

California schoolnews

Weekly Update

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Legislative update: Major education proposals clear first legislative hurdle



April 28 was the deadline for legislation to pass out of policy committees and move on to their respective appropriations committees. Up next is the suspense process, in which bills with a price tag of over \$150,000 are considered in bulk to evaluate their fiscal impact as a whole. Their collective fate will be decided on May 19.

Five CSBA-sponsored bills moving forward:

- **Assembly Bill 417 (Bennett, D-Ventura):** Would allow — in cases where a county board of education does not receive a student petition to create a student board member — the board to **select a student enrolled at a local school district high school or county-operated high school to serve on their governing board.** Previous law allowed only consideration of district high school students.

Passed the Assembly on March 30 and awaiting committee assignments in the Senate.

- **Senate Bill 765 (Portantino, D-Glendale):** Would **waive the 180-day mandatory waiting period local educational agencies must observe before hiring a recently retired teacher and increase the maximum grant award for the Teacher Residency Grant Program** by \$40,000, to \$65,000 per teaching candidate.

Awaiting consideration in the Senate Appropriations Committee.

- **AB 483 (Muratsuchi, D-Torrance):** Would **increase funding for and expand access to school-based health and mental health services** by improving and streamlining the Medi-Cal Local Education Agency Medi-Cal Billing Option Program (LEA BOP).

Awaiting consideration in the Assembly Appropriations Committee.

- **AB 1023 (Papan, D-San Mateo):** Would **authorize LEAs to use discretionary funding provided under the Arts, & Music and Instructional Materials Discretionary Block Grant for cybersecurity purposes.**

Awaiting consideration in the Assembly Appropriations Committee.

- **SB 551 (Portantino, D-Glendale):** Would enhance the collaboration between county mental health agencies and school districts by **requiring at least 20 percent of a county mental health board's membership to be employed by an LEA and at least 20 percent to be an individual who is 25 years of age or younger, with scaled requirements based on county size.**

- *Awaiting consideration in the Senate Appropriations Committee.*

[Read a full recap of current education-centered legislation on the CSBA blog »](#)

Legal update: U.S. Supreme Court denies review in suit alleging state violation of IDEA during pandemic



In *Martinez v. Newsom*, public school **students in California filed a class action lawsuit alleging that every school district in California failed to adequately accommodate special education when they transitioned to remote instruction in March 2020 in response to the COVID-19 pandemic.** The lawsuit also made claims against the California Department of Education, the State Superintendent of Public Instruction and Gov.

Gavin Newsom.

In August 2022, the **Ninth Circuit Court of Appeals dismissed the lawsuit on a**

number of procedural grounds, including the justices' determination that the lawsuit was moot because the state had returned to in-person instruction. Thus, the student plaintiffs and those they sought to represent were no longer subject to remote learning and the alleged Individuals with Disabilities Education Act violations that resulted from it. **The Ninth Circuit relied on a decision by the Sixth Circuit Court of Appeals, which made the same holding.** Mootness is a legal doctrine that limits the jurisdiction of federal courts to hear cases. Courts only have jurisdiction over matters in which there is a current, ongoing dispute. Where the dispute has been resolved by external factors (here, the reopening of schools after the COVID-19 pandemic), federal courts no longer have jurisdiction and must dismiss the matter.

The plaintiff students filed a request to the U.S. Supreme Court, asking the court to review the Ninth Circuit's decision (referred to as "granting certiorari"). **The Court denied the plaintiff's request. This denial effectively upholds the Ninth Circuit's decision that the matter is moot and makes that a final decision.** Thus, no court has specifically ruled on the plaintiff's factual and legal claims, leaving the issues in the litigation unresolved.

California's education leaders travel to D.C. during the second annual Coast2Coast Federal Advocacy Trip



From April 24–26, education leaders from across the state took to the nation's capital to make a case for the resources, legislation and policy needed to support public education back home as part of **Coast2Coast**. **The second annual three-day event, hosted by CSBA and the Association of California School Administrators (ACSA), provided trustees and superintendents a chance to communicate**

directly with their federal representatives and learn from some of the country's top policymakers and political experts, including U.S. Secretary of Health and Human Services Xavier Becerra and Acting Assistant Secretary of Education James Lane.

