private and government-owned structures and property, private and public lands and buildings, and public rights of way. The law also requires the report to identify barriers to, and opportunities for, access to mobile and fixed broadband internet service infrastructure by low-income tribal, urban and rural customers, and underserved communities. This law further requires the report to provide recommendations on how to accelerate deployment of broadband access points to serve tribes, low-income customers and disadvantaged or underserved communities. The law requires the report, at a minimum, to consider the extent to which specified factors serve as barriers to investment or deployment of broadband access points and to make recommendations on how to overcome these barriers.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 813

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 11546.9 to the Government Code, relating to communications.*

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## District Operations

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### **Assembly Bill 1655** (*Jones-Sawyer*) – State holidays: Juneteenth

This law will add June 19, known as “Juneteenth,” to the list of state holidays. The law will specify that holidays created by federal legislation signed by the President are considered days appointed as holidays for the purposes of the above-described provisions requiring community colleges and public schools to close. The law will authorize state employees to elect to take time off with pay in recognition of Juneteenth, as specified.

**Anticipated Sample Policy Impact:** 6115 – Ceremonies and Observances

**Chapter #:** 753

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Support if Amended

*An act to amend Sections 37220, 45203, 79020, and 88203 of the Education Code, and to amend Sections 6700, 19853, and 19853.1 of the Government Code, relating to Juneteenth.*

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### **Assembly Bill 1801** (*Nazarian*) – State holidays: Genocide Remembrance Day

This law will add April 24, known as “Genocide Remembrance Day,” to the list of state holidays. The law authorizes community colleges and public schools to close on April 24, known as “Genocide Remembrance Day,” as specified. The law will authorize state employees to elect to take time off with pay in recognition of “Genocide Remembrance Day,” as specified.

**Anticipated Sample Policy Impact:** 4251 – Employee Compensation; 6115 – Ceremonies and Observances

**Chapter #:** 761

**Policy Pillar:** Secure Fair Funding, Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 135 of the Code of Civil Procedure, to amend Sections 37220.7, 45203, 79020, and 88203 of the Education Code, and to amend Sections 6700, 19853, and 19853.1 of the Government Code, relating to Genocide Remembrance Day.*



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## **Assembly Bill 1857 (C. Garcia) – Solid waste**

The California Integrated Waste Management Act of 1989 requires a city, county, or city and county, or regional agency formed under the act, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The act requires those jurisdictions to divert 50 percent of the solid waste subject to the element, except as specified, through source reduction, recycling and composting activities. The act allows the 50 percent diversion requirement to include not more than 10 percent through transformation, as defined, if specified conditions are met. This law repeals the provision authorizing the inclusion of not more than 10 percent of the diversion through transformation. The act authorizes the department, under specified conditions, to reduce the diversion requirements for a city or county that, before Jan. 1, 1990, disposed of 75 percent or more of its solid waste by transformation. This law repeals that authorization.

Existing law requires the department, upon appropriation by the Legislature, to administer a grant program to provide financial assistance to promote in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or process organic and other recyclable materials into new, value-added products. Existing law establishes certain methane emissions reductions goals, including a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025 to reduce the landfill disposal of organics.

This law will require the department, upon appropriation by the Legislature, to establish and administer the Zero-Waste Equity Grant Program as a competitive grant program to support targeted strategies and investments in communities transitioning to a zero-waste circular economy. The law requires the department to provide grants to eligible zero-waste projects, as described.

The law also requires the department, in consultation with the California Workforce Development Board and the Department of Industrial Relations to submit policy recommendations to the Legislature on how to increase job opportunities and improve labor standards and worker pay related to the zero-waste job sector. This law will also make other conforming changes.

**Anticipated Sample Policy Impact:** 3511.1 – Integrated Waste Management

**Chapter #:** 342

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 41780, 41780.05, 41783.1, and 42510 of, to add Sections 42999.5 and 42999.7 to, and to repeal Sections 41783, 41784, and 41786 of, the Public Resources Code, relating to solid waste.*



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## **Assembly Bill 1912** (*Bonta*) – Emergency apportionments: closure and consolidation requirements

This law requires a school district under financial distress, as defined, before approving the closure or consolidation of a school, to conduct an equity-impact analysis in its consideration of school closures or consolidations, as provided. The law requires the governing board of the school district to develop a set of metrics, as specified, for the development of the equity-impact analysis, and to make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis, as provided. The law provides that its provisions do not apply to a school district's closure of a school due solely to the unsafe condition of the school's facilities. The law makes these provisions inoperative as of July 1, 2028.

**Anticipated Sample Policy Impact:** 3460 – Financial Reports and Accountability

**Chapter #:** 253

**Policy Pillar:** Secure Fair Funding, Strengthen Local Governance

**Effective:** September 6, 2022

**CSBA Position:** No official position

*An act to add and repeal Section 41329 of the Education Code, relating to emergency apportionments, and declaring the urgency thereof, to take effect immediately.*

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## **Assembly Bill 2072** (*Gabriel*) – Mental health professionals: natural disasters: county offices of education: personnel sharing agreements

This law requires, on or before Nov. 1, 2024, county offices of education, in consultation with the state Department of Education and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other traumatic event, as provided. The law requires county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between LEAs and for travel expenses, as provided.

This law requires single school district county offices of education to enter into agreements with at least one other county office of education that they share a border with. The law also requires county offices of education that share a county border with a single school district county office of education to consult with and enter into agreements with at least one single school district county office of education.

**Anticipated Sample Policy Impact:** 5141 – Health Care and Emergencies

**Chapter #:** 909

**Policy Pillar:** Improve Conditions of Children

**Effective:** November 1, 2024

**CSBA Position:** Support if Amended

*An act to add Section 49429.5 to the Education Code, relating to pupil health.*



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### **Assembly Bill 2173** (*Petrie-Norris*) – Public contracts: payment.

Current law, until Jan. 1, 2023, authorizes the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed 5 percent on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This law makes these provisions operative indefinitely.

**Anticipated Sample Policy Impact:** 3314 – Payment for Goods and Services

**Chapter #:** 121

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Oppose unless Amended

*An act to amend Section 7201 of, and to amend and repeal Section 10261 of, the Public Contract Code, relating to public contracts.*

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### **SPONSOR** **Assembly Bill 2295** (*Bloom*) – Local educational agencies: housing development projects

This law deems a housing development project an allowable use on any real property owned by a local educational agency, as defined, if the housing development satisfies certain conditions, including other local objective zoning standards, objective subdivision standards and objective design review standards, as described. The law deems a housing development that meets these requirements consistent, compliant, and in conformity with local development standards, zoning codes or maps, and the general plan. The law, among other things, authorizes the land used for the development of the housing development to be jointly used or jointly occupied by the LEA and any other party, subject to specified requirements. The law exempts a housing development project subject to these provisions from various requirements regarding the disposal of surplus land. The law makes these provisions effective on Jan. 1, 2024, except that it requires the Department of Housing and Community Development to provide a specified notice to the planning agency of each county and city on or before Jan. 31, 2023. The law repeals its provisions on Jan. 1, 2033. The law includes findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

**Anticipated Sample Policy Impact:** 7110.1 – Teacher and Staff Housing; 7131 – Relations with Local Agencies

**Chapter #:** 652

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2024

**CSBA Position:** Sponsor

*An act to add and repeal Section 65914.7 of the Government Code, relating to housing.*



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### **Assembly Bill 2337** (*M. Dahle*) – School districts: frontier school district

This law, for purposes of the Education Code, defines “frontier school district” to mean a school district that meets either of the following conditions: (a) The total number of pupils in average daily attendance at all of the schools served by the school district is fewer than 600 or (b) each county in which a school operated by the school district is located has a total population density fewer than 10 persons per square mile.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 83

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to add Section 94 to the Education Code, relating to school districts.*

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### **Senate Bill 34** (*Umberg*) – Public contracts: authorized agent: limitations

Current law governs the bidding and awarding of public contracts by public entities, as defined. Current law makes it a crime for a public official, as specified, to ask, receive or agree to receive any bribe, upon an understanding that their official vote, opinion, judgment or action will be influenced thereby. This law declares a contract voidable that was entered into because of an act that would constitute a violation of a state or federal crime relating to bribery of a public official, including a violation of the above-described crime. The law specifies that these provisions apply to contracts executed on or after Jan. 1, 2023, including contracts negotiated prior to that date.

**Anticipated Sample Policy Impact:** 3311 – Bids; 3312 – Contracts; 9270 – Conflict of Interest

**Chapter #:** 297

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Disapprove

*An act to add Section 6102 to the Public Contract Code, relating to public contracts.*

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## **Senate Bill 490 (Caballero) – The Buy American Food Act: public institutions: purchase of nondomestic agricultural food products**

This law enacts the Buy American Food Act to require public institutions that receive federal meal reimbursement funding to provide prepared meals and that solicit bids for the purchase of agricultural food products, as defined, to include in their solicitation for bids and contracts that only the purchase of agricultural food products grown, packed or processed domestically is authorized, unless the bid or price of the nondomestic agricultural food product is more than 25 percent lower than the bid or price of the domestic agricultural food product; the quality of the domestic agricultural food product is inferior to the quality of the agricultural food product grown, packed or produced nondomestically; or the agricultural food product is not produced or manufactured domestically in sufficient and reasonably available quantities of a satisfactory quality to meet the needs of the public institution. The law exempts local educational agencies with annual federal meal reimbursement funding of less than \$1,000,000 from these provisions. The law requires the public institution to retain documentation relating to the purchase of agricultural food products for three years and to make that documentation available to the public upon request. The law provides that its provisions neither limit nor expand California's obligations under the Agreement on Government Procurement of the World Trade Organization. The law provides that these provisions do not apply to the Child and Adult Care Food Program, the Summer Food Service Program, the Department of Corrections and Rehabilitation, or to agricultural food products purchased by or provided to a public institution through the United States Department of Agriculture. The law provides an exception to the above requirement for public institutions when a vendor substitutes an agricultural food product without notice or because a product is not available.

Existing federal law, the National School Lunch Act, establishes a federal subsidy program to provide free and reduced-price meals to eligible children in schools. As a condition of participation, federal law requires the State Department of Education and participating LEAs to comply with a provision, known as the Buy American provision, that requires school food authorities, as defined, to purchase, to the maximum extent possible, domestic commodities or products. Existing federal regulations establish procedures for administrative review and compliance with specific program requirements, including the Buy American provision. Under existing state law, the state Department of Education and LEAs administer the National School Lunch Act programs. This law requires the department to annually post on its website the aggregate information on reports received from participating LEAs on price increases for agricultural food products, as specified. The law requires the department to add a question to the federally required administrative review, as specified, regarding increases to the price of agricultural food products and the annual costs associated with implementing the requirement on purchasing domestic agricultural food products.

**Anticipated Sample Policy Impact:** 3551 – Food Service Operations/Cafeteria Fund

**Chapter #:** 602

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2024

**CSBA Position:** Oppose

*An act to add and repeal Chapter 8 (commencing with Section 58596.1) of Part 1 of Division 21 of the Food and Agricultural Code, relating to agricultural food products.*



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## **Senate Bill 913** (*Hertzberg*) – School districts: operations

Current law establishes school districts throughout the state to administer the public elementary and secondary schools within their respective jurisdictions. Under current law, certain rules related to single-gender classes, the use of property, and terms of employment for school employees and governing board members only apply to school districts with average daily attendance of 400,000 or more pupils, as provided. This law instead extends the application of those rules related to single-gender classes, the use of property, and terms of employment for school employees and governing board members, to school districts with ADA of 250,000 or more, as provided.

**Anticipated Sample Policy Impact:** 4121 – Temporary/Substitute Personnel; 4217.3 – Layoff/Rehire

**Chapter #:** 920

**Policy Pillar:** Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 232.2, 17467, 17500, 35120, 44918, 44928, 44959.5, 45168.5, 45191, 45251, and 45308 of the Education Code, relating to school districts.*



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## Early Childhood Education

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### **Assembly Bill 22** (*McCarty*) – Preschool data: data collection

Current law establishes the California Longitudinal Pupil Achievement Data System (CALPADS), which is maintained by the state Department of Education and consists of pupil data from elementary and secondary schools, as specified, relating to demographics, program participation, enrollment and statewide assessments, among other things. Current law requires the system to be used to accomplish specified goals, including to provide an efficient, flexible and secure means of maintaining statewide pupil level data, as provided. This law will require the department, by July 1, 2024, to collect pupil data for each pupil enrolled in a California state preschool program operated by a local educational agency, including all applicable data elements that are collected for pupils in transitional kindergarten, as provided. It will also require the department, by July 1, 2024, to collect the same data for educators in a California state preschool program operated by an LEA that is collected for educators in the K–12 classroom setting, as provided.

**Anticipated Sample Policy Impact:** 5148.2 – Before/After School Programs; 6170.1 Transitional Kindergarten  
**Chapter #:** 901

**Policy Pillar:** Ensure Achievement for All; Improve Conditions of Children.

**Effective:** July 1, 2023

**CSBA Position:** No official position

*An act to add Chapter 11 (commencing with Section 60910) to Part 33 of Division 2 of Title 2 of the Education Code, relating to education data.*

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### **Assembly Bill 321** (*Valladares*) – Childcare services: enrollment priority

The Child Care and Development Services Act and the Early Education Act require that families meet specified requirements to be eligible for federal- and state-subsidized child care and development services and preschool programs, including, among other requirements, that the family needs child care services or full-day preschool because, among other reasons, the family is homeless, the child’s parents are seeking employment or permanent housing or the child’s parents are employed. This law will additionally require that priority be given to a child from a family in which the primary home language is a language other than English if there are no families with a child with exceptional needs and make conforming changes.

**Anticipated Sample Policy Impact:** 5148 – Child Care and Development; 5148.3 – Preschool/ Early Childhood Education; 6170.1 – Transitional Kindergarten; 6173 – Education For Homeless Children; 6174 – Education for English Learners

**Chapter #:** 903

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 8210, 8211, and 8241.5 of the Education Code, and to amend Section 10271 of the Welfare and Institutions Code, relating to childcare.*

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## **Assembly Bill 2806 (B. Rubio) – Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates**

The Child Care and Development Services Act, administered by the state Department of Social Services, establishes a system of child care and development services for children up to 13 years of age. This law revises and recasts the above provisions relating to the expulsion or unenrollment of a child from the state preschool program and would include a general child care and development program and family child care home education network program as part of those provisions, as provided. The law also establishes requirements for the use of suspensions in the programs described above. The law requires these programs to maintain records on expulsion and suspension, as provided. The law requires, beginning July 1, 2030, and annually thereafter, the state Department of Education or the state Department of Social Services, as applicable, to collect specified data on this information, as provided, and would require the departments to publish that information no later than Jan. 1, 2031, and annually thereafter. The law requires the respective departments, on or before Dec. 31, 2023, to issue guidance for programs on implementing these requirements. The law also requires those departments to create guidelines for offering additional support and requiring additional staff training for programs with exceptionally high numbers of suspension and expulsion, as specified. The law makes the above-mentioned provisions on expulsions and suspensions inapplicable to licensed family child care providers until a specified joint labor-management committee makes recommendations for potential changes related to suspensions and expulsions. The law also authorizes a child daycare facility to appeal a citation or civil penalty issued by the state Department of Social Services that is related to the behavior of a child if the facility is in the process of complying with those provisions and would require the department to withdraw the citation or civil penalty upon presentation of evidence of that fact.

Existing law requires the cost to a child care provider agency of providing an early childhood mental health consultation service, as defined, to be reimbursable if certain requirements are met, including that the consultation service is provided on a schedule of sufficient and consistent frequency and that the consultation service is supervised and provided by specified mental health professionals. This law updates the definition of early childhood mental health consultation service, revises the requirements relating to the nature and frequency of the consultation service provided, and expands the types of mental health professionals who can provide the consultation service, as specified. The law requires, among other things relating to the consultants, the contracting agency to ensure, within the first 30 days upon hire or start of consultation service, that a consultant has specified training.

**Anticipated Sample Policy Impact:** 5141.5 – Mental Health; 5148 – Child Care and Development; 5148.3 – Preschool/Early Childhood Education

**Chapter #:** 915

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 8243 of, to add Article 24 (commencing with Section 8489) to Chapter 2 of Part 6 of Division 1 of Title 1 of, and to repeal Section 8222 of, the Education Code, to amend Section 1596.893c of the Health and Safety Code, and to amend Section 10281 of, to add Section 10281.2 to, and to add Chapter 33 (commencing with Section 10491) to Part 1.8 of Division 9 of, the Welfare and Institutions Code, relating to childcare.*



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## **Assembly Bill 2827 (Quirk-Silva) – Child daycare facilities**

Current regulations impose various requirements on outdoor activity space for child daycare facilities, including, among others, that there be at least 75 square feet per child of outdoor activity space based on the total licensed capacity. A willful or repeated violation of these provisions is a misdemeanor. This law requires the state Department of Social Services to revise its regulations to permit children with exceptional needs, as defined, to use outdoor play spaces simultaneously with nondisabled children without first seeking a specified regulatory waiver and to specify any health and safety requirements that are required to be met when that simultaneous play occurs. The law authorizes the department to implement those provisions by means of an all-county letter or similar instruction on or before Jan. 1, 2024.

