

California K-12 education bills to watch

BY EDSOURCE STAFF

AUGUST 9, 2019

The article was updated Sept. 13, the final day of the Legislative session, with status of remaining bills.

Starting high school later in the day, giving school districts more latitude to reject charter schools and clamping down on exemptions from vaccinations are among the key — and controversial — bills that legislators took up during the first year of the two-year legislative session that ended Sept. 13. Gov. Gavin Newsom must sign or veto all bills that the Legislature passed by Oct. 13. Bills that an author withdrew at some point in the process are colored in gray and can be brought back next year. Lawmakers can also reintroduce next year bills that the governor vetoed or the Legislature rejected. We will be updating when Newsom signs or vetoes the remaining bills.

Bill categories

[Immunizations](#) • [Later school start](#) • [Setting goal for K-12 funding](#) • [State construction bond](#) • [Ethnic studies](#) • [Teacher maternity leave](#) • [Charter schools](#) • [Suspensions and expulsions](#) • [11th grade SAT/ACT test option](#) • [You'll see them next year](#) • [Teacher credentialing](#)

Active: Inactive:

Immunizations

Tighter vaccination exemptions (SB 276)

Bill author(s): Sen. Richard Pan, D-Sacramento

What it would do: Starting Jan. 1, 2021, [SB 276](#) would authorize a physician or registered nurse employed by the California Department of Public Health to review records of student vaccination exemptions at schools where the immunization rate is below 95 percent, as

well as physicians who have granted more than five medical exemptions per year. Parents will be able to appeal a denial of an exemption to a medical appeals board.

Why it is important: Since 2016, when California eliminated parents' right to opt out of the state's immunization requirement based on a personal belief, exemptions for medical reasons approved by family doctors have increased nearly five-fold. In more than 1,000 schools last year, fewer than 95 percent of kindergartners had their required shots — increasing the chance of outbreaks of communicable diseases. A small number of doctors were issuing the exemptions.

Bill status: Governor Newsom signed both SB 276 and SB 714, which included last-minute amendments, on Sept. 9.

Later school start

Later start of school (SB 328)

Bill author(s): Sen. Anthony Portantino, D-San Fernando Valley

What it would do: [SB 328](#) would mandate that middle schools could not begin the school day before 8 a.m. and high schools, including charter high schools, could not begin earlier than 8:30, starting July 1, 2022.

Why it is important: School districts currently have the authority to set their own operating hours; some already comply with what is proposed. Proponents, including the American Academy of Pediatrics and the state PTA, cite research that a later start would help sleep-deprived teenagers perform better in school. Opponents, including the CTA and California School Boards Association, cite impacts on elementary schools (which might have to start sooner to accommodate later bus schedules for middle and high schools), effects on parents' workdays and after-school activities. Gov. Jerry Brown vetoed a similar bill last year.

Bill status: Assembly passed the bill 44-17 on Sept. 13; it is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Setting goal for K-12 funding



Long-term school funding goals (AB 39)

Bill author(s): Assemblyman Al Muratsuchi, D-Torrance

What it would do: [AB 39](#) would set the aspirational goal of raising the level of base funding under the Local Control Funding Formula, which provides the bulk of state funding for education, to the national average, based on a formula that factors in states' costs of living. The bill would require an estimated \$33 billion more in spending, according to a [legislative analysis](#). Without an additional source of funding, the analysis said the target could be reached sometime in the 2030s.

Why it is important: Not since the enactment of Proposition 13 four decades ago has California school spending been among the nation's top 10 states. It is now in the lower quarter when costs of living are factored in. This bill would lock in the funding formula as the primary source of state school funding. It would set target funding without a timeline or a new source of funding to achieve its goal.

Bill status: The author said he pulled the bill in the final week of the session for discussions with Newsom administration in coming months.

State construction bond

School facilities bond (AB 48)



Bill author(s): Assemblyman Patrick O'Donnell, D-Long Beach

What it would do: [AB 48](#) would put a \$13 billion bond for new construction and renovation on the ballot in March 2020. It would put a second bond on the ballot two years later. Details — how to divvy up the money among preschool, K-12 and higher education — will be determined this month.

Why it is important: Funding from the last state facilities bond, passed in 2016, is either committed for other expenditures or already spent, leaving nothing to contribute to local districts' construction efforts. The bill creates the opportunity to rewrite the distribution formula for the second bond to provide a bigger share for low-income, low-wealth districts.

Bill status: New version, negotiated w/ Newsom staff, got more than 2/3 vote on 9/13; it is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Ethnic studies

Ethnic studies requirement (AB 331)

Bill author(s): Assemblyman Jose Medina, D-Riverside

What it would do: [AB 331](#) would add a semester-long high school course in ethnic studies as a graduation requirement, starting with the 2024-25 school year. About a dozen districts already have ethnic studies courses; some make it a mandatory.

