



**governmental relations**  
association of california school administrators

# **Legislative Year in Review**



**2016**

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## SUMMARY

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In the 2015-2016 regular session of the California State legislature, nearly 5,000 pieces of legislation were introduced, with ACSA's Governmental Relations team tracking 1,200 legislative measures. More than half of those bills were passed to the governor for his signature or veto. This report will provide highlights of a number of high priority education policy issues that rose to the forefront in 2016, in addition to bills that ACSA was able to influence in order to achieve amendments to improve them. Please visit our website at [www.acsa.org](http://www.acsa.org) for a full listing of [all bills tracked by ACSA](#).

The 2016-17 state budget was at the forefront of legislative and regulatory discussions during the first half of 2016. The Budget Conference Committee passed a state budget compromise that reflected the Legislature's top priorities, including reducing poverty, restoring funding for schools and early childhood education, making college more accessible and affordable for California students and increasing availability of affordable housing. As for the overall education package, both houses agreed to continue funding child care programs outside of Proposition 98, a big win for the education management community that lobbied for this action. [ACSA's Budget Analysis](#) can be found on our website. The governor signed the state budget on June 27 with no line item vetoes included. [Budget summary](#) details can also be found on ACSA's website.

Some of the prominent legislative issues that arose in 2016 were changes to the Public Records Act, a new State Accountability System, development of the LCFF Evaluation Rubrics, lawsuits regarding teacher employment rights, and the passage of the Every Student Succeeds Act (ESSA) replacing NCLB.

ACSA heard from school leaders throughout the state regarding the proliferation of Public Records Requests by "for-profit" companies using the information they collect to market to our employees or sell to other companies. As a result, ACSA co-sponsored **AB 2853 (Gatto)** to address what we believe is an abuse of tax payer funds being used to support these requests and diverting resources away from our primary focus, educating our students. AB 2853 is a modest proposal that allows public agencies to refer a Public Records Act requester to their website and to where information is already available instead of providing the information directly. Pressure from the California Newspapers Association and others prohibited us from establishing more expansive restrictions. *The governor signed the bill.*

**AB 2835 (Cooper)** was introduced in June to require all public agencies, including school districts, to initially require the employer to collectively bargain an employee orientation, for both existing and new employees, to occur within 60-days of employment and allow each exclusive representative to present to their members for 30-minutes. Over several months of meetings between public agencies and public employee unions, the bill was amended to require the orientation for only new employees within four months of hire, during the work day and in-person. ACSA members weighed in on this fight and ultimately, *the bill did not move to the governor.*

Another bill was introduced in response to the California Supreme Court decision not to hear the Vergara vs. California case on appeal. This case challenged California law pertaining to teacher probation, last-in first-out layoff, and the dismissal process as infringing upon a student's constitutional rights to a quality education. **AB 934 (Bonilla)** was introduced to provide a legislative solution as a result of the demise of the case. As introduced, the bill was a comprehensive reform proposal addressing each of the issues in the court case. Education unions and those in the school reform movement opposed the bill. It was amended to extend the probationary period for new teachers to three years and permit school districts to bargain an alternative dismissal process. ACSA worked closely with the assembly member and her staff to provide recommendations to

improve her bill. Ultimately, the opposition was too great and the bill *died in the Senate Education Committee*.

**AB 2393 (Campos)** provides paid time off for family leave for up to 12-weeks for both classified and certificated employees. All indications were the bill would be signed by the governor. As a result, ACSA helped to secure amendments to improve the bill significantly. Acting in good faith with the assembly member, we removed our opposition to the bill in order to secure the necessary amendments. *The bill was signed by the governor.*

A bill requiring local governmental entities, including school districts, to post compensation information, was introduced as a result of local misspending by a city in Southern California. **AB 779 (Garcia)** was introduced to require posting compensation information in a conspicuous location on its website prior to April 30 of each year. The information required included the names, positions, and total compensation, including a breakdown of the types of compensation provided to each elected official and the top 10 administrators. ACSA worked with the author to exclude school districts from the provisions of the bill. We ultimately removed our opposition and took a neutral position. *The governor vetoed AB 779.*

ACSA's second sponsored bill, **AB 2336 (Olsen)**, had a successful trajectory through the legislative process by gaining unanimous and bipartisan support from both houses of the Legislature. This proposal would have extended the number of days a substitute teacher may serve in a special education classroom to 40 consecutive days. The intent of the bill was to provide a stable learning environment to special education students, while also supporting substitute teachers who step up to support them while full-time teachers are away from the classroom. The bill was considered a short-term strategy while the state simultaneously considered other legislative proposals aimed at addressing the teacher shortage and pipeline issues from recruitment to credentialing, induction and retention. Unfortunately, the chair of the Senate Education Committee expressed concerns about whether substitute teachers were authorized to serve in special education classrooms as part of the new Every Student Succeeds Act. Due to these concerns, *ACSA decided to hold the bill in the Senate Appropriations Committee until additional guidance is provided by the federal government.*