**Anticipated Sample Policy Impact:** 5148 – Child Care and Development Programs

**Chapter #:** 916

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 1596.804 to the Health and Safety Code, relating to daycare facilities.*



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## Facilities

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### **Assembly Bill 1867 (Lee) – School facilities: modernization projects: bathrooms**

This law requires a school district, county office of education or charter school that intends to seek state funding pursuant to the Leroy F. Greene School Facilities Act of 1998 (the Greene Act) for a school modernization project for a school facility constructed before Jan. 1, 2012, to include, as part of the modernization project submitted to the Division of the State Architect, faucet aerators and water-conserving plumbing fixtures in all bathrooms. The law provides that these provisions apply only to those projects submitted to the Division of the State Architect beginning 3 months after voters approve a statewide general obligation bond that provides funds for certain school facilities at a statewide election occurring after Nov. 1, 2022. The law also provides that these provisions apply only to those projects that contain an existing faucet or water plumbing fixture in the space to be modernized or repaired and propose to modernize or repair the interior of a school building and do not apply to projects that only propose to repair or make alterations to the exterior of a school building, the school grounds or the playing fields of a school. The law also provides that these provisions do not apply to bathrooms that already contain both faucet aerators and water-conserving plumbing fixtures at the time the modernization project is submitted.

**Anticipated Sample Policy Impact:** 3510 – Green School Operations; 3511 – Energy And Water Management  
**Chapter #:** 434

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 17584 to the Education Code, relating to school facilities.*

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### **Assembly Bill 2232 (McCarty) – School facilities: heating, ventilation, and air conditioning systems**

The Leroy F. Greene School Facilities Act of 1998 provides for the adoption of rules, regulations and procedures, under the administration of the Director of General Services, for the allocation of state funds by the State Allocation Board for the construction and modernization of public school facilities. This law requires a covered school, defined as a school district, a county office of education, a charter school, a private school, the California Community Colleges or the California State University, and requests the University of California, to ensure that facilities have heating, ventilation and air conditioning (HVAC) systems that meet specified minimum ventilation rate requirements, unless the existing HVAC system is not capable of safely and efficiently providing the minimum ventilation rate, in which case it would require a covered school, and request the University of California, to ensure that its HVAC system meets the minimum ventilation rates in effect at the time the building permit for installation of that HVAC system was issued. The law also requires a covered school, and requests the University of California, to install filtration that achieves specified minimum efficiency reporting values (MERV) levels, determined by the school to be feasible with the existing HVAC system, as provided. The law requires, upon the next triennial update of the California Building Standards Code, the California Building Standards Commission and the Division of the State Architect to research, develop and propose for adoption mandatory standards for carbon dioxide monitors in classrooms of a covered school and the University of California.

**Anticipated Sample Policy Impact:** 3514 – Environmental Safety

**Chapter #:** 777

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Chapter 8 (commencing with Section 17660) to Part 10.5 of Division 1 of Title 1 of the Education Code, relating to school facilities.*

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### **Assembly Bill 2638 (Bloom) – School facilities: drinking water: water bottle filling stations**

This law requires a new construction or modernization project submitted to the Division of the State Architect by a school district or the governing body of a charter school to include water bottle filling stations, as specified. The law requires, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed. The law requires water bottle filling stations to be placed in or near high traffic and common areas and to meet specified requirements, including dispensing drinking water that meets primary drinking water standards and secondary drinking water standards, as defined. The law provides that these requirements only apply to new construction and modernization projects submitted to the Division of the State Architect three months after voters approve a statewide general obligation bond that provides funds for school facilities for kindergarten or any of grades 1 to 12, inclusive, at a statewide election occurring on or after Nov. 1, 2022.

This law requires a school district or the governing body of a charter school to allow pupils, teachers and staff to bring and carry water bottles, as specified. The law requires administrators of a school district or the governing body of a charter school to inform teachers, staff, parents and pupils of their rights under these provisions and to encourage water consumption through promotional and educational activities and signage, as specified.

**Anticipated Sample Policy Impact:** 3550 – Food Service/Child Nutrition Program

**Chapter #:** 793

**Policy Pillar:** Ensure Achievement for All

**Effective:** Contingent upon approval of a statewide general obligation bond.

**CSBA Position:** No official position

*An act to add Chapter 2 (commencing with Section 38040) to Part 23 of Division 3 of Title 2 of the Education Code, relating to school facilities.*



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## Finance

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### Assembly Bill 178 (Ting) – Budget Act of 2022

A full listing of the funding and budget provisions contained in this follow-up law to the Budget Act of 2022 can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 45

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend the Budget Act of 2022 by amending Items 0250-001-0001, 0250-001-3066, 0250-101-0001, 0250-101-0932, 0250-102-0159, 0250-102-0932, 0250-111-0001, 0250-113-0001, 0250-114-0001, 0250-115-0001, 0500-001-0001, 0509-001-0001, 0509-101-0001, 0509-101-3398, 0509-102-0001, 0511-001-0001, 0515-103-0001, 0515-105-0001, 0521-131-0001, 0530-001-0001, 0540-101-0001, 0540-102-0001, 0540-490, 0559-001-0001, 0650-001-0001, 0650-101-0001, 0690-001-0001, 0690-012-0001, 0690-101-0001, 0690-101-0890, 0690-490, 0820-001-0001, 0820-490, 0840-001-0001, 0840-001-9740, 0890-001-0001, 0954-101-0001, 0977-101-0001, 0985-220-0001, 1111-011-0001, 1115-001-3288, 1115-004-0001, 1115-102-0001, 1701-001-0001, 2240-104-0001, 2240-105-0001, 2240-106-0001, 2240-110-0001, 2240-111-0001, 2240-121-0001, 2240-122-0001, 2240-124-0001, 2240-125-0001, 2240-126-0001, 2660-302-0890, 2740-001-0044, 2740-490, 3125-001-0001, 3125-001-0568, 3340-001-0001, 3340-001-6088, 3355-001-0462, 3360-101-0001, 3480-001-0001, 3480-102-0001, 3540-001-0001, 3540-301-0001, 3540-301-0660, 3540-492, 3600-001-0001, 3720-001-0001, 3760-101-3228, 3760-105-0001, 3790-001-0001, 3790-002-0392, 3790-002-6088, 3790-003-0001, 3790-005-0001, 3790-101-0001, 3790-102-0001, 3790-301-0001, 3790-301-0263, 3790-491, 3790-492, 3855-001-8120, 3860-001-0001, 3860-101-0001, 3900-001-0115, 3900-101-0001, 3930-490, 3940-106-0001, 3960-001-0014, 3970-001-0001, 3970-101-3228, 4140-001-0001, 4140-001-3085, 4140-101-0001, 4140-101-3085, 4170-001-0001, 4170-101-0001, 4260-001-0001, 4260-101-0001, 4260-101-0890, 4260-115-0890, 4260-116-3397, 4260-101-3085, 4265-001-0001, 4265-001-3385, 4265-111-0001, 4265-111-3385, 4300-001-0001, 4300-101-0001, 4560-001-3085, 4560-101-3085, 4800-101-3381, 5160-001-0001, 5160-001-3397, 5175-101-0890, 5175-101-8004, 5180-001-0001, 5180-101-0001, 5180-101-0890, 5180-111-0001, 5180-141-0001, 5180-151-0001, 5180-151-0890, 5225-001-0001, 5225-002-0001, 5225-019-0001, 5225-020-0001, 5225-021-3398, 5227-119-0001, 5227-121-0001, 5227-124-0001, 6100-001-0001, 6100-004-0001, 6100-107-0001, 6100-110-0001, 6100-161-0001, 6100-161-0890, 6100-172-0001, 6100-194-0001, 6100-196-0001, 6100-220-0001, 6100-488, 6120-161-0001, 6360-001-0001, 6360-001-0408, 6440-001-0001, 6610-001-0001, 6610-002-0001, 6870-001-0001, 6870-101-0001, 6870-403, 6980-001-0001, 6980-101-0001, 7100-001-0001, 7100-001-0588, 7120-001-0001, 7120-101-0001, 7350-001-0001, 7350-001-3152, 7501-001-0001, 7730-001-0001, 7730-490, 7760-311-0001, 7870-001-0214, 7870-101-0001, 7870-111-0001, 8120-002-0001, 8120-491, 8260-101-0001, 8570-002-0001, 8570-102-0001, 8820-101-0001, 8880-001-9740, and 8940-301-0001 of Section 2.00 of, adding Items 0509-102-3398, 0690-006-0001, 0775-001-3085, 0840-001-3228, 0957-113-0001, 0974-113-0001, 2240-002-0890, 2240-102-0890, 2240-492, 3340-101-0001, 3360-002-0001, 3360-102-0001, 3540-101-0001, 3600-002-3288, 3600-005-0001, 3720-001-3228, 3760-102-0001, 3790-006-0001, 3790-012-0001, 3810-102-0001, 3845-102-0001, 3855-101-0001, 3860-001-3398, 3900-002-3228, 3900-101-3228, 3930-002-3288, 3930-102-3288, 3940-002-3288, 3940-101-0439, 4700-001-3398, 4700-101-3398, 5225-017-0001, 5225-022-0001, 5227-118-0001, 5227-123-0001, 6100-485, 7100-001-3288, 7100-004-0001, 7501-001-3085, 7600-002-3288, 7760-015-0001, 8880-011-0001, and 8880-011-9740 to Section 2.00 of, repealing Items 0511-002-0001, 0957-001-0001, 0957-101-0001, 2240-123-0001, 4260-011-3397, and 8570-101-3398 of Section 2.00 of, amending Sections 11.96, 12.00, 12.32, 19.54, 19.55, 20.00, 35.50, 39.00, and 99.50 of, adding Section 19.56 to, and repealing Sections 6.15 and 35.70 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*

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## Assembly Bill 179 (Ting) – Budget Act of 2022

A full listing of the funding and budget provisions contained in this follow-up law to the Budget Act of 2022 can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 249

**Policy Pillar:** Secure Fair Funding

**Effective:** Sept. 6, 2022

**CSBA Position:** No official position

*An act to amend the Budget Act of 2022 (Chs. 43 and 45, Stats. 2022) by amending Items 0250-001-0001, 0250-101-0001, 0250-101-0932, 0250-111-0001, 0250-162-8506, 0250-301-0001, 0509-001-0001, 0509-101-0001, 0509-102-3398, 0509-104-0001, 0509-112-0001, 0511-001-0001, 0521-001-0042, 0521-001-0044, 0521-001-0046, 0521-001-0890, 0530-001-0001, 0540-001-0001, 0540-101-0001, 0540-490, 0540-492, 0540-495, 0650-001-0001, 0650-001-0890, 0650-101-0001, 0690-001-0001, 0690-003-0001, 0690-004-0001, 0690-012-0001, 0690-101-0001, 0890-001-0001, 0954-101-0001, 0985-220-0001, 2240-001-0001, 2240-102-0001, 2240-104-0001, 2240-110-0001, 2240-111-0001, 2240-121-0001, 2240-122-0001, 2240-124-0001, 2240-125-0001, 2240-126-0001, 2660-490, 3340-001-0001, 3340-003-0001, 3360-001-0465, 3360-001-0890, 3360-001-3062, 3360-002-0001, 3360-102-0001, 3480-001-3046, 3480-101-0001, 3480-491, 3480-492, 3540-001-0001, 3540-003-0001, 3540-101-0001, 3560-001-0001, 3600-001-0001, 3600-006-0001, 3600-007-0001, 3720-001-0001, 3790-001-0001, 3790-101-0263, 3790-101-3001, 3790-301-0001, 3790-301-3312, 3790-491, 3790-493, 3790-496, 3810-103-0001, 3835-101-0001, 3860-001-0001, 3860-001-3398, 3860-101-0001, 3900-001-0001, 3900-001-3228, 3900-002-3228, 3900-101-0001, 3900-101-3228, 3900-102-3228, 3930-001-0001, 3940-001-0001, 3970-001-0001, 3970-001-0133, 3970-101-0001, 3970-101-0133, 3970-101-3228, 4140-101-0001, 4140-101-3085, 4170-001-0001, 4170-101-0001, 4260-001-0001, 4260-101-0001, 4260-116-0890, 4265-001-0001, 4265-021-3398, 4265-111-0001, 4265-491, 4300-001-0890, 4300-101-0890, 4440-003-0001, 5180-001-0001, 5180-101-0001, 5180-101-0890, 5180-141-0001, 5180-151-0001, 5225-008-0001, 5225-018-0001, 5225-019-0001, 5225-022-0001, 5227-001-0001, 5227-119-0001, 6100-001-0001, 6100-004-0001, 6100-006-0001, 6100-009-0001, 6100-107-0001, 6100-112-0890, 6100-134-0890, 6100-137-0890, 6100-161-0890, 6100-195-0890, 6100-203-0001, 6100-296-0001, 6100-491, 6120-161-0001, 6360-001-0001, 6360-001-0408, 6440-001-0001, 6440-005-0001, 6870-101-0001, 6870-201-0001, 7120-001-0001, 7120-001-0890, 7350-001-0001, 7350-001-0890, 7502-001-9730, 7760-001-0001, 8260-001-0001, 8570-001-0001, 8570-002-0001, 8570-102-0001, 8570-490, 8660-001-0462, 8660-001-0890, 8660-101-0464, 8660-101-0470, 8955-001-0001, and 9210-104-0001 of Section 2.00 of, adding Items 0509-492, 0540-103-0001, 0820-101-0001, 2667-001-0046, 2720-301-0660, 3125-101-0001, 3340-002-0001, 3360-001-3228, 3360-004-0001, 3360-005-0001, 3360-007-0001, 3360-101-3228, 3360-104-0001, 3360-107-0001, 3480-103-0001, 3480-494, 3540-102-0001, 3600-102-0001, 3600-495, 3640-002-0001, 3640-103-0001, 3760-001-0001, 3760-103-0001, 3760-106-0001, 3810-001-0001, 3810-104-0001, 3825-001-0001, 3825-102-0001, 3830-101-0001, 3845-001-0001, 3845-101-0001, 3850-101-0001, 3850-495, 3855-102-0001, 3875-101-0001, 3940-002-0001, 3940-493, 3970-001-3408, 3970-011-0133, 3970-492, 5225-496, 6440-492, 6610-490, 6870-302-6087, 6870-492, 7350-002-0001, 7502-011-0890, 7600-011-0001, 8260-491, 8570-102-3228, and 8660-001-0001 to Section 2.00 of, repealing Item 0775-001-3085 of Section 2.00 of, amending Sections 8.75, 11.96, 15.14, 19.56, 39.00, and 99.50 of, adding Sections 19.58 and 39.10 to, and repealing Section 19.55 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*

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## **Assembly Bill 180 (Ting) – Budget Act of 2021**

This follow-up law to the Budget Act of 2021 includes additional funding for family fee waivers for the California State Preschool Program in the 2021–22 fiscal year; an extension of the encumbrance for an online LGBTQ+ cultural competency training, California Preschool Learning Foundations, and other technical amendments; an extension of the reporting deadline for the NPS/A Placements Study and the IEP Facilitation Network timeline; and technical amendments for reappropriated funds for the Community Schools Partnership Act.

A full listing of the funding and budget provisions contained in this law can be found online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 44

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend the Budget Act of 2021 (Chapters 21, 69, and 240 of the Statutes of 2021) by amending Items 0521-031-0001, 0521-131-0001, 2240-101-0001, 2240-111-0001, 2660-002-0001, 2660-102-0001, 2660-302-0001, 3100-001-0267, 3125-002-0001, 3540-101-0001, 3540-301-0001, 3860-001-0001, 3940-106-0001, 5180-151-0001, 5225-001-0917, 6100-001-0001, 6100-001-0890, 6100-194-0001, 6100-197-0890, 6100-485, 6100-488, 6440-001-0001, 7760-001-0001, 7760-101-0001, 7760-301-0001, and 9300-101-0001 of Section 2.00 of, amending and renumbering Item 0690-011-0001 of Section 2.00 of, adding Items 2240-002-0890, 2240-101-3398, 2240-102-0890, 2660-101-0001, 2665-301-6043, 3360-008-0001, 3360-108-0001, 3600-001-3398, 3860-001-3398, 3860-101-3398, 3940-001-3398, 3940-101-3398, 4260-001-3398, 4260-101-3398, 7760-015-0001, 8570-001-3398, and 8570-101-3398 to Section 2.00 of, repealing Items 2660-108-0001 and 2660-308-0001 of Section 2.00 of, amending Sections 19.56, 19.57, and 99.50 of, and adding Sections 19.54 and 39.10 to, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*



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## **Assembly Bill 181** (*Committee on Budget*) – Education finance: education omnibus budget trailer bill

Among the major components of this follow-up law to the Budget Act of 2022 are an increase in the Local Control Funding Formula base funding as well as a cost-of-living adjustment; changes to the home-to-school transportation program including increased reimbursement rates for home-to-school transportation costs; protections for declining enrollment and COVID attendance relief; the consolidation of multiple Arts, Music, and Instructional Materials Discretionary Block Grants; and additional investments in school nutrition, the Early Learning Opportunity Program, workforce development, facilities and transitional kindergarten.