Why it is important: There is general agreement that ethnic studies courses — examining the identity, struggles and achievements of racial and ethnic groups — can engage students and develop self-reflection and critical thinking. Gov. Jerry Brown vetoed a similar bill last year, saying such a course should be optional. A proposed model curriculum for ethnic studies is under review; the initial draft drew substantial criticism that it is too ideological and slanted. State Board of Education Linda Darling-Hammond agreed it would be substantially revised in early 2020.

Bill status: On Aug. 22, Assemblyman Medina withdrew the bill, promising to bring it back in 2020.

Teacher maternity leave

Maternity leave for teachers (AB 500)

Bill author(s): Assemblywoman Lorena Gonzales, D-San Diego

What it would do: [AB 500](#) would require school districts and community colleges to provide at least six weeks of paid maternity leave for teachers, other academic employees and classified employees. Gov. Brown vetoed a similar bill last year.

Why it is important: Proponents, including employee unions, cite the lack of this paid benefit as another reason why school districts are having trouble recruiting teachers. Opponents, including groups representing school districts and administrators, cite costs estimated to be tens of millions of dollars per year.

Bill status: The bill passed and is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Charter schools

Growth controls, staff requirement (AB 1505)

Bill author(s): Assemblyman Patrick O'Donnell, D-Long Beach

Bill author: What it would do: With amendments proposed by aides to Gov. Gavin Newsom, [AB 1505](#) gives school boards the power to reject a charter school application based on duplication and saturation of charter schools. It also would sharply narrow grounds for appealing charter denials to the State Board of Education. It would set clearer criteria for renewing a charter school and it would require that charter schools hire credentialed teachers for all core academic classes.

Why it is important: The bill represented a major effort by O'Donnell and the California Teachers Association, a co-sponsor, to severely limit the growth of charter schools, which serve 1 out of 10 students in the state. O'Donnell said he would continue to try to reinsert tighter restrictions included in the original bill.

Bill status: Status: Legislature gave final approval Sept. 10; the bill is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Ban authorizer run-arounds (AB 1507)

Bill author(s): Assemblywoman Christy Smith, D-Santa Clarita

What it would do: [AB 1507](#) would eliminate the ability of a charter school to open up an operation in another district within the same county and for an online charter school to open a satellite operation in another district.

Why it is important: School districts have complained that neighboring districts have approved charter schools that they would have rejected in order to rake in oversight fees, in violation of state law. This would resolve the issue.

Bill status: Passed with amendments in Assembly and Senate; it is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Expanded LCAP requirements (AB 967)

Bill author(s): Assemblywoman Christy Smith, D-Santa Clarita

What it would do: Charter schools currently must complete an annual Local Control and Accountability Plan, or LCAP, using the same template and doing the same community outreach as other districts. A charter school must post the LCAP on its website. [AB 967](#) would require a charter's authorizer — either the host district or county office of education — to review and approve the LCAP.

Why it's important: Currently, there is no monitoring of a charter school's LCAP to see if the school complies with state LCAP regulations. This would impose the same transparency requirements on charter schools that districts face. Charter schools argue requiring district review might lead to counterproductive interference. A [legislative analysis](#) cites tens of millions of dollars in new annual expenses statewide for authorizers and charter schools.

Bill status: Senate passed the bill on Sept. 10; it is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

Suspensions and expulsions

Willful defiance suspensions (SB 419)

Bill author(s): Sen. Nancy Skinner, D-Berkeley

What it would do: [SB 419](#) would impose further restrictions on the broad, vaguely defined category of suspensions, known as willful defiance, for students who disrupt classroom activities or defy school authorities. It would extend the current permanent ban on willful defiance suspensions for grades K-3 to grades 4 and 5 and also to grades 6 through 8 until July 1, 2025. The ban would apply to charter schools as well. Gov. Jerry Brown vetoed a similar bill last year, writing that suspension decisions should be left to teachers and principals.

Why it's important: The bill would continue the state's effort, through legislation and its accountability system, the [California School Dashboard](#), to lower suspension and expulsion rates, which have been disproportionately handed out to African American students, foster children and students with disabilities, and to encourage alternative forms of discipline.

Bill status: Status: Gov. Gavin Newsom signed the bill on Sept. 9.

11th grade SAT/ACT test option

Optional SAT/ACT 11th-grade tests (AB 751)

Bill author(s): Assemblyman Patrick O'Donnell, D-Long Beach

What it would do: [AB 751](#) would give districts the option of giving the SAT or ACT college entrance exams instead of the Smarter Balanced 11th-grade tests in math and English language arts. More than two dozen school districts already are paying to give the exams to all students, in addition to the state-mandated Smarter Balanced tests. The federal government would have to sign off on the use of a multi-test option for an 11th-grade school accountability measure.

Why it's important: Proponents, who include statewide groups representing administrators and school boards, argue that SAT or ACT for all encourages students to focus early on college. They say the free additional test prep programs, such as the PSAT exam starting in 9th grade, mitigate advantages of private tutoring that only wealthy students can afford. In vetoing an identical bill last year, former Gov. Brown said it was premature to switch while the University of California reconsiders whether to require the ACT or SAT for admissions. A year later, there's still no word from UC. Equity groups including Education Trust-West, which favor eliminating the SAT/ACT requirement, also oppose the bill.