Another bill co-sponsored by ACSA in collaboration with other education organizations is **SB 1071 (Allen)**, a proposal that would have required, upon an appropriation in the Budget Act, a permanent one-time adjustment to the base funding calculation for each special education local plan area to support special education and related services for three and four year old preschool children with exceptional needs. *The bill did not advance this legislative session as there might be interest in the Brown Administration to review special education funding in greater detail. The Public Policy Institute of California will be unveiling a report on this topic in late November, 2016. This is an issue that could emerge through budget and policy discussions in 2017.*

Another legislative proposal that ACSA supported and closely monitored was **SB 799 (Hill)**, the most recent effort to modify the local budget reserve cap restrictions imposed on school districts by SB 858 in the 2014 Budget Act. The bill became highly politicized as education management organizations built momentum for legislative support to amend provisions of current law, yet the *labor employee organizations and the Brown Administration were not interested in addressing the issue as they do not believe the reserve caps will be triggered in the foreseeable future. As school districts continue to make a case for local autonomy in funding decisions, including how large their budget ending balances should be, this may be a topic that could be resurrected in future years.*

As a result of an unfortunate incident in Southern California last year, **SB 1072 (Mendoza)** was introduced to strengthen student safety and the school bus transportation safety plan that contains procedures for school personnel to follow to ensure the safe transport of pupils. This bill would

require that plan to include procedures to ensure that a pupil is not left unattended on a school bus, school pupil activity bus, or youth bus, and procedures and standards for designating an adult chaperone, other than the driver, to accompany pupils on a school pupil activity bus. The bill would additionally require a charter school to prepare this plan. This bill will have implementation implications for school districts, and school leaders are encouraged to review the bill language in greater detail. *This bill was signed by the governor.*

Proposition 47, approved by California voters in 2014, intends to reduce the daily inmate population in California and prevent new admissions to the prison system, while saving money to be invested in K-12 truancy and drop-out prevention, victim services and mental health and drug treatment. The 2016-17 state budget agreement includes \$18 million in one-time Proposition 98 funding for the California Department of Education (CDE) to provide grants dedicated to reduce truancy and support pupils at risk of dropping out of school. As a result, **AB 1014 (Thurmond)** and **SB 527 (Liu)** were signed into law to establish the Learning Communities for School Success Program for the purpose of implementing the K-12 education portion of the Safe Neighborhoods and Schools Act. Districts interested in learning about the eligibility requirements for this grant program should review the bill language.

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## NOTABLE PRIORITY LEGISLATION

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

**Summary:** This bill permits classified school employees to be eligible to collect unemployment insurance (UI) benefits between school years with or without a reasonable assurance of being employed in the next academic year.

**ACSA Position:** Oppose | **Final Status:** Vetoed by the governor.

**Reason:** I am returning Assembly Bill 2197 without my signature. This bill allows classified school employees to collect unemployment insurance benefits between school years. This bill creates several conformity issues with the federal Unemployment Insurance laws, which could result in sanctions from the federal government, including the loss of significant tax credits for California's employers. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** EDD estimates related one-time costs to be approximately \$3.9 million.

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### **AB 2536 (Chau - D) Pupil discipline and safety: cyber sexual bullying.**

**Summary:** Adds to the definition of bullying via an electronic act "cyber sexual bullying" and requires the CDE to include information on cyber sexual bullying on the California Healthy Kids Resource Center website and other appropriate CDE websites where information about discrimination, harassment, intimidation and bullying is posted.

**ACSA Position:** Neutral | **Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state costs.

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### **AB 2799 (Chau | DEM | Dist. 49) Privacy: personal information: prekindergarten purposes.**

**Summary:** Prohibits operators of websites, online services, and mobile apps that are designed, marketed and used primarily for prekindergarten and preschool pupils, from using data about those pupils for targeting, marketing or profiling, and prohibits selling or disclosing a pupil's information with limited exceptions.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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### **AB 2843 (Chau - D) Public records: employee contact information.**

**Summary:** Clarifies that an existing provision of the California Public Records Act that exempts the home addresses and home telephone numbers of certain public employees from public disclosure so that it applies to all public employees, including persons paid by the state to provide in-home support services, and extends the exemption to include the employee's personal cell phone number and personal e-mail address.

**ACSA Position:** Neutral | **Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state costs.

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### **SB 884 (Beall - D) Special education: mental health services.**

**Summary:** This bill requires that funding for mental health services for students with individualized education programs (IEPs) be subject to existing state and federal audit requirements, requires the CDE to create a report on its compliance findings and corrective action plans related to the provision of mental health services for students, requires the CDE to create a report on pupil outcomes for students receiving mental health services, and requires the CDE to include a link to information on family empowerment centers on its sample procedural safeguards.