A full listing of the funding and budget provisions contained in this law can be found online [here](#).

**Anticipated Sample Policy Impact:** 0415 – Equity; 0420.4 – Charter School Authorization; 0430 – Comprehensive Local Plan for Special Education; 0460 – Local Control and Accountability Plan; 3250 – Transportation Fees; 3260 – Fees and Charges; 3540 – Transportation; 4112.2 – Certification; 5113 – Absences and Excuses; 5126 – Awards for Achievement; 5145.6 – Parental Notifications; 5148.2 – Before/After School Programs; 6142.4 – Service Learning/Community Service Classes; 6142.6 – Visual and Performing Arts Education; 6142.91 – Reading/Language Arts Instruction; 6146.1 – High School Graduation Requirements; 6158 – Independent Study; 6170.1 – Transitional Kindergarten; 6172.1 – Concurrent Enrollment in College Classes; 6173.1 – Education for Foster Youth; 6174 – Education for English Learners

**Chapter #:** 52

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend Sections 313.3, 1630, 2574, 2575.2, 8281.5, 8901, 8902, 14002, 14041, 17375, 35780, 39807.5, 41203.1, 41480, 41490, 41544, 41590, 42238.02, 42238.025, 42238.05, 42238.051, 42280, 42282, 42284, 42287, 44259.1, 44395, 44415.5, 44418, 44690, 45500, 46120, 46392, 47606.5, 47654, 47655, 48205, 48850, 48853.5, 49069.5, 49421.5, 51225.2, 51745, 51745.5, 51746, 51747, 51747.5, 51749.5, 51749.6, 52063, 52064, 52065, 52066, 52069, 52073.2, 56122, 56402, 56836.07, 56836.144, 56836.146, 56836.148, 60900, 60900.5, and 69617 of, to amend and repeal Section 42238.052 of, to add Sections 2575.3, 2575.4, 39800.1, 41850.1, 41204.7, 42162, 42163, 42238.023, 44415.6, 44415.7, 48000.1, 51225.31, 51475, 51744, 52064.3, and 52073.3 to, to add Article 8.5 (commencing with Section 41585) to Chapter 3.2 of Part 24 of Division 3 of Title 2 of, to add Chapter 16.1 (commencing with Section 53020) to Part 28 of Division 4 of Title 2 of, to repeal Sections 41851, 41851.2, 41851.5, 41851.7, 41852, 41853, 41854, 41855, 41856, and 42286 of, to repeal Article 10.5 (commencing with Section 41860) of Chapter 5 of Part 24 of Division 3 of Title 2 of, to repeal Article 4.7 (commencing with Section 42300) of Chapter 7 of Part 24 of Division 3 of Title 2 of, and to repeal and add Section 41851.12 of, the Education Code, to amend Sections 7901, 7906, and 20309 of the Government Code, to amend Section 13265 of the Welfare and Institutions Code, to amend Sections 113 and 119 of Chapter 24 of the Statutes of 2020, to amend Sections 123, 138, and 147 of Chapter 44 of the Statutes of 2021, and to amend Sections 47 and 52 of Chapter 252 of the Statutes of 2021, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.*



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## **Assembly Bill 182** (Committee on Budget) – COVID-19 emergency response: Learning Recovery Emergency Fund: appropriation

This follow-up law to the Budget Act of 2022 creates the Learning Recovery Emergency Fund in the State Treasury for the purpose of receiving appropriations for school districts, county offices of education, charter schools and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. The law requires the Superintendent to allocate these appropriated funds to school districts, county offices of education, and charter schools, as provided. The law authorizes allocated funds to be used for learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery, and staff and pupil social and emotional well-being. The law requires local educational agencies receiving these allocations to report interim expenditures to the department by Dec. 1, 2024, and Dec. 1, 2027, as well as a final report no later than Dec. 1, 2029.

**Anticipated Sample Policy Impact:** 0470 – COVID-19 Mitigation Plan

**Chapter #:** 53

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to add Part 19.6 (commencing with Section 32525) to Division 1 of Title 1 of the Education Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

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## **Assembly Bill 183** (Committee on Budget) – Higher education trailer bill

A full listing of the funding and budget provisions contained in this follow up law to the Budget Act of 2022 can be found online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 54

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend Sections 17200, 17201, 17202, 17203, 17204, 69432, 69438.3, 69438.5, 69465, 69470, 69969, 69996.2, 69996.3, 69996.9, 70023, 76396.1, 76396.2, 76396.3, 79220, 79221, 79223, 79228, 84750.4, 88651, 88931, 89046, and 89753 of, to amend and repeal Sections 66021.2 and 69506 of, to amend, repeal, and add Section 69435.5 of, to add Sections 69438.9, 78213.2, and 89348 to, to add Article 10 (commencing with Section 79510) and Article 11 (commencing with Section 79520) to Chapter 9 of Part 48 of, and Article 11 (commencing with Section 88280) to Chapter 4 of Part 51 of, Division 7 of, Article 8 (commencing with Section 89270) and Article 11 (commencing with Section 89297) to Chapter 2 of Part 55 of Division 8 of, Article 6.7 (commencing with Section 92663) to Chapter 6 of Part 57 of Division 9 of, and Chapter 1.5 (commencing with Section 69405) to Part 42 of Division 5 of, Title 3 of, to add and repeal Section 17203.5 of, to add and repeal Article 7 (commencing with Section 78080) of Chapter 1 of Part 48 of Division 7 of, and Article 11 (commencing with Section 69475) of Chapter 1.7 of Part 42 of Division 5 of, Title 3 of, and to repeal Section 79229 of, the Education Code, to amend Section 20662 of the Public Contract Code, to amend the Budget Act of 2020 by amending Item 6870-101-0001 of Section 2.00 of that act, and to amend the Budget Act of 2021 by amending Item 6870-101-0001 of Section 2.00 of that act, relating to postsecondary education, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

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## **Assembly Bill 185** (Committee on Budget) – Education finance: education omnibus trailer bill.

This follow-up law makes changes and clarifications to the Budget Act of 2022 and its implementing legislation, including the creation of several new conditions that must be met for local educational agencies to access Level 3 Developer Fees and utilize California Environmental Quality Act impact mitigation to ensure adequate school facilities are built when funding in the School Facility Program is exhausted and/or a school bond fails.

A full listing of the funding and budget provisions contained in this law can be found online [here](#).

**Anticipated Sample Policy Impact:** 0470 – COVID-19 Mitigation Plan; 1113 – District and School Web Sites; 3311 – Bids; 3311.1 Uniform Public Construction Cost Accounting Procedures; 3312 – Contracts; 3540 – Transportation  
**Chapter #:** 571

**Policy Pillar:** Secure Fair Funding

**Effective:** Sept. 27, 2022

**CSBA Position:** No official position

*An act to amend Sections 2575.4, 8208, 8210, 8211, 8217, 8240, 8241.5, 8242, 8281.5, 8320, 10873, 32526, 41850.1, 42238.02, 42238.023, 42238.05, 42282, 42284, 44415.5, 44415.6, 44415.7, 45117, 45500, 46120, 48000, 48000.1, 48313, 48315, 48316, 51225.3, 51749.5, 51749.6, 56836.146, 69617, and 88017 of, to add Sections 8202.6, 17250.52, 44042.5, and 51225.9 to, to add and repeal Chapter 2.6 (commencing with Section 17250.60) of Part 10.5 of Division 1 of Title 1 of, and to repeal Section 41851.12 of, the Education Code, to amend Sections 65995.7 and 65997 of the Government Code, to amend Sections 1596.806 and 1596.807 of the Health and Safety Code, to amend Sections 10271.5 and 10281.5 of the Welfare and Institutions Code, to amend Section 138 of Chapter 44 of the Statutes of 2021, to amend Sections 264 and 265 of Chapter 116 of the Statutes of 2021, to amend Section 53 of Chapter 252 of the Statutes of 2021, and to amend Sections 122, 124, 125, 134, 137, and 138 of Chapter 52 of the Statutes of 2022, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

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## **Assembly Bill 186** (Committee on Budget) – Public Health

A full listing of the funding and budget provisions contained in this follow up law to the Budget Act of 2022 can be found online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 46

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 3033

**CSBA Position:** No official position

*An act amend Sections 1324.29 and 1324.30 of, and to add 1276.66 to, the Health and Safety Code, to amend Section 31005 of the Revenue and Taxation Code, and to amend Sections 14114, 14126.023, 14126.032, 14126.033, 14126.036, and 14197.2 of, to amend and repeal Section 14126.022 of, and to add Sections 14126.024 and 14126.026 to, the Welfare and Institutions Code, relating to public health, and making an appropriation therefor, to take effect immediately, bill related to the budget.*



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## **Assembly Bill 190** (Committee on Budget) – Higher education budget trailer bill

A full listing of the funding and budget provisions contained in this follow up law to the Budget Act of 2022 can be found online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 572

**Policy Pillar:** Secure Fair Funding

**Effective:** Sept. 28, 2022

**CSBA Position:** No official position

*An act to amend Sections 17201, 69432.7, 70023, 79222, 79223, 79225, 79511, 87861, 87862, 87863, 87864, 87867, 88280, 89297.1, 94110, 94140, 94144, 94146, 94147, 94151, 94154, 94190, 94191, 94192, 94193, 94194, and 94195 of, to add Sections 79223.5 and 87865 to, and to add Chapter 14.28 (commencing with Section 67329.1) to Part 40 of Division 5 of Title 3 of, the Education Code, relating to postsecondary education, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

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## **Assembly Bill 210** (Committee on Budget) – Early childhood: childcare and education

This follow-up law to the Budget Act of 2022 sets the rates and policies for all Budget Act appropriations for early childhood education programs in the departments of Education and Social Services. This law includes the 2022–23 child care pandemic response package, child care infrastructure and policy changes to the California State Preschool Program and General Child Care program.

A full listing of the funding and budget provisions contained in this law can be found online [here](#).

**Anticipated Sample Policy Impact:** 4112.2 – Certification; 5148 – Child Care and Development; 5148.3 – Preschool/ Early Childhood Education; 6164.4 – Identification and Evaluation of Individuals for Special Education; 6170.1 – Transitional Kindergarten

**Chapter #:** 62

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend Sections 8203.3, 8205, 8208, 8210, 8211, 8213, 8241.5, 8244, 8252, 8335, 8337, 44300, and 48000 of, to add Section 8245.5 to, and to add Article 13.1 (commencing with Section 8320) and Article 24 (commencing with Section 8490) to Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, and to amend Sections 10206, 10208, 10213.5, 10223, 10271.5, 10281.5, 10290, and 10441 of, to amend and repeal Section 10233.5 of, and to add Section 10276 to, the Welfare and Institutions Code, relating to early childhood, and making an appropriation therefor, to take effect immediately, bill related to the budget.*



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## **Assembly Bill 1777 (Aguiar-Curry) – Migrant education: extended school year program: average daily attendance**

Under current law, with the concurrence of a child’s parent, a child who has been identified as a “migrant child” may be deemed a migrant child for a period, not in excess of three years, during which the child resides in an area where programs are provided for migrant children. Current law establishes a public school financing system that requires state funding for county superintendents, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified, that includes average daily attendance as a component of that calculation. This law, commencing on Jan. 1, 2024, will authorize up to two local educational agencies to provide an extended school year program, as defined, to migratory pupils who, due to family agricultural migratory movement, enroll in kindergarten, including transitional kindergarten, or any of grades one to six, inclusive, on or after March 1 of the school year and depart on or before Dec. 1 of the next school year, and would authorize average daily attendance funding for those pupils if certain requirements are met, as provided.

**Anticipated Sample Policy Impact:** 6175 – Migrant Education Program

**Chapter #:** 483

**Policy Pillar:** Ensure Achievement for All, Secure Fair Funding

**Effective:** Jan. 1, 2024

**CSBA Position:** No official position

*An act to add Section 41601.6 to the Education Code, relating to migrant education.*

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## **Senate Bill 115 (Skinner) – Budget Act of 2021**

The Budget Act of 2021 made appropriations for the support of state government for the 2021–22 fiscal year. A full listing of the funding and budget provisions contained in this follow-up law to the Budget Act of 2021 can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 2

**Policy Pillar:** Secure Fair Funding

**Effective:** Feb. 9, 2022

**CSBA Position:** No official position

*An act to amend the Budget Act of 2021 (Chapters 21, 69, and 240 of the Statutes of 2021) by amending Items 3860-001-0001, 4265-001-0001, 4265-111-0001, 4300-001-0001, 5180-101-0001, 5180-101-0890, and 5225-001-0001 of, and adding Items 0690-011-0001, 0690-021-3398, 2240-401, 4260-112-0001, 4265-021-3398, and 5225-021-3398 to, Section 2.00 of, and amending Sections 11.96, 19.56, 19.57, and 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*



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## **Senate Bill 119** (*Skinner*) – Budget Act of 2021

The Budget Act of 2021 made appropriations for the support of state government for the 2021–22 fiscal year. A full listing of the funding and budget provisions contained in this follow-up law to the Budget Act of 2021 can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 9

**Policy Pillar:** Secure Fair Funding

**Effective:** March 14, 2022

**CSBA Position:** No official position

*An act to amend the Budget Act of 2021 (Chapters 21, 69, and 240 of the Statutes of 2021) by amending Items 3850-101-0001 and 8120-002-0001 of, and adding Item 0890-490 to, Section 2.00 of, and amending Sections 19.56, 19.57, and 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*

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## **Senate Bill 154** (*Skinner*) – Budget Act of 2022

This initial budget act makes appropriations for the support of state government for the 2022–23 fiscal year, but the majority of education provisions were carried out in follow-up trailer bills. A full listing of the funding and budget provisions contained in this initial law can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 43

**Policy Pillar:** Secure Fair Funding

**Effective:** June 27, 2022

**CSBA Position:** No official position

*An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, relating to the state budget, to take effect immediately, budget bill.*



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## **Senate Bill 184** (Committee on Budget and Fiscal Review) – Health

This follow-up law to the Budget Act of 2022 makes statutory revisions affecting health programs necessary to implement the budget. A full listing of the funding and budget provisions contained in this law can be viewed online [here](#).

**Anticipated Sample Policy Impact:** None

**Chapter #:** 47

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend Sections 15432, 15451.5, 100800, 100820, and 100825 of, and to add Section 12534 to, the Government Code, to amend Sections 120475, 120511, 122440, 127691, 127692, 127694, 127695, 127696, 128205, 128210, 128230, and 128235 of, to amend and repeal Section 104395 of, to add Sections 1385.035, 11831.1, 11834.28, 11839.6.1, 124024, and 124110.5 to, to add Article 7 (commencing with Section 101320) to Chapter 3 of Part 3 of Division 101 of, to add Article 2.3 (commencing with Section 123451) to Chapter 2 of Part 2 of Division 106 of, to add Chapter 2.6 (commencing with Section 127500) to Part 2 of Division 107 of, and to add Article 2 (commencing with Section 128250) to Chapter 4 of Part 3 of Division 107 of, and to repeal Sections 128215, 128220, and 128225 of the Health and Safety Code, to amend, repeal, and add Section 12693.74 of, and to add Section 10181.35 to, the Insurance Code, to add Part 4.6 (commencing with Section 1490) to Division 2 of the Labor Code, to amend Sections 1001.36, 1026, 1026.2, 1369, 1370, 1370.6, 1372, 1602, 1603, 1604, 2603, and 4019 of, and to repeal Section 1369.1 of, the Penal Code, to amend Sections 18914 and 18916 of the Revenue and Taxation Code, and to amend Sections 4335.2, 4361, 5328, 5848.5, 5961.5, 7276, 7279, 7281, 7290, 14005.22, 14005.26, 14005.37, 14005.64, 14007.8, 14007.9, 14011.10, 14011.66, 14011.7, 14087.46, 14105.075, 14105.192, 14105.48, 14124.12, 14132.100, 14132.88, 14132.98, 14138.1, 14138.12, 14138.13, 14138.14, 14138.15, 14138.16, 14138.17, 14138.23, 14148, 14148.8, 14170.8, 14184.201, 14184.206, 14184.400, 14184.405, 14184.405, 14184.800, 14186.3, 14197, 14197.04, 14197.2, 15826, 15854, and 16501.3 of, to amend the heading of Article 4.1 (commencing with Section 14138.1) of Chapter 7 of Part 3 of Division 9 of, to amend, repeal, and add Sections 14005.12, 14005.13, 14105.2, 15832, and 15840 of, to add Sections 4336, 4361.7, 5325.3, 14005.255, 14105.197, 14132.57, 15849, and 15854.5 to, to add Chapter 16.5 (commencing with Section 18998) to Part 6 of Division 9 of, to add and repeal Section 4360.5 of, to repeal Sections 7284, 7285, 7286, 7287, 7291, 7292, 14005.225, 14138.11, and 14138.19 of, and to repeal and add Sections 14132.725, 14132.731, 14138.10, 14138.18, 14138.21, and 14138.22 of, the Welfare and Institutions Code, relating to health, and making an appropriation therefor, to take effect immediately, bill related to the budget.*



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## **Senate Bill 191** (*Committee on Budget and Fiscal Review*) – Employment

This follow-up law to the Budget Act of 2022 makes changes to implement the labor, workforce and employment provisions adopted in the budget. A full listing of the funding and budget provisions contained in this law can be viewed online [here](#).

