

2016 K-12 EDUCATION BILLS VETOED BY GOVERNOR BROWN

The following bills affecting public education were vetoed by Gov. Jerry Brown in 2016. The title of each bill is linked to a page that includes the Governor's veto message and additional information about each bill.

[AB 491 \(Gonzalez-D\) English learners: identification: notice.](#)

CSBA Position: Tracking

Current law requires each school district to make a determination of the primary language of a pupil when the pupil enrolls in the school district and requires each parent or guardian of a pupil enrolled in a public school to receive notice of an assessment of a pupil's English proficiency no later than 30 days after the start of the school year that includes, among other things, the reason for the pupil's classification as an English learner.

[AB 709 \(Gipson-D\) Charter schools.](#)

CSBA Position: Support

Would expressly state that a charter school is subject to the Ralph M. Brown Act, unless it is operated by an entity governed by the Bagley-Keene Open Meeting Act, in which case the charter school would be subject to the Bagley-Keene Open Meeting Act.

[AB 1643 \(Gonzalez-D\) Workers' compensation: permanent disability apportionment.](#)

CSBA Position: Oppose

Would prohibit apportionment of permanent disability, in the case of a physical injury occurring on or after January 1, 2017, from being based on pregnancy, menopause, osteoporosis, or carpal tunnel syndrome. The bill would also prohibit apportionment of permanent disability, in the case of a psychiatric injury occurring on or after January 1, 2017, from being based on psychiatric disability or impairment caused by any of those conditions.

[AB 1783 \(Dodd-D\) School facilities: nonstructural earthquake hazards: inspection.](#)

CSBA Position: Neutral

Current law requires the Office of Emergency Services, in cooperation with the State Department of Education, the Department of General Services, and the Alfred E. Alquist Seismic Safety Commission, to develop an educational pamphlet for use by school personnel to identify and mitigate the risks posed by nonstructural earthquake hazards. This bill would require each school district, county office of education, and

charter school, on or before January 1, 2020, to complete an inspection of the contents in areas that are accessible to or occupied by pupils in each of its school buildings located in an area of higher seismicity, as defined, to assess whether the contents in each area comply with the guidelines set forth in the pamphlet and to develop corrective actions to bring noncompliant contents into compliance with the published guidelines.

AB 2089 (Quirk-D) Vote by mail ballots: voter notification.

CSBA Position: Tracking

Current law requires a county elections official to establish a free access system that allows a vote by mail voter to learn if his or her vote by mail ballot was counted, and, if not, the reason why the ballot was not counted. Current law requires the elections official to make the free access system available to a vote by mail voter upon completion of the official canvass and for 30 days after completion of the official canvass. If a voter casts a vote by mail ballot, this bill would additionally require a county elections official, within 30 days after completion of the official canvass, to notify the voter if the ballot was not counted, including the reason it was not counted.

AB 2155 (Ridley-Thomas-D) Teachers: retirement: full time.

CSBA Position: Tracking

The Teachers' Retirement Law requires each collective bargaining agreement or employment agreement that applies to specified members of the system to, among other things, specify the number of hours of creditable service that equals full time for those members. This bill would require each collective bargaining agreement or employment agreement to specify the courses for which instructors are subject to the 875-hour requirement for any agreement entered into, extended, renewed, or amended on or after January 1, 2017.

AB 2182 (Mullin-D) School athletics: neurocognitive testing.

CSBA Position: Support if Amended

Would establish the Neurocognitive Testing Pilot Grant Program to provide grant funding to Title I schools for the purposes of neurocognitive testing. The bill would require the Superintendent of Public Instruction to establish an application process for school districts to apply on behalf of Title I schools interested in participating in the pilot program. The bill would require grants under the pilot program to be apportioned to a total of 3 school districts, comprising one school district in each of the following regions of the state: southern, central, and northern.

AB 2197 (Garcia, Cristina-D) Unemployment insurance: classified employees.

CSBA Position: Oppose

Current law prohibits the payment of unemployment benefits to specified educational institution employees of a public entity other than teachers, researchers, or administrators between 2 academic years, except as specified, but provides a procedure for this 2nd category of educational employees, under certain conditions, to seek payment of retroactive unemployment benefits for the period between 2 academic years. Current law requires specified notice regarding reasonable assurance of

employment in the following academic term be sent to employees before the end of the current academic term. This bill would delete the prohibition on the payment of unemployment benefits to education employees of a public school, other than teachers, researchers, and administrators, as specified, between 2 academic years.

AB 2353 (McCarty-D) Teacher professional development: culturally responsive instruction.