Bill status: Assembly passed it 75-0 and on Sept. 13, Senate passed it 38-2; the bill is now on Gov. Newsom's desk. He must sign or veto all bills by Oct. 13.

You'll see them next year

Mental health support (AB 8)

Bill author(s): Assemblyman Kansen Chu, D-San Jose

What it would do: [AB 8](#) would require that by December 2024, all schools and charter schools employ a mental health professional for every 600 students or, for smaller schools, contracts for professional mental health services. Counties would be required to help fund services through Prop. 63, a tax voters passed in 2004.

Why it is important: Supporters say California ranks among the bottom 10 states in providing mental health care in schools at a time that principals and teachers say they are not equipped to handle students' increasing mental health challenges.

Bill status: The author pulled the bill and is expected to bring it back next year.

Targeting Teach for America (AB 221)

Bill author(s): Assemblywoman Cristina Garcia, D-Bell Gardens

What it would do: [AB 221](#) would prohibit districts from placing teachers in low-income schools hired through third-party contractors unless the contract commits teachers to teaching at least five years. The original bill explicitly targeted the nonprofit Teach for America, which recruits recent college grads who commit to teaching only for two years in high-poverty schools, although many TFA teachers serve longer. The bill has been expanded to include other contractors.

Why it is important: Bill proponents say low-income students need experienced teachers, not novices earning their teaching credential while in the classroom full time. Teach for America has supplied thousands of teachers in California over the past two decades, including a high proportion of some charter school organizations' teachers.

Bill status: The author pulled the bill and is expected to bring it back next year.

Teacher credentialing

Teacher credentialing: reading instruction (SB614)

Bill author(s): Senator Susan Rubio, D-Baldwin Park

What would it do: Eliminate the Reading Instruction Competence Assessment required for all elementary and special education teachers and replace it with a basic writing skills test on an exam these teachers are already required to pass – the California Subject Examinations for Teachers: Multiple Subjects Test.

Why it is important: The RICA hasn't been revised since 2009 when it was aligned to the English Language Arts-English Language Development Framework put in place two years earlier to guide instruction in classrooms. When a new English Language Arts framework was adopted in 2014 the test was never revised to reflect the changes. On top of that, although would-be teachers can take the test multiple times, it costs nearly \$200 each time. That may discourage some from entering the profession at a time when the state is experiencing teacher shortages in several subject areas and in schools with many high-needs students.

Bill status: The author pulled the bill and is expected to bring it back next year.

Comments

Comments Policy

We welcome your comments. All comments are moderated for civility, relevance and other considerations. [Click here for EdSource's Comments Policy.](#)

Carolyn Clark

2 weeks ago

Appreciate your concise summary of pending education laws. I'm using the texts for a report to my local Delta Kappa Gamma organization. Thank you.

Julie

4 weeks ago

Awesome – AB500 is moving steadily forward and it's really exciting to watch as we help teachers be able to afford to have families. Thanks for the update.

el

2 months ago

I am in favor of the idea of kids taking an ethnic studies course, but I think we should be intentional about what course it ends up replacing in the high school schedule. The obvious thing that will happen if we just add a requirement is it will displace social studies electives like economics which is I think not ideal. Here's my vote for swapping it in for a semester of English.

Judy

2 months ago



I am curious if you have heard anything about HR 141, which would allow teachers who paid into Social Security to actually get it as well as their CalSTRS. It is for teachers, like me, who worked in the private sector and paid into SS, who then went into teaching and now pays into CalSTRS. For whatever reason, teachers in California cannot get their SS, even though we paid into it.

John Fensterwald

2 months ago



It's before Congress, introduced by a Congressman from Illinois. Teachers in other states apparently face the same dilemma. According to [this tracking system](#), it hasn't gone anywhere this year.

Jennifer Bestor

2 months ago



Missing from your list is SB 5 -- which takes money from schools. Specifically, it repurposes \$2B of school-allocated property tax to fund "affordable housing and infrastructure" projects. In the mold of SB 1096 (2004), it repurposes property tax first from a county's Educational Revenue Augmentation Fund (meant to backfill the property-tax-poor districts in a county), then from the direct allocations of property tax to those same districts, to fund an unrelated state ... [Read More](#)

Paul Muench

2 months ago



For AB331, do the dates listed mean that the class of 2025 is the first class that needs to meet the requirement? So classes would need to be offered as soon as 2021-2022 school year?

By the way, did you mean self-reflection? I think I saw that in the curriculum glossary 😊

John Fensterwald

2 months ago



Paul, I believe the requirement would apply to the class of 2025. The ethnic studies model curriculum, which is up for discussion by the State Board later this year and is becoming an issue of contention – glossary with its creative spellings included – by law must be ready by the fall of 2020.