**Anticipated Sample Policy Impact:** 4140/4240/4340 – Bargaining Units; 6178 – Career Technical Education

**Chapter #:** 67

**Policy Pillar:** Secure Fair Funding

**Effective:** June 30, 2022

**CSBA Position:** No official position

*An act to amend Sections 19819.6, 20825.12, and 20825.13 of, amend, repeal, and add Section 3556 of, and to add Section 20825.14 to, the Government Code, to amend Sections 151, 2671, 2673.1, 2675.5, 3073.1, 3073.5, 3084.5, and 3093 of, to add Section 3073.2 to, to add Article 5 (commencing with Section 3110) to Chapter 4 of Division 3 of, to add Article 6 (commencing with Section 3120) to Chapter 4 of Division 3 of, and to add Chapter 4.4 (commencing with Section 107.7) to Division 1 of, the Labor Code, and to amend Sections 322, 1030, 1032.5, 1260, 1328, 1330, 1332, 1376, 1379, 1383, 2707.2, 2707.4, 2736, 2739, 3262, 3654.4, 3655, 3656, 3701, 3751, 4655, 4656, 4701, and 4751 of, and to add and repeal Article 7 (commencing with Section 9920) of Chapter 2 of Part 1 of Division 3 of, the Unemployment Insurance Code, relating to employment, and making an appropriation therefor, to take effect immediately, bill related to the budget.*



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## **Senate Bill 963 (Laird) – Historical preservation: California Cultural and Historical Endowment: grant programs**

The California Cultural and Historical Endowment Act establishes the California Cultural and Historical Endowment in the Natural Resources Agency. Among other things, the act authorizes the endowment to make grants and loans on a competitive basis to public agencies and nonprofit organizations, as defined, to encourage development of California’s historical and cultural resources. Current law, to the extent funding is available, requires the endowment to establish a program to assist and enhance the services of California’s museums and of other groups and institutions that undertake cultural projects that are deeply rooted in and reflective of previously underserved communities. Current law requires the program to give priority to certain museum and cultural programs and projects, as provided. This law revises and recasts those provisions to, among other things, instead require the endowment to establish a competitive grant program to assist and enhance the services of museums in the state that undertake programs and projects that are deeply rooted in and reflective of underserved communities. The law instead requires the grant program to give priority to those programs and projects (A) serving pupils and teachers at schools eligible to be served under Title I, Part A of the federal Elementary and Secondary Education Act, (B) serving children in low-income communities, (C) supporting a museum in engaging or collaborating with underserved communities, as specified, (D) advancing preservation of at-risk cultural and natural collections and historic buildings, as provided, (E) improving access to historic buildings, cultural sites, or museums, as specified, (F) supporting the ethical stewardship of culturally sensitive art and artifacts, as provided, or (G) educating the public about critical issues affecting Californians.

Existing law authorizes the California Cultural and Historical Endowment to create a specified competitive grant program to support, among other things, small capital projects in museums. Existing law requires funding for the grant program to only be made, upon appropriation by the Legislature, from certain collected funds. This law expands that authority to support capital projects in museums, without regard to size, and publications in museums. The law deletes the funding limitation for the grant program.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 300

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 20090, 20091, and 20092 of the Education Code, relating to historical preservation.*



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## Governance

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### **Assembly Bill 2158 (Fong) – Local educational agencies: ethics training**

Current law requires a local agency to provide information on available ethics training to its officials and authorizes a local agency or an association of local agencies to offer the ethics training, as provided. Current law requires a local agency to maintain specified records related to the ethics training of its officials. Current law defines “local agency” and “local agency official” for these purposes. This law includes in the definition of “local agency” a school district, county office of education and charter school for purposes of those ethics training requirements and would include in the definition of “local agency official” a member of the governing board of a school district, a county board of education, or the governing body of a charter school, whether or not the member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties. This law requires each of those members in service as of Jan. 1, 2025, except for members whose term of office ends before Jan. 1, 2026, to receive that ethics training before Jan. 1, 2026, and at least once every 2 years thereafter.

**Anticipated Sample Policy Impact:** 9240 – Board Training; 9270 – Conflict of Interest

**Chapter #:** 279

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2025

**CSBA Position:** Support

*An act to amend Sections 53234, 53235, and 53235.1 of the Government Code, relating to local government.*





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## **Assembly Bill 2449 (B. Rubio) – Open meetings: local agencies: teleconferences**

Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This law revises and recasts those teleconferencing provisions and, until Jan. 1, 2026, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the law authorizes a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation are contingent on a request to, and action by, the legislative body, as prescribed. The law, until Jan. 1, 2026, authorizes a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made.

This law imposes prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The law requires the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This law makes legislative findings to that effect.

**Anticipated Sample Policy Impact:** 9320 – Meetings and Notices

**Chapter #:** 285

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend, repeal, and add Sections 54953 and 54954.2 of the Government Code, relating to local government.*



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## **Assembly Bill 2582** (*Bennett*) – Recall elections: local offices

The California Constitution reserves to the electors the power to recall an elective officer and requires the Legislature to provide for recall of local officers. Current law requires a recall election to include the question of whether the officer sought to be recalled shall be removed from office and an election for the officer's successor in the event the officer is removed from office. This law instead requires a recall election for a local officer to include only the question of whether the officer sought to be recalled shall be removed from office. If a local officer is removed from office in a recall election, the law provides that the office is vacant until it is filled according to law.

**Anticipated Sample Policy Impact:** 9220 – Governing Board Elections; 9223 – Filling Vacancies

**Chapter #:** 790

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Oppose Unless Amended

*An act to amend Sections 11041, 11322, 11381, 11384, 11385, and 11386 of, and to add Section 11382 to, the Elections Code, relating to elections.*

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## **SPONSOR** **Assembly Bill 2584** (*Berman*) – Recall elections

Current law authorizes a registered voter of an electoral jurisdiction to seek the recall of an officer of that jurisdiction by publishing or posting a notice of intention to circulate a recall petition. Current law requires the notice of intention to contain, among other things, a statement of the reasons for the proposed recall and the signatures of a specified number of proponents of the recall. Under current law, within seven days of the filing of the notice of intention, the officer sought to be recalled may file an answer to the proponents' statement of reasons for the recall. Current law requires a recall petition to include, among other things, the notice of intention and the officer's answer. This law increases the number of signatures required to be included in the notice of intention, with the total number of necessary signatures determined by the type of office held by the officer sought to be recalled, as provided. The law requires, for a recall of a member of the governing board of a school district, the recall petition to include an estimate of the cost of conducting the special election. The law requires, for a recall of a local officer, the county elections official to make a copy of the recall petition available for public examination for 10 days, as provided. The law authorizes a voter of the applicable electoral jurisdiction or the elections official, during those 10 days, to seek a writ of mandate or injunction requiring any or all of the statement of the proponents or the answer of the officer to be amended or deleted. The law requires a court to issue a writ of mandate or injunction only upon clear and convincing proof that the material in question is false, misleading or inconsistent with the applicable requirements for recall petitions.

Existing law requires the governing board of a local government entity to issue an order calling an election if the elections official certifies to the board that the recall proponents gathered sufficient signatures to hold a recall election for an officer of the local government entity. Existing law requires the election to be held not less than 88 days and not more than 125 days from the issuance of the order. This law permits the election to be consolidated with a regularly scheduled election conducted within 180 days after the issuance of the order.

**Anticipated Sample Policy Impact:** 9220 – Governing Board Elections; 9223 – Filling Vacancies

**Chapter #:** 791

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Sponsor

*An act to amend Sections 11020, 11022, 11024, 11041, and 11242 of, and to add Section 11042.5 to, the Elections Code, relating to elections.*

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### **Assembly Bill 2647 (Levine) – Local government: open meetings**

Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This law instead requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

**Anticipated Sample Policy Impact:** 9322 – Agenda/Meeting Materials

**Chapter #:** 971

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to amend Section 54957.5 of the Government Code, relating to local government.*

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### **Senate Bill 997 (Pan) – Local Control and Accountability Plans: parent advisory committee: student advisory committee**

This law requires, beginning July 1, 2024, the governing board of a school district serving middle school or high school pupils and a county superintendent to either include at least two pupils as full members of the parent advisory committee to serve for a renewable term of one full school year, or to establish a student advisory committee as specified. The law requires a school district and a county superintendent to take into consideration that the pupil members of a parent advisory committee or student advisory committee represent the specified diversity of the school district or county's pupils and provides that particular effort should be made to reach out to at-risk or disadvantaged pupils to serve as members of a parent advisory committee or student advisory committee.

**Anticipated Sample Policy Impact:** 0460 – Local Control and Accountability

**Chapter #:** 922

**Policy Pillar:** Ensure Achievement for All, Strengthen Local Governance

**Effective:** July 1, 2024

**CSBA Position:** No official position

*An act to amend, repeal, and add Sections 52063 and 52069 of the Education Code, relating to school accountability.*



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## **Senate Bill 1057** (*Committee on Education*) – Elementary and secondary education: omnibus bill

This annual omnibus bill makes various technical, conforming and clarifying revisions to the Education Code. This year's law makes revisions regarding school district organization, the definition of component districts, classes conducted on Saturdays and holidays, the Science, Technology, Engineering, Math (STEM) & Career Technical Education Educator Credentialing (CTEEC) Program, community advisory committees and more. A full listing of this law's provisions can be found online [here](#).

**Anticipated Sample Policy Impact:** 1220 – Citizen Advisory Committees; 5113.1 – Chronic Absence and Truancy; 6176 – Weekend/Saturday Classes

**Chapter #:** 301

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 35147, 35540, 35541, 35710.5, 35711, 35722, 35756, 37223, 44227.2, 48260.5, and 48264.5 of the Education Code, relating to elementary and secondary education.*

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## **SPONSOR** **Senate Bill 1061** (*Laird*) – School district and community college district elections: special elections: petition requirements: election timing

Under existing law, whenever a school district or community college district vacancy occurs, or if a resignation has been filed with the county superintendent creating a deferred effective date, the school district or community college district governing board is required, within 60 days of the vacancy or the filing of the deferred resignation, either to order an election or to make a provisional appointment. Existing law provides that if a provisional appointment is made, the registered voters of the district may, within 30 days, petition for a special election to fill the vacancy. Existing law requires that a special election be called if specified signature thresholds are met and requires special election petitions to contain the elections official's estimate of the cost of conducting the special election, as provided. This law requires the special election petition to also contain that cost estimate expressed on a per-pupil or per-student basis.

Existing law requires the county superintendent, upon finding that the petition is legally sufficient, to terminate the provisional appointment and order a special election to be conducted no later than the 130th day after the determination, or between the 130th day and the 150th day following the order of the election, as provided. This law instead requires the special election to be conducted not less than 88, nor more than 125, days following the order of the election, except that the law authorizes the election to be conducted within 180 days after the issuance of the order so that the election may be consolidated with a regularly scheduled election.

**Anticipated Sample Policy Impact:** 9220 – Governing Board Elections

Chapter Number: 831

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Sponsor

*An act to amend Section 5091 of the Education Code, relating to elections.*



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## **Senate Bill 1100** (Cortese) – Open meetings: orderly conduct

Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This law authorizes the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The law, except as provided, requires removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The law authorizes the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The law defines "disrupting" for this purpose.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This law makes legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose. This law makes legislative findings to that effect.

**Anticipated Sample Policy Impact:** 9323 – Meeting Conduct

**Chapter #:** 171

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to add Section 54957.95 to the Government Code, relating to local government.*



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## Health and Wellness

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### **Assembly Bill 32** (*Aguiar-Curry*) – Telehealth

Under current law, federally qualified health center (FQHC) services and rural health clinic (RHC) services are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is available, to providers on a per-visit basis. “Visit” is defined as a face-to-face encounter between an FQHC or RHC patient and any of specified health care professionals. Under current law, “visit” also includes an encounter between an FQHC or RHC patient and specified medical professionals when services delivered through that interaction meet the applicable standard of care. Current law prohibits an FQHC or RHC from establishing a new patient relationship using an audio-only synchronous interaction and authorizes the department to provide specific exceptions to that prohibition, developed in consultation with affected stakeholders and published in departmental guidance. This law will authorize the department to authorize an FQHC or RHC to establish a new patient relationship using an audio-only synchronous interaction when the visit is related to sensitive services, as defined, and authorize an FQHC or RHC to establish a new patient relationship using an audio-only synchronous interaction when the patient requests an audio-only modality or attests they do not have access to video.

**Anticipated Sample Policy Impact:** 5141.6 – School Health Services

**Chapter #:** 515

**Policy Pillar:** Improve Conditions of Children.

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 14132.100 and 14132.725 of the Welfare and Institutions Code, relating to telehealth.*

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### **Assembly Bill 58** (*Salas*) – Pupil health: suicide prevention policies and training

This law will require a local educational agency, on or before Jan. 1, 2025, to review and update its policy on pupil suicide prevention, and revise its training materials, to incorporate best practices identified by the state Department of Education in the department’s model policy. By imposing additional duties on local educational agencies, this law imposes a state-mandated local program. It will also encourage local educational agencies, commencing with the 2024–25 school year, to provide suicide awareness and prevention training to teachers of pupils in all of the grades served by the LEA. The law requires the department, on or before June 1, 2024, to complete the development of, and issue to LEAs, resources and guidance on how to conduct suicide awareness and prevention training remotely.

**Anticipated Sample Policy Impact:** 0420.41 – Charter School Oversight; 5141.52 – Suicide Prevention; 5142 – Safety; 5141.5 – Mental Health

**Chapter #:** 428

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Disapprove

*An act to amend Section 215 of the Education Code, relating to pupil health.*

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### **Assembly Bill 748 (Carrillo) – Pupil mental health: mental health assistance posters**

This law will require, on or before the start of the 2023–24 school year, each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 6 to 12, inclusive, to create a poster that identifies approaches and shares resources regarding pupil mental health. The law will require the poster to be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, pupils at each schoolsite, as provided. The law will provide that no basis for civil liability is created by the above provisions for those local educational agencies.