"It's not easy to develop an agenda that speaks to the needs of all in a state as vast and diverse as California, but along **with our advocacy partners at ACSA, CSBA has identified a slate of federal priorities to address with lawmakers, policy experts, cabinet officials and political insiders,**" said CSBA President Susan Markarian. This year's advocacy focused on additional resources, improved policy and new legislation to address the educator shortage, broadband access, data privacy and cybersecurity, **school nutrition programs, special education funding and the Secure Rural Schools and Community Self-Determination Act, which is critical to support essential safety, fire, police, road, bridge and education services in rural areas.** [Read more on the CSBA blog »](#)

Kindergarten oral health assessment requirement



On April 19, the California Departments of Education and Public Health [issued a letter](#) to education leaders noting that **the forms used for the state Kindergarten Oral Health Requirement had been revised** through Senate Bill 379 to improve oral health outcomes data needed to measure the success of prevention and intervention programs. **SB 379 allows schools to**

provide onsite screening and fulfill the Kindergarten Oral Health Assessment with passive consent, which means that **parents/guardians would need to notify the school that they do not want their child screened**. [Copies of the new Oral Health Assessment Forms are available now »](#)

AAPI Heritage Month: Fresno USD's Hmong language program boosts engagement



Asian American and Pacific Islander Heritage Month, celebrated in May, is a time to formally recognize and celebrate the contributions that AAPI people have made in the U.S. **In Fresno Unified School District, home to one of the largest Hmong population in the country, more than 300 elementary school students who participate in the district's [Hmong Dual Language Immersion \(DLI\) program](#)** spend

time each day learning in English and in Hmong. Launched in 2018, the program was **created in response to feedback from community members who were concerned that young people were losing the ability to speak their native language.**

“In the Hmong culture, **preserving language is a key feature that allows families to stay connected and preserve their rich culture and heritage**,” said Sandra Toscano, instructional superintendent. “We know culture is strongly connected to identity, and Fresno Unified is committed to valuing our students and families by providing them with the opportunity to preserve their native language, add the Hmong language, and learn about the culture. **When students see the culture and the language they bring are valued, they feel a greater connection to their school, which benefits their learning and overall experience.**”

The district is one of just a handful across the country that offers a Hmong DLI program, which has led to the creation of materials district leaders can share with others. Look for other AAPI blog posts throughout the month. [Read more on the CSBA blog »](#)

Last call: Submit your proposal for AEC



CSBA is **accepting workshop and table talk proposals for the 2023 Annual Education Conference and Trade Show in San Francisco,**



Nov. 30-Dec. 2. Does your district or county office have an innovative and successful program or initiative to share with other local educational agencies? **Visit the [AEC website](#) to view the call for proposal requirements, criteria for a strong**

proposal, 2023 strand descriptions, workshop and table talk details, presenter types and more. Proposals must be submitted by **May 5, 2023**. Don't miss your chance to share your knowledge and expertise with colleagues from across the state. [Learn more and submit proposals »](#)

LexisNexis can help LEAs navigate legal issues board members face



LexisNexis® Legal & Professional is a **leading global provider of legal, regulatory and business information and analytics that help customers increase productivity, improve decision-making and outcomes**, and advance the rule of law around the world by **helping lawyers manage their work more efficiently, serve their clients better** and grow their practices.

CSBA's District and County Office of Education Legal Services team has partnered with LexisNexis to publish the [2022 edition of California Education Laws and Regulations](#) — a resource that will soon become a go-to legal reference for CSBA members, school administrators, education attorneys and K-12 educational professionals throughout California. From a legal perspective, the world of education is complicated and **governing boards deal with everything from curriculum, special education, facilities and finance to torts, discrimination and the Family Medical Leave Act.** LexisNexis can help LEAs navigate the entire range of legal issues that board members face. [Learn more »](#)

Stay up to date with the latest news and resources on the [CSBA blog](#).

Virtual events

Student Board Member Focus Groups

May 8 | [Register](#)

May 11 | [Register](#)

May 17 | [Register](#)

MIG Course 2: Student Learning & Achievement/Policy & Judicial Review

May 9-10 | [Register](#)

Sponsors



PIPER | SANDLER



MIG Course 1: Foundations of Effective Governance/Setting Direction

May 11-12 | [Register](#)

MIG Course 2: Student Learning & Achievement/Policy & Judicial Review

May 13 | [Register](#)

MIG Course 3: School Finance Part 1 and Part 2

May 16-17 | [Register](#)

2023 CCSA Virtual Spring Workshop

May 19 | [Register](#)

MIG Course 4: Human Resources/Collective Bargaining

May 23-24 | [Register](#)



In-person events

CSBA Roadshow

May 8 | Central Coast | [Register](#)

June 7 | Sacramento County | [Register](#)

June 23 | Humboldt County | [Register](#)

The Brown Act

May 19 | Santa Clara | [Register](#)

2023 May Delegate Assembly Meeting

May 20-21 | Sacramento | [Register](#)

[View complete calendar](#)