CSBA Position: Tracking

Current law establishes various programs of professional development for teachers, including the California Beginning Teacher Support and Assessment System, and requires the State Department of Education to issue a request for proposals to contract for the development of standards for professional development for educators and instructional leaders. This bill would require the department to identify professional development programs in culturally responsive instruction and provide links to those programs on its Internet Web site. The bill would state legislative findings and declarations relating to the importance of culturally responsive teaching.

AB 2448 (Burke-D) CalWORKs: welfare-to-work: education.

CSBA Position: Tracking

Would provide that if the county determines that a CalWORKs recipient has not received his or her high school diploma or its equivalent, the recipient may participate in a high school equivalency program in order to complete a high school equivalency test recognized by the State Department of Education, and that a specified amount of time participating in that activity would not count against the 24-month period as specified for certain recipients.

AB 2548 (Weber-D) School accountability: statewide accountability system.

CSBA Position: Disapprove

Would, for purposes of a statewide accountability system and to ensure alignment and fidelity with the state priorities and federal law, require the state board to adopt a statewide accountability system that, among other things, is a single integrated system that aligns local, state, and federal accountability requirements. In identifying appropriate assistance for a school or local educational agency, the bill would require the CCEE and county superintendents of schools to analyze data aligned with all the state priorities in order to align the level of support, collaboration, and intervention to the needs of the local educational agency or individual school or schools.

AB 2621 (Gomez-D) Employee Codes of Conduct.

CSBA Position: Support

Would require a local educational agency, as specified, or a person, firm, association, partnership, or corporation offering or conducting private school instruction at the elementary or high school level, as specified, that maintains an employee code of conduct with pupils to, commencing July 1, 2017, provide a written copy of the code of conduct to the parent or guardian of each enrolled pupil at the beginning of each school year and, commencing January 1, 2017, to post the code of conduct, or provide a link to it, on each of its schools' Internet Web sites, or, if a school of a local

educational agency does not have its own Internet Web site, on the local educational agency's Internet Web site, in a publicly accessible manner.

AB 2719 (Garcia, Eduardo-D) Workforce development: out-of-school youth.

CSBA Position: Support

The California Workforce Innovation and Opportunity Act of 2014 defines an individual with employment barriers to include youths who are individuals with disabilities, homeless youths, and youths who are in, or who have aged out of, the foster care system. This bill would define out-of-school youth for purposes of the state act, would revise the duties of the board regarding, among other things, out-of-school youth, as specified, and would define a school operating in partnership with United States Department of Labor programs, as specified.

AB 2826 (Weber-D) Teachers: evaluation and assessment.

CSBA Position: Tracking

Current law authorizes the governing board of a school district to develop and adopt additional evaluation and assessment guidelines or criteria for teachers. This bill would specifically authorize and encourage the evaluation and assessment of certificated employee performance as it reasonably relates to the progress of pupils, instructional techniques and strategies, and adherence to curricular objectives to include certain things, as provided.

SB 123 (Liu-D) Medi-Cal: school-based administrative activities.

CSBA Position: Support

Would require the State Department of Health Care Services to contract directly with an LEA, if the LEA chooses and the department has developed a process governing direct contracting, to perform school-based administrative activities necessary for the proper and efficient administration of the Medi-Cal program, as specified. The bill would designate the contracting between the department and participating local educational agencies, local educational consortia, and local governmental agencies to perform those school-based administrative activities as the School-Based Administrative Claiming process program.

SB 739 (Pavley-D) Charter schools: sited outside boundaries: prohibition.

CSBA Position: Support

Would prohibit the governing board of a school district from authorizing new charter schools to locate outside the boundaries of the school district if the school district is assigned a negative certification, as specified. The bill would also make conforming changes, correct references, and make various nonsubstantive changes.

SB 1113 (Beall-D) Pupil health: mental health.

CSBA Position: Approve

Would specifically authorize a county, or a qualified provider operating as part of the county mental health plan network, and a local educational agency to enter into a partnership that includes, among other things, an agreement between the county

mental health plan, or the qualified provider, and the local educational agency that establishes a Medi-Cal mental health provider that is county operated or county contracted for the provision of mental health services to pupils of the local educational agency and in which there are provisions for the delivery of campus-based mental health services through qualified providers or qualified professionals to provide on-campus support to identify pupils with a specified education plan and pupils not in special education who a teacher believes may require those services and, with parental consent, to provide mental health services to those pupils.

SB 1288 (Leno-D) Elections: local voting methods.

CSBA Position: Approve

Current law prescribes which candidates appear on the ballot in the ensuing general election if no candidate has been elected pursuant to this provision, or if the number of candidates elected at the primary election is less than the total number to be elected to that office. Under current law, these provisions do not apply to elections to fill certain enumerated offices. This bill would apply these provisions , upon approval by a jurisdiction's voters, to the nomination of officers for any jurisdiction not formed for municipal purposes, officers for general law cities, and school district officers, except as specified.