**Anticipated Sample Policy Impact:** 5141.52 – Suicide Prevention; 5141.5 – Mental Health

**Chapter #:** 431

**Policy Pillar:** Ensure Achievement for All

**Effective:** On or before the start of the 2023–24 school year

**CSBA Position:** Support

*An act to add Section 49428.5 to the Education Code, relating to pupil health.*

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### **Assembly Bill 1758 (Aguiar-Curry) – Board of Behavioral Sciences: marriage and family therapists: clinical social workers: professional clinical counselors: supervision of applicants for licensure via videoconferencing**

Under the Licensed Marriage and Family Therapist Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act, applicants for licensure are required to comply with specified educational and experience requirements, including, but not limited to, hours of supervised experience and direct supervisor contact. Current law defines “one hour of direct supervisor contact” for purposes of those acts to mean one hour of face-to-face contact between the supervisor and the supervisee or supervisees, as specified. Existing law authorizes a supervisee working in certain exempt settings to obtain the required weekly direct supervisor contact via two-way, real-time videoconferencing. This law, instead, defines “face-to-face contact” for purposes of the definition of “one hour of direct supervisor contact” to mean in-person contact, contact via two-way, real-time videoconferencing, or some combination of these. The law makes the supervisor responsible for ensuring compliance with federal and state laws relating to confidentiality of patient health information. The law requires a supervisor within 60 days of the commencement of supervision to conduct a meeting with the supervisee during which the supervisor is required to assess the appropriateness of allowing the supervisee to receive supervision via two-way, real-time videoconferencing, as specified, and to document the results of that assessment. The law will prohibit the supervisor from utilizing supervision via two-way, real-time videoconferencing if their assessment finds it is inappropriate.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 204

**Policy Pillar:** Ensure Achievement for All

**Effective:** Aug. 29, 2022

**CSBA Position:** No official position

*An act to amend, repeal, and add Sections 4980.43.2, 4996.23.1, and 4999.46.2 of the Business and Professions Code, relating to healing arts, and declaring the urgency thereof, to take effect immediately.*



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## **Assembly Bill 1797 (Weber) – Immunization registry**

Current law authorizes local health officers and the state Department of Public health to operate immunization information systems. Current law, except as provided, authorizes health care providers and other agencies, including, among others, schools, child care facilities, family child care homes and county human services agencies, to disclose specified immunization information with local health departments and the state Department of Public Health, and authorizes local health departments and the department to disclose that same information to each other and to health care providers, schools, child care facilities, family child care homes and county human services agencies, among others, as specified. Current law specifies the immunization, patient or client information that may be disclosed, which includes, among other things, patient or client demographic information, immunization data, adverse reactions to the immunization, or other information needed to identify the patient or client or to comply with other laws. This law will instead require health care providers and other agencies, including schools, childcare facilities, family childcare homes and county human services agencies to disclose the specified immunization information, and would add the patient's or client's race and ethnicity to the list of information that shall or may be disclosed.

Existing law requires schools, child care facilities, family child care homes and county human services agencies to maintain the confidentiality of the specified immunization information and to only use the information for specified purposes, including to carry out their responsibilities regarding required immunization for attendance or participation benefits, or both. This law will, until Jan. 1, 2026, additionally authorize schools, child care facilities, family child care homes and county human services agencies to use the specified immunization information, for the COVID-19 public health emergency, to perform immunization status assessments of pupils, adults, and clients to ensure health and safety.

**Anticipated Sample Policy Impact:** 0470 – COVID-19 Mitigation Plan; 5141.31 – Immunizations; 5141.32 – Health Screening For School Entry

**Chapter #:** 582

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend, repeal, and add Section 120440 of the Health and Safety Code, relating to immunization registry.*





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## **Assembly Bill 1810 (Levine) – Pupil health: seizure disorders**

This law will, if a pupil diagnosed with seizures, a seizure disorder, or epilepsy and has been prescribed an emergency anti-seizure medication by the pupil's health care provider, authorize the pupil's local educational agency, upon receipt of a request from the pupil's parent or guardian, to designate one or more volunteers at the pupil's school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication. The law will require the Superintendent of Public Instruction to establish minimum standards of training for the administration of emergency anti-seizure medication, as provided. The law will authorize a school nurse or, if the school does not have a school nurse or the school nurse is not onsite or available, a volunteer who has been designated and received training regarding the emergency use of anti-seizure medication, to administer emergency anti-seizure medication to a pupil diagnosed with seizures, a seizure disorder, or epilepsy if the pupil is suffering from a seizure. The law will require any LEA or school upon receipt of a parent or guardian's request to distribute a related notice at least once per school year to all staff. Before administering emergency anti-seizure medication or therapy prescribed to treat seizures in a pupil diagnosed with seizures, a seizure disorder or epilepsy, the law will require an LEA to obtain from the pupil's parent or guardian a seizure action plan that includes specified information.

**Anticipated Sample Policy Impact:** 5141.21 – Administering Medication and Monitoring Health Conditions;

**Chapter #:** 906

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to add Article 4.6 (commencing with Section 49468) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil health.*

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## **Assembly Bill 2329 (Carrillo) – Pupil health: eye examinations: schoolsites**

This law authorizes a local educational agency to enter into a memorandum of understanding with a nonprofit eye examination provider, including, but not limited to, a nonprofit mobile eye examination provider, as defined, to provide noninvasive eye examinations consisting of providing eyeglasses to pupils at any schoolsite within the LEA. The law requires eye examinations provided pursuant to its provisions to be supplemental to, and to not replace, the above-referenced vision appraisals or screenings provided pursuant to existing law. The law requires a school to provide parents and guardians with an opportunity to opt out their child from receiving these eye care services, as provided. The law requires the state Department of Education to develop and post on appropriate department websites a model opt-out form for these purposes. The law provides that participating licensed health care professionals shall have immunity from civil and criminal liability and immunity from any disciplinary actions from a professional licensing board for, and participating LEAs shall have immunity from civil and criminal liability for, providing authorized services without parent or guardian consent, except as provided.

**Anticipated Sample Policy Impact:** 5141.3 – Health Examinations

**Chapter #:** 911

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Approve

*An act to add Section 49455.5 to the Education Code, relating to pupil health.*



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### **Assembly Bill 2640** (*Valladares*) – Pupil health: food allergies: California Food Allergy Resource internet web page

This law requires the state Department of Education to create the California Food Allergy Resource internet web-page to provide voluntary guidance to school districts, county offices of education and charter schools to help protect pupils with food allergies. The law requires the department to ensure that the internet web page provides practical information, planning steps and strategies for reducing allergic reactions to food within schools and early education centers. The law requires the webpage to include specified content, including state and federal resources available to pupils with food allergies, methods for pupils, or their parents and guardians, to initiate individualized food allergy management and prevention plans and to obtain food ingredient lists from school food providers, and strategies to minimize the risk of food anaphylaxis in school. The law encourages local educational agencies to consult the webpage and use it as an equitable resource to ensure the inclusiveness of pupils with food allergies at school and to make it available to pupils, parents and guardians annually.

**Anticipated Sample Policy Impact:** 5141.27 – Food Allergies/Special Dietary Needs

**Chapter #:** 794

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 49414.2 to the Education Code, relating to pupil health.*

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### **Senate Bill 1184** (*Cortese*) – Confidentiality of Medical Information Act: school-linked services coordinators

The Confidentiality of Medical Information Act prohibits a provider of health care, a health care service plan or contractor from disclosing medical information, as defined, regarding a patient of the provider of health care or an enrollee or subscriber of the health care service plan without first obtaining an authorization, except as prescribed. The act authorizes a provider of health care or a health care service plan to disclose medical information in certain circumstances, including by authorizing disclosure to providers of health care, health care service plans, contractors, or other health care professionals or facilities for purposes of diagnosis or treatment of the patient. This law additionally authorizes a provider of health care or a health care service plan to disclose medical information to a school-linked services coordinator, as prescribed. The law defines the term “school-linked services coordinator” as an individual located on a school campus or under contract by a county behavioral health provider agency for the treatment and health care operations and referrals of students and their families that holds any of certain credentials, including a services credential with a specialization in pupil personnel services, as specified.

**Anticipated Sample Policy Impact:** 4154/4254/4354 – Health And Welfare Benefits

**Chapter #:** 993

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to amend Section 56.10 of the Civil Code, relating to medical information.*

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## **Senate Bill 1428** (*Archuleta*) – Psychological testing technicians

The Psychology Licensing Law provides for the licensure and regulation of psychologists by the Board of Psychology. The act prohibits a person from engaging in the practice of psychology or representing that the person is a psychologist without a license, except as specified, and makes any violation of the act a crime. Current law authorizes a person other than a licensed psychologist to register with the board as a registered psychological associate and perform specified psychological functions if specified requirements are met. This law, on and after Jan. 1, 2024, authorizes a person who is registered with the board as a psychological testing technician to administer and score standardized objective psychological and neuropsychological tests and observe and describe clients' test behavior and responses. The law sets forth specified requirements for registration as a psychological testing technician, including submitting an application to the board and attesting under penalty of perjury that the information in the application is true and correct. By expanding the scope of the Psychology Licensing Law, the violation of which is a crime, this law imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This law provides that no reimbursement is required by this act for a specified reason.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 622

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2024

**CSBA Position:** No official position

*An act to amend Section 2987 of, and to add Article 10 (commencing with Section 2999.100) to Chapter 6.6 of Division 2 of, the Business and Professions Code, relating to healing arts.*



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## **Senate Bill 1479 (Pan) – COVID-19 testing in schools: COVID-19 testing plans**

This law requires the state Department of Public Health to coordinate specified school district, county office of education and charter school COVID-19 testing programs that are currently federally funded or organized under the California COVID-19 Testing Task Force, as provided. The law authorizes the department to provide supportive services, including technical assistance, vendor support, guidance, monitoring and testing education, related to testing programs for teachers, staff and pupils to help schools reopen and keep schools operating safely for in-person learning. The law also encourages the department to expand its contagious, infectious or communicable disease testing guidance and other public health mitigation efforts to include prekindergarten and child care centers, as provided.

This law requires each local educational agency, defined to mean a school district, county office of education, or charter school, after consulting with its local health department, as defined, to create a COVID-19 testing plan, or adopt the state Department of Public Health’s framework, as defined, that is consistent with guidance from the department, as provided. The law requires each LEA to publish the testing plan on its internet website. The law authorizes each LEA to designate one staff member to report information on its COVID-19 testing program to the department, as provided. The law requires that all COVID-19 testing data be in a format that facilitates a simple process by which parents and local educational agencies may report data to the department or a local health department, as provided. The law requires the department to determine which COVID-19 tests are appropriate for the testing program.

The law makes the implementation of these provisions contingent upon an appropriation by the Legislature and repeals these provisions on Jan. 1, 2026.

**Anticipated Sample Policy Impact:** 0470 – COVID-19 Mitigation Plan; 1113 – District and School Web Sites

**Chapter #:** 850

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Disapprove

*An act to add and repeal Article 9 (commencing with Section 32096) of Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to public health.*



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## Instruction

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### **Assembly Bill 102 (Holden) – Pupil attendance at community colleges: College and Career Access Pathways partnerships: county offices of education**

Current law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Current law limits the number of pupils a principal is authorized to recommend for a community college summer session pursuant to those provisions to 5 percent of the total number of pupils in any grade level, as specified. Current law, until Jan. 1, 2027, exempts from the 5 percent limitation pupils who meet specified requirements, prohibits the Board of Governors of the California Community Colleges from including enrollment growth attributable to pupils enrolled pursuant to these provisions as part of its annual budget request for the California Community Colleges, and requires the Chancellor of the California Community Colleges to report to the Department of Finance the number of pupils who enrolled and received a passing grade in a community college summer session course under these provisions. This law will extend those provisions indefinitely.

Existing law, until Jan. 1, 2027, authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires a CCAP partnership agreement to, among other things, certify that any remedial course taught by community college faculty at a partnering high school campus to be offered only to high school pupils who do not meet their grade level standard in mathematics, English or both on an interim assessment in grade 10 or 11, as determined by the partnering school district or county office of education, and to involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the pupil's junior or senior year to ensure that the pupil is prepared for college-level work upon graduation. Existing law limits the statewide number of full-time equivalent students claimed as special admits to 10 percent of the total number of full-time equivalent students claimed statewide.

This law specifies that "high school," for purposes of a CCAP partnership, includes a community school, juvenile court school or adult education program, as specified, and will authorize county offices of education to enter into CCAP partnerships with the governing boards of community college districts. The law also requires the above-described certification requirement for certain remedial courses to instead apply to certain pretransfer-level courses, as provided, extends the provisions authorizing CCAP partnerships indefinitely and removes the statewide limit for full-time equivalent students claimed as special admits.

**Anticipated Sample Policy Impact:** 6172.1 – Concurrent Enrollment in College Classes

**Chapter #:** 902

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 48800 and 76004 of the Education Code, relating to community colleges.*



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## **Assembly Bill 1703** (Ramos) – California Indian Education Act: California Indian Education Task Forces

This law will establish the California Indian Education Act and encourage school districts, county offices of education and charter schools to form California Indian Education Task Forces with California tribes local to their regions or tribes historically located in the region. The law encourages task force participants to discuss issues of mutual concern and to work to do all of the following: (1) Develop a thorough, shared understanding of accurate, high-quality curricular materials about the history, culture and government of local tribes, and develop curricular materials for use within local educational agencies that include tribal experiences and perspectives and teach about the history, culture and government of local tribes; (2) Develop a shared understanding of proper or improper instructional material when these materials use depictions of Native Americans; (3) Encourage local educational agencies to adopt curriculum developed by the California Indian Education Task Forces, in order to ensure that all pupils learn about the history, culture, government and experiences of their Indian peers and neighbors, and to ensure that Indian pupils are more engaged and learn more successfully; and (4) Identify the extent and nature of the achievement gap between Indian pupils and other pupils, and identify the strategies necessary to close it. The law will require California Indian Education Task Forces to submit, within one year of formation and annually thereafter, a report of findings to the department, as provided. The law will require the department to submit, within one year of receiving task force reports and annually thereafter, a report to certain education committees of both houses of the Legislature regarding the narrowing of the achievement gap and the adoption of curriculum, as provided. The law will authorize California Indian Education Task Forces to submit curricular materials to the county office of education, or consortium of county offices of education, that contracted to develop the model curricula related to Native American studies. The law will require the contracted county office of education, or consortium of county offices of education, to consider these submitted materials for inclusion in the model curriculum.

**Anticipated Sample Policy Impact:** 1400 – Relations Between Other Governmental Agencies And The Schools; 6173.4 – Title VI Indian Education Program

**Chapter #:** 477

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*Laws: An act to add Article 7 (commencing with Section 33390) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to California Indian education.*



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### **Assembly Bill 1923** (Mathis) – Partnership academies: science, technology, engineering, and mathematics (STEM)

Current law establishes the California Partnership Academies to promote state–school–private sector partnerships combining academic and vocational training to high school pupils who present a high risk of dropping out of school and motivating them to stay in school and graduate. Current law requires the Superintendent of Public Instruction to issue grants to school districts, as specified, to plan, establish and maintain these academies. Current law requires the Superintendent to establish eligibility criteria for school districts that apply for these grants. This law requires the Superintendent to prioritize proposals for new partnership academies based upon a school district’s enrollment of unduplicated pupils, pupils from groups historically underrepresented in career technical education or science, technology, engineering and mathematics (STEM) programs or professions, and at-risk pupils. The law authorizes the Superintendent to also prioritize school districts located in a rural or economically disadvantaged area. The law, for purposes of the partnership academy requirements, expressly includes STEM courses anytime career technical education courses are referenced.

**Anticipated Sample Policy Impact:** AB 6178 – Career Technical Education

**Chapter #:** 114

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 54690, 54692, and 54693 of the Education Code, relating to partnership academies.*

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### **Assembly Bill 2028** (Davies) – Pupil instruction: bicycle and scooter safety instruction

Current law provides that the governing board of any school district having jurisdiction over any elementary, intermediate or junior high school may provide time and facilities to any local law enforcement agency having jurisdiction over the schools of the district, for bicycle safety instruction. This law instead authorizes the governing board of any school district having jurisdiction over any elementary, intermediate, junior high or high school to provide time and facilities to any local law enforcement agency having jurisdiction over the schools of the district, for bicycle, scooter, electric bicycle, motorized bicycle or motorized scooter safety instruction.

**Anticipated Sample Policy Impact:** 5142 – Safety; 5142.2 – Safe Routes to School Program

**Chapter #:** 116

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 51860 of the Education Code, relating to pupil instruction.*



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## **Senate Bill 532 (Caballero) – Pupil instruction: high school coursework and graduation requirements: exemptions and alternatives**

Current law requires a local educational agency, as defined, to exempt a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child who transfers between schools any time after the completion of the pupil's second year of high school, or a pupil participating in an English language proficiency program for newly arrived immigrant pupils and who is in their third or fourth year of high school, from all coursework and other requirements adopted by the governing body of the LEA that are in addition to the statewide coursework requirements necessary to receive a diploma of graduation from high school, unless the LEA makes a finding that the pupil is reasonably able to complete the LEA's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school. This law, among other things, requires the LEA to instead consult with a pupil described-above and the person holding the right to make educational decisions for the pupil, of the option to remain in school for a fifth year if the LEA determines the pupil is reasonably able to complete the LEA's graduation requirements within the pupil's fifth year of high school and would, until Jan. 1, 2028, require that consultation and option to be provided if the LEA determines the pupil is not reasonably able to complete the local graduation requirements within a fifth year but is reasonably able to complete the statewide graduation requirements within the pupil's fifth year of high school, as provided. If the pupil does not qualify for an exemption in the year in which the pupil transfers between schools, the law requires the LEA to re-evaluate the pupil's eligibility for the exemption, as specified. The law applies these provisions to, among others, pupils described above who are enrolled in an adult education program, regardless of the pupil's age, as specified, and certain additional pupils in foster care.

Existing law requires a school district, county office of education or a school within those entities, or a charter school, to accept full credit or partial credits for coursework satisfactorily completed by certain pupils at a prior school and prohibits a requirement for the pupil to retake that coursework at the new school, except as specified. Existing law requires any partial credits to be applied to an equivalent course at the new school, as specified. This law requires the transferring school or entity to issue and the new school or entity to accept and issue those credits on their respective official transcript for the pupil, as specified. The law requires a new school or entity that enrolls a pupil with a transcript that it knows does not include any of those credits to contact the transferring school or entity within two business days and the transferring school or entity to issue the appropriate credits and provide all academic and other records to the new school or entity within two business days of the request.

Existing law establishes procedures for the transfer of pupils in foster care between schools and requires the transferring LEA to compile the complete educational record of the pupil, including a determination of seat time, full or partial credits earned, and current classes and grades. This law requires the educational record to also include a determination of days of enrollment or seat time, or both if applicable, and an official transcript with full and partial credits earned, or any measure of full or partial coursework being satisfactorily completed, as provided.

**Anticipated Sample Policy Impact:** 6146.1 – High School Graduation Requirements

**Chapter #:** 918

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 49069.5, 51225.1, and 51225.2 of the Education Code, relating to pupil instruction.*





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**Senate Bill 941 (Portantino) – Local educational agency instruction collaboration agreements: science, technology, engineering, and mathematics: dual language immersion programs**

Current law also authorizes the governing board of a school district to accept pupils from other school districts by adopting a resolution to become a school district of choice, as defined, in accordance with specified procedural requirements and limitations. This law authorizes the governing board of a school district, a county board of education or the governing body of a charter school to enter into an agreement with one or more local educational agencies to offer the same or similar corresponding individual courses and coursework to pupils from other local educational agencies who have been impacted by disruptions, cancellations or teacher shortages in science, technology, engineering or mathematics (STEM) classes, or dual language immersion programs, as provided. The law requires a local educational agency subject to the agreement to accept pupils through an unbiased process that prohibits an inquiry into, or evaluation or consideration of, specified pupil characteristics, as provided, to hold random drawings to determine approval for study when the number of pupils seeking a classroom opportunity exceeds the available number of seats in a classroom, as provided, and to publicly post certain information related to these opportunities. The law requires the department, on or before Jan. 1, 2028, to evaluate the success of these LEA collaborations, as provided. This law makes these provisions inoperative on July 1, 2029, and repeals them as of Jan. 1, 2030.

**Anticipated Sample Policy Impact:** 5117 – Interdistrict Attendance; 6142.92 – Mathematics Instruction; 6142.93 – Science Instruction; 6174 – Education for English Learners; 6178 – Career Technical Education

**Chapter #:** 711

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add and repeal Article 9.5 (commencing with Section 48345) of Chapter 2 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil instruction.*



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## **Senate Bill 1299 (Min) – Pupil instruction: California State Summer School for Mathematics and Science: eligibility: funding: tuition and application fee**

Current law establishes the California State Summer School for Mathematics and Science to provide academic development to enable pupils, including pupils who are not California residents, with demonstrated academic excellence in mathematics and science who meet one of three specified enrollment criteria to receive intensive educational enrichment in these subjects and to provide an opportunity for pupils who wish to study mathematics or science or to pursue careers that require a high degree of skills in and knowledge of mathematics and science. Current law requests the Regents of the University of California to operate the summer school. Current law states the Legislature's intent that the Regents of the University of California adopt policies that will enable pupils who are not California residents, including residents of other countries, to be admitted to the summer school. This law limits the eligibility criteria to certain pupils from a California school and would delete provisions related to the admission of pupils who are not California residents to the summer school.

Current law, until Jan. 1, 2023, requests the regents to develop and implement a statewide application procedure for the summer school, as specified, and requires that the cost of the application process be at least partially offset by charging each applicant a fee not to exceed \$30. Current law, until Jan. 1, 2023, also requests the regents to set a tuition fee within a range that corresponds to actual program costs, up to but not exceeding \$2,810 per session in 2012 and to increase this fee by an amount of up to 5 percent each year thereafter. This law instead sets the application fee at \$40 in 2023, and authorizes this fee to be increased by an amount of up to 5 percent each year thereafter. The law requests the regents to set a tuition fee for the summer school within a range that corresponds to actual program costs, up to but not exceeding \$4,770 per session in 2023, and to increase this fee by an amount of up to 5 percent each year thereafter. The law extends these provisions until Jan. 1, 2028.

**Anticipated Sample Policy Impact:** 6177 – Summer Learning Programs

**Chapter #:** 334

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 8662, 8664, 8669, and 8669.1 of, and to repeal Section 8663 of, the Education Code, relating to pupil instruction.*



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## Labor and Human Resources

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### **Assembly Bill 152** (*Committee on Budget*) – COVID-19 relief: supplemental paid sick leave

This law extends the expiration date of COVID-19 supplemental paid sick leave from Sept. 30, 2022, to Dec. 31, 2022. Current law, beginning Jan. 1, 2022, and until Sept. 30, 2022, authorizes an employer to require an employee who is receiving additional supplemental paid sick leave to submit to a second diagnostic test on or after the fifth day after the first positive test that entitled the employee to the additional supplemental paid sick leave and provide documentation of those results. This law further authorizes the employer to require, if that second diagnostic test for COVID-19 is also positive, the employee to submit to a third diagnostic test within no less than 24 hours and requires the employer to provide the second and third diagnostic tests at no cost to the employee and specifies that the employer has no obligation to provide additional COVID-19 supplemental paid sick leave for the employee who refuses to submit to these tests. The law extends those provisions from Sept. 30, 2022, to Dec. 31, 2022.

This law also establishes the California Small Business and Nonprofit COVID-19 Relief Grant Program within GO-Biz to assist qualified small businesses or nonprofits that are incurring costs for COVID-19 supplemental paid sick leave. The law requires GO-Biz to provide grants to qualified small businesses or nonprofits, as defined. The law will repeal these provisions on Jan. 1, 2024.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 736

**Policy Pillar:** Secure Fair Funding

**Effective:** Sept. 29, 2022

**CSBA Position:** No official position

*An act to add and repeal Article 9.1 (commencing with Section 12100.96) of Chapter 1.6 of Part 2 of Division 3 of Title 2 of the Government Code, to amend Sections 248.6 and 248.7 of the Labor Code, and to amend Sections 17158 and 24312 of, and to add and repeal Article 8.1 (commencing with Section 19295.1) of Chapter 5 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to COVID-19 relief, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

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### **Assembly Bill 551** (*Rodriguez*) – Disability retirement: COVID-19: presumption

Current law, until Jan. 1, 2023, establishes a disability retirement presumption that is applicable to the members of various public employee retirement systems who are employed in certain firefighter, public safety officer, and health care job classifications, among others, who test positive for COVID-19, as specified. Existing law requires, if the member retires for disability on the basis, in whole or in part, of a COVID-19-related illness, that it be presumed that the disability arose out of, or in the course of, the member's employment, unless rebutted. This law will extend the operation of the provisions described above until Jan. 1, 2024.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 741

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 7523.2 of the Government Code, relating to retirement.*



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### **Assembly Bill 1041** (*Wicks*) – Employment: leave

This law will expand the class of people for whom an employee may take leave to care for under the California Family Rights Act (CFRA) and the Healthy Workplaces, Healthy Families Act of 2014 to include a designated person. The law defines “designated person” to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship. The law will authorize a designated person to be identified at the time the employee requests the leave and authorize an employer to limit an employee to one designated person per 12-month period.

**Anticipated Sample Policy Impact:** 4161.1/4261.1/4361.1 – Personal Illness/Injury Leave; 4161.2/4261.2/4361.2 – Personal Leaves; 4161.8/4261.8/4361.8 – Family Care And Medical Leave

**Chapter #:** 748

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 12945.2 of the Government Code, and to amend Section 245.5 of the Labor Code, relating to employment.*

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### **Assembly Bill 1667** (*Cooper*) – State Teachers’ Retirement System: administration

The Teachers’ Retirement Law establishes the State Teachers’ Retirement System (STRS) 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 administrated by the Teachers’ Retirement Board (board). Current law also creates the Cash Balance Benefit Program, which is administered by the board, to provide a retirement plan for the benefit of participating employees who provide creditable service for less than 50 percent of full-time. Current law authorizes the board to audit, or cause to be audited, the records of any public agency as often as it deems necessary. This law prescribes various requirements and duties in connection with audits of public agencies by the board. The law requires the board to provide written notice of an intended audit to the affected public agency and to the exclusive representative of the members affected by the audit. The law requires this notice to apprise the public agency and the exclusive representative of the purpose and scope of the intended audit. The law defines “exclusive representative” for purposes of STRS.

**Anticipated Sample Policy Impact:** 4117.1 – Preretirement Part-Time Employment; 4117.14 – Postretirement Employment

**Chapter #:** 754

**Policy Pillar:** Secure Fair Funding

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 24616 and 24617 of, to add Sections 22132.5, 22206.1, 22206.2, 22206.3, 22206.4, 22206.5, 22325, 22326, 23012, and 24616.2 to, and to repeal Section 24616.5 of, the Education Code, and making an appropriation therefor, relating to teachers’ retirement.*

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## **Assembly Bill 1751** (*Daly*) – Workers’ compensation: COVID-19: critical workers

Current law establishes a workers’ compensation system, administered by the Administrative Director of the Division of Workers’ Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Current law defines “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. Current law creates 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. Current law requires 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. Current law also makes a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Current law, until Jan. 1, 2023, allows for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing and whose employer has five or more employees. This law will extend the above-described provisions relating to COVID-19 until Jan. 1, 2024. The law will also expand the above-described provisions applicable to firefighters and police officers to include active firefighting members of a fire department at the state Department of State Hospitals, the state Department of Developmental Services, the Military Department, and the Department of Veterans Affairs and to officers of a state hospital under the jurisdiction of the state Department of State Hospitals and the state Department of Developmental Services.

**Anticipated Sample Policy Impact:** 0470 – COVID-19 Mitigation Plan

**Chapter #:** 758

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 3212.86, 3212.87, and 3212.88 of the Labor Code, relating to workers’ compensation.*

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## **Assembly Bill 1824** (*Committee on Public Employment and Retirement*) – Public employees’ retirement

This law makes technical, conforming and noncontroversial changes to various sections of the Education and Government Codes administered by the California State Teachers’ Retirement System (CalSTRS), the 20 independent county employee retirement associations (commonly referred to as 1937 Act or 37 Act) systems and the California Public Employees’ Retirement System (CalPERS), respectively, for the purposes of continued appropriate and effective administration of these laws.

**Anticipated Sample Policy Impact:** BB 9250 – Remuneration, Reimbursement and Other Benefits

**Chapter #:** 231

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 24602, 26113, 26803, 27100, and 27201 of, and to add Section 27100.5 to, the Education Code, and to amend Sections 20164.5, 31452.7, 31641.4, 31663.25, 31663.26, 31726, 31726.5, 31761, 31762, 31763, 31764, and 31781 of the Government Code, relating to public employees’ retirement.*

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## **Assembly Bill 1876** (*Seyarto*) – Substitute teachers: emergency career substitute teaching permit: employment verification

A regulation adopted by the Commission on Teacher Credentialing establishes requirements relating to the initial issuance of an emergency career substitute teaching permit, including, among others, a requirement for verification by one or more employers of, in the three years immediately preceding the date of application, three consecutive years of at least 90 days per year of day-to-day substitute teaching in either the school district requesting the permit or, if the county office of education is responsible for the assignment of day-to-day substitutes for all the school districts in the county, accumulated from one or more California school districts in the county requesting the permit. This law requires the commission to accept, as an alternative to that verification requirement, verification by an employer or employers of, in the three years immediately preceding the date of application, three consecutive years of at least 90 days per year of day-to-day substitute teaching accumulated from one or more California school districts participating in a consortium with the school district requesting the permit.

**Anticipated Sample Policy Impact:** 4112.2 – Certification

**Chapter #:** 113

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 44300.5 to the Education Code, relating to teacher credentialing.*

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## **Assembly Bill 2085** (*Holden*) – Crimes: mandated reporters

The Child Abuse and Neglect Reporting Act establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including specified health practitioners and social workers, known as “mandated reporters,” to report known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. Current law defines “neglect” for these purposes as the negligent treatment or the maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s welfare. Current law defines “general neglect” as the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred. This law limits the definition of general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness and would provide that general neglect does not include a parent’s economic disadvantage.

**Anticipated Sample Policy Impact:** 5141.4 – Child Abuse Prevention and Reporting

**Chapter #:** 770

**Policy Pillar:** Ensure Achievement for All, Improve Conditions of Children, Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 11165.2, 11166, and 11167 of the Penal Code, relating to crimes.*



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### **Assembly Bill 2188** (*Quirk*) – Discrimination in employment: use of cannabis

This law, on and after Jan. 1, 2024, makes it unlawful for an employer to discriminate against a person in hiring, termination or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the job and away from the workplace, except for pre-employment drug screening, as specified, or upon an employer-required drug screening test that has found the person to have nonpsychoactive cannabis metabolites in their hair, blood, urine or other bodily fluids. The law exempts certain applicants and employees from its provisions, including employees in the building and construction trades and applicants and employees in positions requiring a federal background investigation or clearance, as specified. The law specifies that the law does not preempt state or federal laws requiring applicants or employees to be tested for controlled substances as a condition of employment, receiving federal funding or federal licensing-related benefits or entering into a federal contract.

**Anticipated Sample Policy Impact:** 4030 – Nondiscrimination in Employment; 4112.41/4212.41/4312.41 – Employee Drug Testing; 4112.42 – Drug and Alcohol Testing for School Bus Drivers; 4112.5/4212.5/4312.5 – Criminal Record Check

**Chapter #:** 392

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2024

**CSBA Position:** No official position

*An act to add Section 12954 to the Government Code, relating to employment.*

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### **Assembly Bill 2274** (*B. Rubio*) – Mandated reporters: statute of limitations

Existing law, the Child Abuse and Neglect Reporting Act, makes certain persons, including teachers and social workers, mandated reporters. Under existing law, mandated reporters are required to report whenever the mandated reporter, in their professional capacity or within the scope of their 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. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. Existing law generally requires prosecution of a misdemeanor to commence within one year after commission of the offense. Under existing law, a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be sexual assault may be filed at any time within five years from the date of occurrence of the offense. This law allows a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be child abuse or severe neglect, as defined, to be filed within one year of the discovery of the offense, but in no case later than four years after the commission of the offense.

**Anticipated Sample Policy Impact:** 5141.4 – Child Abuse Prevention and Reporting

**Chapter #:** 587

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 801.6 of, and to add Section 801.8 to, the Penal Code, relating to mandated reporters.*

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## **Assembly Bill 2413 (Carrillo) – Classified school and community college employees: disciplinary hearings: compensation**

This law prohibits the suspension without pay, suspension or demotion with a reduction in pay, or dismissal of a permanent employee of a school district or community college district who timely requests a hearing on charges against the employee before a decision is rendered after the hearing, with exceptions. An exception is made if the governing board or impartial third-party hearing officer finds that at the time discipline was imposed at the conclusion of the initial review process, the employer demonstrated by a preponderance of the evidence that the employee engaged in criminal misconduct, misconduct that presents a risk of harm to pupils or students, staff, or property or committed habitual violations of the district's policies or regulations. If a hearing on the charges will be conducted by an impartial third-party hearing officer pursuant to a collective bargaining agreement, this law authorizes a school district or a community college district to stop paying a permanent employee before a decision is rendered after 30 calendar days from the date the hearing is requested. The law specifies that, to the extent it conflicts with a collective bargaining agreement entered into before Jan. 1, 2023, its terms would not apply to the school district or community college district that is subject to that agreement until the expiration or renewal of the agreement.

**Anticipated Sample Policy Impact:** 4218 – Dismissal/Suspension/Disciplinary Action

**Chapter #:** 913

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Oppose Unless Amended

*An act to amend Sections 45113 and 88013 of the Education Code, relating to school and community college employees.*

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## **Assembly Bill 2556 (O'Donnell) – Local public employee organizations**

This law authorizes a recognized employee organization to charge an employee covered by the Firefighters Procedural Bill of Rights Act for the reasonable cost of representation when the employee holds a conscientious objection or declines membership in the organization and requests individual representation in a discipline, grievance, arbitration or administrative hearing from the organization. The law would apply this authorization only to these proceedings for which the recognized employee organization does not exclusively control the process.

Existing law provides that after any applicable mediation and factfinding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a hearing regarding the impasse, implement its last, best and final offer. This law revises the above-described timeframe to no earlier than 15 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 412

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 3505.7 of, and to add Section 3503.1 to, the Government Code, relating to public employment.*





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## **Senate Bill 868** (*Cortese*) – State teachers’ retirement: supplemental benefits

Current law, the Teachers’ Retirement Law, establishes the State Teachers’ Retirement System (STRS) 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. Current law creates the Teachers’ Retirement Fund and establishes within that fund a segregated account named the supplemental benefit maintenance account. Current law continuously appropriates funds in the supplemental benefit maintenance account for expenditure for the purpose of restoring the purchasing power of the allowances of retired members and nonmember spouses, disabled members and beneficiaries, and prescribes various schedules pursuant to which these allowances are augmented. This law prescribes additional benefits to be paid quarterly from the supplemental benefit maintenance account, beginning July 1, 2023, to retired members and nonmember spouses, disabled members and beneficiaries, to be made pursuant to a specified schedule. By providing for additional payments to be made from a continuously appropriated fund, this law makes an appropriation. The law requires the amount of these increases to be determined on July 1, 2023, as specified, and would require that amount to be increased each year commencing on July 1, 2024, but not compounded. The law specifies that these increases are not part of the base allowance, are payable only to the extent that funds are available from the supplemental benefit maintenance account and states the extent to which these payments would be vested.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 818

**Policy Pillar:** Secure Fair Funding

**Effective:** July 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 24415 and 24417 of, and to add Section 24410.8 to, the Education Code, relating to state teachers’ retirement, and making an appropriation therefor.*



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## **Senate Bill 874 (Cortese) – Classified school district and community college employees: probation: promotion**

Existing law requires the governing board of a school district to employ persons for positions not requiring certification qualifications and the governing board of a community college district to employ persons for positions that are not academic positions. Existing law requires the governing board of a school district or community college district to classify those employees and positions and requires that they be known as the classified service. Existing law establishes procedures through which a school district or community college district may be authorized to adopt a merit system with respect to its personnel. Existing law requires a school district or community college district that has a merit system to appoint a personnel commission to prescribe, amend, and interpret rules regarding the merit system. Existing law deems a person who has served an initial probationary period in a class not to exceed six months or 130 days of paid service, whichever is longer, as prescribed by the rules of the commission, to be in the permanent classified service, except as provided. Existing law requires that, in a school district or community college district that has adopted a merit system for its classified employees, an employee shall not attain permanent status in the classified service until the employee has completed a probationary period in a class. Under existing law, in a school district that has not adopted a merit system for its employees, a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position is required to be employed in the classification from which the employee was promoted. This law, in a school district that has adopted a merit system for its employees, requires a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position to be employed in the classification from which the employee was promoted.

Under existing law, in a community college district that has not adopted a merit system for its employees, a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional classification is required to be employed in the position from which the employee was promoted. This law, in a community college district that has adopted a merit system for its employees, requires a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional classification to be employed in the position from which the employee was promoted.

This law does not apply the above-described provisions to a conflicting collective bargaining agreement entered into before Jan. 1, 2023, until the expiration or renewal of that collective bargaining agreement.

**Anticipated Sample Policy Impact:** 4216 – Probationary/Permanent Status

**Chapter #:** 150

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 45301 and 88120 of the Education Code, relating to school district and community college employees.*



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### **Senate Bill 931** (*Leyva*) – Detering union membership: violations

Current law prohibits a public employer from deterring or discouraging public employees or applicants to be public employees from becoming or remaining members of an employee organization, authorizing representation by an employee organization or authorizing dues or fee deductions to an employee organization. Current law generally vests jurisdiction over violations of these provisions in the Public Employment Relations Board (PERB). This law authorizes an employee organization, as described, to bring a claim before the PERB alleging that a public employer violated the above-described provisions. Upon a finding by the board that the public employer violated those provisions, the public employer would be subject to a civil penalty, to be deposited in the General Fund, of up to \$1,000 for each affected employee, not to exceed \$100,000 in total, and subject to attorney’s fees and costs, as described and except as specified. The law also requires the board to apply specified criteria when assessing the civil penalty.

**Anticipated Sample Policy Impact:** 4140 – Bargaining Units

**Chapter #:** 823

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Oppose Unless Amended

*An act to add Section 3551.5 to the Government Code, relating to public employment.*

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### **Senate Bill 1002** (*Portantino*) – Workers’ compensation: licensed clinical social workers

This law includes a licensed clinical social worker (LCSW) as treatment the employer is reasonably required to provide, would expand the meaning of medical treatment to include the services of an LCSW, and would authorize an employer to provide an employee with access to an LCSW, as defined, acting within the scope of their practice. The law authorizes medical provider networks to add LCSWs to the physician providers listing, authorize an LCSW to treat or evaluate an injured worker only upon referral from a physician, as defined, and prohibit an LCSW from determining disability, as specified. This law makes legislative findings and declarations in support of allowing licensed clinical social workers to treat work-related mental and behavioral health issues.

Existing law requires that when a self-insured employer, group of self-insured employers, or the insurer of an employer contracts with a health care organization for health care services to be provided to injured employees, those employees subject to the contract are to receive medical services in the manner prescribed in the contract. Existing law requires that each contract provide all medical, surgical, chiropractic, acupuncture, and hospital treatment that is reasonably required to cure or relieve the effects of the injury. This law includes an LCSW as treatment that the contract is required to provide.

**Anticipated Sample Policy Impact:** 4157.1/4257.1/4357.1 – Work-Related Injuries

**Chapter #:** 609

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 3209.5, 4600, 4600.3, and 4616 of, and to add Section 3209.11 to, the Labor Code, relating to workers’ compensation.*

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## **Senate Bill 1127 (Atkins) – Workers’ compensation: liability presumptions**

Current law requires an injured employee to file a claim form with the employer. Under current law, except for specified injuries, if liability is not rejected within 90 days after the date the claim form is filed with the employer, the injury is presumed compensable and the presumption is rebuttable only by evidence discovered subsequent to the 90-day period. For certain injuries or illnesses, including hernia, heart trouble, pneumonia or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder, this law reduces those time periods to 75 days and makes other conforming changes.

Existing law prohibits aggregate disability payments for a single injury occurring on or after Jan. 1, 2008, causing temporary disability from extending for more than 104 compensable weeks within a period of five years from the date of injury, except if an employee suffers from certain injuries or conditions. This law, for specified firefighters and peace officers claiming illness or injury related to cancer, increases the number of compensable weeks to 240 without limitation as to time from the date of injury.

Existing law requires that certain proceedings, including proceedings for the enforcement against the employer or an insurer of any liability for compensation, be instituted before the Workers’ Compensation Appeals Board. Existing law authorizes the appeals board to fix and determine, in its award, the total amount of compensation to be paid and specify the manner of payment or may fix and determine the weekly disability payment to be made and order payment during the continuance of disability. Existing law requires that when payment of compensation has been unreasonably delayed or refused, either prior to or subsequent to the issuance of an award, the amount of the unreasonably delayed or refused payment be increased up to 25 percent or up to \$10,000, whichever is less. Existing law requires the appeals board to use its discretion to accomplish a fair balance and substantial justice between the parties. This law requires, if liability for an injury has been unreasonably rejected for specified claims of injury or illness, including hernia, heart trouble, pneumonia or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder, the amount of the penalty to be five times the amount of the benefits unreasonably delayed due to the rejection of liability. The law limits the penalty to no more than \$50,000. The law requires the appeals board to determine the question of whether the rejection of liability is reasonable. The law applies this provision to all injuries, without regard to whether the injury occurs before, on, or after the operative date of the law.

Existing law requires the Administrative Director of the Division of Workers’ Compensation, among other duties, to develop a workers’ compensation information system in consultation with the Insurance Commissioner and the Workers’ Compensation Insurance Rating Bureau, with certain data to be collected electronically. This law requires the division, upon an appropriation by the Legislature, to identify and amend its existing data collection processes to include collection of the date on which a claimant is notified of acceptance, denial or conditional denial of liability.

**Anticipated Sample Policy Impact:** 3460 – Financial Reports and Accountability

**Chapter #:** 835

**Policy Pillar:** Secure Fair Funding

**Effective:** Jan. 1, 2023

**CSBA Position:** Oppose

*An act to amend Sections 3761, 4656, and 5402 of, and to add Section 5414.3 to, the Labor Code, relating to workers’ compensation.*

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### **Senate Bill 1168** (Cortese) – Public employees’ retirement: beneficiary payment

Current law, applicable to agencies that contract with the Public Employees’ Retirement System (PERS) to provide benefits to their employees, requires a payment of \$500 to be made to a beneficiary upon the death of a member after retirement and while receiving a retirement allowance from PERS, unless otherwise provided. This law, for a death occurring on or after July 1, 2023, increases the amount of the above-described benefit to \$2,000.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 193

**Policy Pillar:** Ensure Achievement for All

**Effective:** July 1, 2023

**CSBA Position:** No official position

*An act to amend Section 21620 of the Government Code, relating to public retirement.*

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### **Senate Bill 1397** (Borgeas) – Teacher credentialing: emergency teaching permits

Current law authorizes the Commission on Teacher Credentialing to issue or renew emergency teaching and specialist permits if certain conditions are met, including that the applicant passes the state basic skills proficiency test. This law requires the commission to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit until July 1, 2024. The law also deletes obsolete references and updates cross references.

**Anticipated Sample Policy Impact:** 4112.2 – Certification; 4121 – Temporary/Substitute Personnel

**Chapter #:** 335

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support if Amended

*An act to amend Section 44300 of the Education Code, relating to teacher credentialing.*

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## **Senate Bill 1402 (Umberg) – Public employees’ retirement: armed forces: service credit**

Current law creates the Teachers’ Retirement Fund, which is continuously appropriated for specified purposes, into which certain moneys are deposited, including employee contributions. Current law authorizes a member of STRS to receive creditable service for certain types of service outside the system, including military service, and distinguishes in this regard between service performed before membership and after becoming a member. Current law authorizes a member who is a state employee, or a retired member who retired immediately following service as a state employee, as specified, to receive credit for specified military or Merchant Marine service occurring prior to membership and prescribes requirements and limits in this connection. Current law requires, in this context, that the member contribute sufficient funds to cover the total cost of military service credit, as specified. Existing law limits the application of this authorization to receive premembership service credit to specified service in the Armed Forces of the United States or in the Merchant Marine of the United States prior to Jan. 1, 1950. This law deletes the limitation that the service has occurred prior to Jan. 1, 1950, from these provisions, unless certain exceptions apply, and deletes the requirement that the electing member is a state employee or a retired member who retired immediately following service as a state employee. By providing for additional contributions to be made to a continuously appropriated fund, this law makes an appropriation.

The Public Employees’ Retirement Law creates the Public Employees’ Retirement System (PERS), which is administered by the Board of Administration of the Public Employees’ Retirement System. Current law establishes the Public Employees’ Retirement Fund, which is a trust fund that is appropriated continuously for specified purposes, into which certain moneys are deposited, including employee contributions. Current law authorizes specified members of PERS, including state members, to receive public service credit for certain types of service outside the system, including military service, and distinguishes in this regard between service performed before membership and after becoming a member. Current law authorizes receipt of public service credit for specified military or Merchant Marine service occurring prior to membership and prescribes requirements and limits in this connection. Current law requires, in this context, that the member contribute funds to cover the total cost of this public service credit, as specified. Current law limits the application of this authorization to receive this public service credit to specified service in the Armed Forces of the United States or in the Merchant Marine of the United States prior to Jan. 1, 1950. Current law provides that this authorization only applies to agencies contracting with PERS if the agency elects to amend its contract. This law deletes the requirement that the service subject to the authorization described above have occurred prior to Jan. 1, 1950, and requires contracting agencies to provide members the option to receive the public service credit for specified service in the Armed Forces of the United States or in the Merchant Marine of the United States. By providing for additional contributions to be made to a continuously appropriated fund, this law makes an appropriation.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 196

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 22806 of the Education Code, and to amend Sections 21024, 21027, and 21029 of the Government Code, relating to public employees’ retirement, and making an appropriation therefor.*



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## Safety

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### **Assembly Bill 452** (*Friedman*) – Pupil safety: parental notification: firearm safety laws

This law will require a school district, county office of education and charter school to annually inform parents and guardians of pupils at the beginning of the first semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms, as specified. The law will require the state Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education and charter schools, and, upon request, to provide to private schools, model language for the notice regarding those child access prevention and safe storage of firearms laws. The law will make a school district, county office of education, charter school, private school and the department immune from civil liability for any damages relating to the notice, as specified.

**Anticipated Sample Policy Impact:** 5145.6 – Parental/Guardian Notifications

**Chapter #:** 199

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Approve

*An act to add Section 48986 to the Education Code, relating to pupil safety.*

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### **Assembly Bill 1672** (*Boerner Horvath*) – Public swimming pools: lifeguards

This law will authorize a local public agency that is certified by the United States Lifesaving Association to use qualified lifeguard personnel, as defined, to provide lifeguard services at a public swimming pool if certain requirements are met.

**Anticipated Sample Policy Impact:** 5142 – Safety

**Chapter #:** 273

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 116028 and 116033 of the Health and Safety Code, relating to public swimming pools.*

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## **Assembly Bill 2229** (*L. Rivas*) – Peace officers: minimum standards: bias evaluation

Current law requires peace officers in this state to meet specified minimum standards, including, among other requirements, that peace officers be evaluated by a physician and surgeon or psychologist and found to be free from any physical, emotional or mental condition that might adversely affect the exercise of the powers of a peace officer. This law requires that evaluation include bias against race or ethnicity, gender, nationality, religion, disability or sexual orientation.

Under existing law, the minimum education requirement for peace officers is high school graduation from a public school or other accredited high school, passing an equivalency test or high school proficiency examination, or attaining a two-year, four-year or advanced degree from an accredited institution. Existing law requires accreditation to be from a state or local government educational agency, a regional accrediting association, an accrediting association recognized by the United States Department of Education, or an organization holding full membership in specified organizations, including AdvancED. This law revises the accreditation standards to include an organization holding full membership in Cognia.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 959

**Policy Pillar:** Ensure Achievement for All

**Effective:** Sept. 30, 2022

**CSBA Position:** No official position

*An act to amend Section 1031 of the Government Code, relating to public employment, and declaring the urgency thereof, to take effect immediately*





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## **Assembly Bill 2282 (Bauer-Kahan) – Hate crimes: nooses, crosses, and swastikas**

Existing law establishes various offenses for a person who places or displays certain symbols, marks, signs, emblems and other physical impressions, including, but not limited to, a Nazi swastika, hangs nooses, or burns or desecrates crosses or other religious symbols on private and nonprivate property, as specified, with the intent to terrorize a person, as specified. This law expands these offenses to include hanging a noose, placing or displaying a sign, mark, symbol, emblem or other physical impression, including, but not limited to, a Nazi swastika, and burning, desecrating or destroying a religious symbol, such as a cross, at schools and public places, generally, as specified, for the purpose of terrorizing a person, as specified. The law will, for the first conviction, punish a person who hangs a noose, places or displays certain symbols, or burns or desecrates a religious symbol, as specified, with imprisonment for 16 months or two or three years, by a fine of not more than \$10,000 or both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed \$5,000 or by both the fine and imprisonment. For a second or subsequent conviction under these provisions, the law will punish a person with imprisonment for 16 months or two or three years, by a fine of not more than \$15,000 or by both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed \$10,000 or by both the fine and imprisonment. This law states the intent of the Legislature is to criminalize, for the purpose of terrorizing a person, the display or placement of the Nazi swastika and not swastikas associated with Hinduism, Buddhism and Jainism.

**Anticipated Sample Policy Impact:** 0410 – Nondiscrimination In District Programs And Activities; 1312.3 – Uniform Complaint Procedures; 5144.1 – Suspension And Expulsion/Due Process; 5131.2 – Bullying; 5145.3 – Nondiscrimination/Harassment; 5145.9 – Hate-Motivated Behavior

**Chapter #:** 397

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to amend Section 11411 of the Penal Code, relating to crimes.*

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## **Assembly Bill 2588 (Maienschein) – Crimes: obstruction of justice**

Existing law makes it a crime to maliciously, and with the intent to obstruct justice or the due administration of laws, or with the intent or threat to inflict imminent bodily harm in retaliation for the due administration of the laws, to publish, disseminate or otherwise disclose the residence address or telephone number of any peace officer, nonsworn police dispatcher, employee of a city police department or county sheriff's office, public safety official or that of the spouse or children of those persons, as specified. The law makes this crime apply to those actions taken against the immediate family, as defined, of any of the officials listed above.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 697

**Policy Pillar:** Strengthen Local Governance

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 146e of the Penal Code, relating to crimes.*



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## **Senate Bill 906** (*Portantino*) – School safety: homicide threats

This law requires, commencing with the 2023–24 school year, local educational agencies maintaining kindergarten or any of grades 1 to 12, inclusive, to, informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils. The law requires a school official whose duties involve regular contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, and who is alerted to or observes any threat or perceived threat to immediately report the threat or perceived threat to law enforcement, as provided. The law requires, with the support of the local educational agency, the local law enforcement agency or schoolsite police, as applicable, to immediately conduct an investigation and threat assessment, as specified. The law requires the investigation and threat assessment to include a review of the firearm registry of the Department of Justice and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a schoolsite search. Under the law, an LEA serving pupils in kindergarten or any of grades 1 to 12, inclusive, and a school of an LEA, is immune from civil liability for any damages allegedly caused by, arising out of, or relating to these provisions.

**Anticipated Sample Policy Impact:** 0450 – Comprehensive Safety Plan; 3515 – Campus Security; 3515.3 – District Police/ Security Department; 3516.2 – Bomb Threats; 5142 – Safety; 5145.6 – Parent/Guardian Notifications  
**Chapter #:** 144

**Policy Pillar:** Achievement for All

**Effective:** Commencing with the 2023–24 school year

**CSBA Position:** Approve

*An act to add Article 8 (commencing with Section 49390) to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, relating to school safety.*



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## **Senate Bill 1131 (Newman) – Address confidentiality: public entity employees and contractors**

Current law authorizes reproductive health care service providers, employees, volunteers and patients to complete an application to be approved by the Secretary of State for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant’s residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Current law requires an applicant seeking address confidentiality under this program due to their affiliation with a reproductive health care services facility to provide a certified statement signed by a person authorized by the reproductive health care services facility stating that the facility or any of its providers, employees, volunteers or patients is or was the target of threats or acts of violence within one year of the date of the application. Under current law, any person who makes a false statement in an application is guilty of a misdemeanor. This law authorizes an applicant seeking address confidentiality under this program to submit a certified statement by the employee, patient, or volunteer for a reproductive health care services facility that they have been the target of threats, harassment, or acts of violence, or a workplace violence restraining order issued because of threats or acts of violence connected with a reproductive health care services facility, as specified, instead of a certified statement from a representative of the reproductive health care services facility. This law also expands the address confidentiality program to include other individuals who face threats of violence or violence or harassment from the public because of their work for a public entity. The law requires an individual seeking to make their address confidential under these provisions to complete the application in person at a community-based assistance program designated by the Secretary of State. The law requires the application process to include a requirement that the applicant meet with a counselor and receive orientation information about the program.

Existing law permits an individual to seek confidential voter status and have their residence address, telephone number, and email address declared confidential upon presentation of certification that the person is a participant in among other programs, the Address Confidentiality for Reproductive Health Care Service Providers, Employees, Volunteers, and Patients program. This law includes individuals who work for a public entity and who participate in the expanded address confidentiality program described above within the category of people eligible for confidential voter status.

Existing law requires an election official to post a list of all polling places and precinct board members at specified times before an election. Existing law requires this list to be posted at the elections official’s office and on their official website. Existing law requires an election official to include the political party affiliation for each listed precinct board member. This law eliminates the requirement to post the names of the precinct board members, but still requires the election official to post the political party preference for all precinct board members, as specified.

Existing law requires a county elections official, upon application of a public safety officer and if authorized by the county board of supervisors, to make confidential an officer’s residence address, telephone number and email address appearing on the affidavit of registration, as specified. Under existing law, an application for confidential voter status is required to contain a statement, signed under penalty of perjury, that the person is a public safety officer and that a life-threatening circumstance exists to the officer or a member of the officer’s family, as specified. This law creates a similar program for qualified workers, as defined, that includes a requirement to submit an application, signed under penalty of perjury, that they are a qualified worker and that a life-threatening circumstance exists to the worker or members of the worker’s family. The law requires the Secretary of State to submit an annual report to the Legislature that includes the total number of applications received for the program, the number of program participants within each county, and any allegations of misuse of the program relating to election purposes, as specified.

**Anticipated Sample Policy Impact:** 1340 – Access to District Records; 4140 – Bargaining Units

**Chapter #:** 554

**Policy Pillar:** Strengthen Local Governance

**Effective:** Sept. 26, 2022

**CSBA Position:** Support

*An act to amend Sections 2166.5, 12105.5, and 12108 of, and to add Section 2166.8 to, the Elections Code, to amend Sections 6215 and 6215.2 of, and to amend the heading of Chapter 3.2 (commencing with Section 6215) of Division 7 of Title 1 of, the Government Code, relating to address confidentiality, and declaring the urgency thereof, to take effect immediately.*



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## Students

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### **Assembly Bill 408** (*Quirk-Silva*) – Homeless children and youths: reporting

The McKinney-Vento Homeless Assistance Act requires a state plan submitted for the receipt of the grant to include assurances that local educational agencies will designate an appropriate staff person to act as a local educational agency liaison for homeless children and youths and a description of how the state will ensure that LEAs and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths. Current federal law, the American Rescue Plan Act of 2021, also allocates funds for states to provide services for homeless children and youth, as provided. Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Current law requires an LEA agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison's local educational agency that provide services pursuant to the act. Current law also requires the department to develop best practices that an LEA may use to identify and obtain accurate data on all homeless children and youths and unaccompanied youths enrolled in schools of the LEA and a model housing questionnaire, and to post this information on its internet website. This law will require an LEA, as defined to include a school district, county office of education, charter school or special education local plan area to establish homeless education program policies that are consistent with specified state laws and use the above-described resources developed and posted on the department's internet website and resources developed by homeless education technical assistance centers established using certain federal funds. The law further requires the LEA to update these policies at intervals not exceeding three years. The law will require an LEA liaison for homeless children and youths and unaccompanied youths to provide training at least annually on designated subjects to classified and certificated employees of the LEA who work with pupils experiencing homelessness pursuant to federal law, as specified. The law also encourages LEA liaisons to offer that training to all other classified and certificated employees, as provided. The law further requires the liaison to inform both those groups of employees of the availability of training and services the liaison provides to pupils who are experiencing or are at risk of experiencing homelessness.

Existing law requires the state Department of Education to provide, among other things, informational and training materials to LEA liaisons regarding the educational rights of homeless children and youths and the responsibilities of the liaisons.

This law requires the department, to the extent possible within existing resources, to develop and implement a plan for monitoring the compliance of LEAs with state laws relating to youth experiencing homelessness. This law will require the monitoring plan to include reviews of the LEAs including, but not limited to, schoolsite inspections to ensure that the state is not underestimating the number of youth experiencing homelessness.

**Anticipated Sample Policy Impact:** 4112.9/4212.9/4312.9 – Employee Notifications; 6173 – Education For Homeless Children

**Chapter #:** 904

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** Disapprove

*An act to add Sections 48851.3 and 48852.3 to the Education Code, relating to homeless children and youths.*



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## **Assembly Bill 558 (Nazarian) – School meals: Child Nutrition Act of 2022**

Current law, commencing with the 2022–23 school year, requires a school district or county superintendent maintaining kindergarten or any of grades 1 to 12, inclusive, or charter school to provide two nutritiously adequate school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil’s eligibility for a federally funded free or reduced-priced meal, with a maximum of one free meal for each meal service period, as provided. This law will require the state Department of Education, in consultation with the state Department of Social Services, to develop, and to post on its internet website by July 1, 2023, guidance for local educational agencies participating in the federal School Breakfast Program that maintain kindergarten or any of grades 1 to 6, inclusive, on how to serve eligible nonschoolaged children breakfast or a morning snack at an LEA schoolsite. The law will define “eligible nonschoolaged child” to mean a child who is not enrolled in school and who is a sibling, half sibling, or stepsibling of, or a foster child residing with, a pupil who is eligible for a free or reduced-price breakfast. The law will require a guardian of an eligible nonschoolaged child to be present in order for the nonschoolaged child to receive breakfast or a morning snack.

**Anticipated Sample Policy Impact:** 3550 – Food Service/Child Nutrition Program; 3551 – Food Service Operations/Cafeteria Fund; 3553 – Free and Reduced Price Meals

**Chapter #:** 905

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Article 7.5 (commencing with Section 49495) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, relating to school meals.*

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## **Assembly Bill 740 (McCarty) – Foster youth: suspension and expulsion**

This law will extend the parental notification requirements in place under current law for a student’s involuntary transfer to a continuation school, suspension or expulsion, in the case of a foster child, to the foster child’s attorney and social worker, and, in the case of an Indian child, the child’s tribal social worker and county social worker. This law will also provide a foster child’s and Indian child’s attorney and social worker with the same rights as parents during the involuntary transfer, suspension or expulsion process.

**Anticipated Sample Policy Impact:** 0420.41 – Charter School Oversight; 5144.1 – Suspension And Expulsion/Due Process; 5144.2 – Suspension And Expulsion/Due Process (Students With Disabilities); 5145.6 – Parent/Guardian Notifications; 6173.1 – Education for Foster Youth; 6173.4 – Title VI Indian Education Program; 6184 – Continuation Education

**Chapter #:** 400

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Approve

*An act to amend Sections 47605, 47605.6, 48432.5, 48853.5, 48911, 48911.1, 48915.5, and 48918.1 of the Education Code, relating to foster youth.*

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### **Assembly Bill 1735** (*Bryan*) – Foster care: rights

Current law provides that it is the policy of the state that all minors and nonminors in foster care have specified rights, including, among others, the right to receive medical, dental, vision and mental health services, the right to be informed of these rights in an age and developmentally appropriate manner and the right to receive a copy of these rights, at specified intervals. This law will additionally provide that a child who speaks a primary language other than English has the right to receive a copy of their rights in their primary language. The law will also require, when a child is entitled to receive a copy of the court report, case plan and transition to independent living plan, those items to be provided in the child's primary language.

Current law requires a county social worker to create a case plan for foster youth within a specified timeframe after the child is introduced into the foster care system. Current law requires the case plan to be developed considering the recommendations of the child and family team, as defined, and according to certain criteria, including that the child be given a meaningful opportunity to participate in the development of the case plan. Current law requires that a child who is 12 years of age or older be given the opportunity to review the case plan, sign the case plan and receive a copy of the case plan. This law will require, for a child described above who receives a copy of the case plan, the case plan be translated and provided to the child in their primary language for a child who speaks a primary language other than English.

**Anticipated Sample Policy Impact:** 6173.1 – Education For Foster Youth

**Chapter #:** 405

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Sections 16001.9 and 16501.1 of the Welfare and Institutions Code, relating to foster care.*

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### **Assembly Bill 1868** (*L. Rivas*) – School accountability: English language acquisition status: data

Current law establishes the California Assessment of Student Performance and Progress (CAASPP) and requires the state Department of Education to ensure that local educational agencies comply with certain requirements related to CAASPP. This law requires the department, on an annual basis, to include a report on its website that allows the public to view, among other assessment data, certain CAASPP test results by English language acquisition status, as provided. The law requires the department to publicly report on an annual basis enrollment data by English language acquisition status and disability, as specified.

**Anticipated Sample Policy Impact:** 6162.51 – State Academic Achievement Tests

**Chapter #:** 907

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Section 60900.1 to the Education Code, relating to school accountability.*

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### **Assembly Bill 2508** (*Quirk-Silva*) – Pupil services: educational counseling

Current law authorizes the governing board of a school district to provide a comprehensive educational counseling program for all pupils enrolled in the school district. Current law states the intent of the Legislature that school counselors provide a variety of services for all pupils. Current law requires educational counseling to include academic counseling in specified areas. Current law authorizes educational counseling to also include counseling in certain areas. Current law defines “educational counseling” for these purposes. This law urges the governing board of a school district to provide access to a comprehensive educational counseling program for all pupils enrolled in the school district. The law revises and recasts the legislative intent provision on the services of school counselors. The law also requires educational counseling to also include certain postsecondary services and revises and recasts those areas that educational counseling is required to include. The law revises and recasts those areas that educational counseling is authorized to include. The law revises the definition of “educational counseling” for these purposes.

**Anticipated Sample Policy Impact:** 6164.2 – Guidance/Counseling Services

**Chapter #:** 153

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to amend Section 49600 of the Education Code, relating to pupil services.*

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### **Assembly Bill 2598** (*Weber*) – Pupil rights: restorative justice practices

Current law establishes a system of public elementary and secondary schools in this state. Current law requires suspension to be imposed on a pupil only when other means of correction fail to bring about proper conduct, and specifies that other means of correction may include, among other things, participation in a restorative justice program. This law requires the state Department of Education to develop evidence-based best practices for restorative justice practice implementation on a school campus and to make these best practices available on the department’s internet website on or before June 1, 2024, as specified. The law requires the department to take specified actions in developing best practices and would encourage the department to, to the extent feasible, take into account resources and best practices that have been identified or developed as part of aligned efforts, as specified.

**Anticipated Sample Policy Impact:** 5137 – Positive School Climate

**Chapter #:** 914

**Policy Pillar:** Ensure Achievement For All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to add Article 9 (commencing with Section 49055) to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil rights*



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## **Assembly Bill 2832** (*R. Rivas*) – Whole Child Community Equity

This law requires the state Department of Social Services, in consultation with the state Department of Education, and with input from early childhood stakeholders, to develop the Whole Child Equity Framework (the Framework) and Whole Child Community Equity Screening Tool (the Equity Tool) to provide the data needed to support the equitable distribution of resources and monitor progress on addressing racial and economic inequities. The law requires the state Department of Social Services, in consultation with the state Department of Education, to convene a workgroup to provide recommendations to the state Department of Social Services for the development of the Framework, the Equity Tool and recommended uses of the Equity Tool for early childhood investments and whole child resources. The law requires the workgroup to include parents and families from historically underserved communities and other stakeholders that bring insight to support the whole child. The law requires the state Department of Social Services, on or before Jan. 1, 2025, to finalize and present the Framework, the Equity Tool and recommended uses of the Equity Tool to the Legislature. The law also requires the state Department of Social Services to publish the tool for public use, including the data and methodology, on the department's internet website.

**Anticipated Sample Policy Impact:** 0415 – Equity; 5148 – Child Care and Development Programs

**Chapter #:** 699

**Policy Pillar:** Improve Conditions of Children

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to add Chapter 34 (commencing with Section 10492) to Part 1.8 of Division 9 of the Welfare and Institutions Code, relating to childcare.*

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## **Senate Bill 291** (*Stern*) – Advisory Commission on Special Education

Current law establishes the Advisory Commission on Special Education as an entity in state government consisting of 17 members to, among other things, study and provide assistance and advice to the State Board of Education, the Superintendent of Public Instruction, the Legislature and the Governor in new or continuing areas of research, program development and evaluation in special education. This law increases the number of members on the commission to 19 and requires the commission to appoint two pupils with exceptional needs, 16 to 22 years of age, inclusive, to the commission for a term of one year, as provided.

**Anticipated Sample Policy Impact:** None

**Chapter #:** 917

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to amend Section 33590 of the Education Code, relating to special education.*





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### **Senate Bill 692** (*Cortese*) – Special education: pupils with disabilities: least restrictive environment

Current law requires local educational agencies to identify, locate and assess individuals with exceptional needs and to provide those individuals with a free appropriate public education in the least restrictive environment, with special education and related services, as reflected in an individualized education program. This law requires the state Department of Education to, on or before Nov. 30, 2023, publish data related to federal measures of least restrictive environment for pupils with disabilities, as provided. The law makes findings and declarations relating to pupils with disabilities.

**Anticipated Sample Policy Impact:** 6159 – Individualized Education Program

**Chapter #:** 919

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Support

*An act to add Sections 56049 and 56049.1 to the Education Code, relating to special education.*

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### **Senate Bill 955** (*Leyva*) – Pupil attendance: excused absences: civic or political events

This law requires a middle school or high school pupil who is absent from school to engage in a civic or political event to be excused for only one schoolday-long absence per school year. The law also authorizes a middle school or high school pupil who is absent from school to engage in a civic or political event to be permitted additional excused absences at the discretion of a school administrator, as provided.

**Anticipated Sample Policy Impact:** 5113 – Absences and Excuses; 5113.1 – Chronic Absence and Truancy

**Chapter #:** 921

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** No official position

*An act to amend Section 48205 of the Education Code, relating to pupil attendance*

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## **Senate Bill 1016** (*Portantino*) – Special education: eligibility: fetal alcohol spectrum disorder

Current law requires all children with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, to be identified, located and assessed. Current regulations adopted by the State Board of Education provide that a child who is assessed as having a specified health impairment or other health impairment is entitled to special education and related services. Those regulations define “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 environment that is due to a chronic or acute health problem and adversely affects the child’s educational performance. This law requires the state board to include “fetal alcohol spectrum disorder” in that definition of “other health impairment.”

**Anticipated Sample Policy Impact:** None

**Chapter #:** 611

**Policy Pillar:** Ensure Achievement for All

**Effective:** Jan. 1, 2023

**CSBA Position:** Disapprove

*An act to add Article 2.4 (commencing with Section 56332) to Chapter 4 of Part 30 of Division 4 of Title 2 of the Education Code, relating to special education.*





California  
School Boards  
Association

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