**ACSA Position:** Neutral | **Final Status:** Signed by the governor.

**Fiscal Effect:** Minor/absorbable costs to the Controller's Office to add an additional item to the annual K-12 audit guide. Costs to CDE of approximately \$10,000 to \$20,000 .

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### **SB 1029 (Hertzberg - D) California Debt and Investment Advisory Commission: accountability report.**

**Summary:** Existing law establishes the California Debt and Investment Advisory Commission to, among other things, maintain contact with state and municipal bond issuers, underwriters, investors, and credit rating agencies to improve the market for state and local government debt issues and to assist state and local governments to prepare, market, and sell their debt issues. This bill would additionally require the commission to track and report on all state and local outstanding debt until fully repaid or redeemed.

**ACSA Position:** Oppose unless amended | **Final Status:** Signed by the governor.

**Fiscal Effect:** CDIAC administrative costs of approximately \$132,000 in the first two years (1 PY), \$261,000 in years three and four (2 PY), and \$393,000 annually thereafter (3 PY).

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**SB 1225 (Mendoza - D) Teachers: Teacher Bill of Rights Act.**

**Summary:** Existing law specifies numerous rights and protections for teachers employed by school districts. This bill would require the principal of each school to post in a common area of an administrative office, a prescribed Teacher Bill of Rights. By imposing additional duties on school district officials, the bill would impose a state-mandated local program. The bill would provide that its provisions are declaratory of existing law and that they shall not be construed to establish any right not otherwise provided for under state or federal law.

**ACSA Position:** Oppose | **Final Status:** Held in Appropriations Committee.

**Fiscal Effect:** Unknown one-time state-mandated costs, likely in the hundreds of thousands of dollars, for each school to produce and post the notice in administrative areas.

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**SB 1343 (Wolk - D) Pupils: intradistrict transfer of pupil convicted of a violent felony or misdemeanor.**

**Summary:** This bill would authorize school district governing boards to transfer to another school in that school district pupils enrolled in that school district who have been convicted of violent felonies or designated misdemeanors if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school. Notification of parents or guardians of any policy adopted in relation to this legislation is required as part of the school district's annual notifications.

**ACSA Position:** Support. | **Final Status:** Signed by the governor.

**Fiscal Effect:** None



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The following legislation was tracked by ACSA and made it to the governor's desk for action. This section is grouped by issue area.

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## ACCOUNTABILITY

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### **AB 2259 (Medina - D) School accountability: dropout recovery high schools.**

**Summary:** Requires the Superintendent and the State Board of Education, as part of the alternative accountability system for schools, or any successor system, to allow no more than 10 dropout recovery high schools to report the results of an individual pupil growth model that is proposed by the school and certified by the Superintendent pursuant to specified criteria instead of reporting other indicators. This bill would extend the repeal date of that provision to January 1, 2020, and would update cross references.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** Could result in potentially significant one-time general fund costs to the CDE to review and certify that any proposed growth models submitted meet certain criteria. If in a given year 10 schools submit a model, the CDE cites general fund costs of up to \$100,000 over two positions.

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

**Summary:** 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 California Collaborative for Educational Excellence 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.

**ACSA Position:** Watch | **Final Status:** Vetoed by the governor.

**Reason:** I am returning Assembly Bill 2548 without my signature. This bill would impose new requirements for the public school accountability system that the State Board of Education has already developed. The Board has spent more than two years listening to parents, students, teachers, school leaders and the public in order to create a thoughtful and integrated federal, state and local accountability system based on the Local Control Funding Formula. On September 8, 2016, the Board adopted the Local Control Funding Formula indicators which serve as the foundation of the new accountability system. The Board is committed to continuously improving the system and has an annual review process in place for just that reason. It is unnecessary and premature to impose additional requirements at this time. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** Unknown general fund costs, potentially in the hundreds of thousands of dollars, for CDE to comply with the data components of this bill. Unknown Proposition 98/GF cost pressures, in the millions of dollars. The CDE estimates ongoing general fund costs of \$320,000.

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## AFTER SCHOOL PROGRAMS

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### **AB 1567 (Campos - D) Before and after school programs: enrollment: fees: homeless and foster youth: snacks or meals.**

**Summary:** The After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. This bill, beginning July 1, 2017, would give first priority enrollment to pupils who are identified by the program as homeless youth and pupils who are identified by the program as being in foster care, and 2nd priority enrollment for programs serving middle and junior high school pupils, to pupils who attend the program daily.

**ACSA Position:** Support if amended | **Final Status:** Signed by the governor.

**Fiscal Effect:** Creates a potentially significant Proposition 98 cost pressure.

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### **AB 2615 (Wood - D) After school programs.**

**Summary:** Current law establishes the 21st Century High School After School Safety and Enrichment for Teens program, under the administration of the State Department of Education. This bill would, among other things, authorize a school program participating in the state program to charge family fees, authorize the department to withhold or terminate grant allocations that do not comply with specified reporting requirements required by the department; and allow participating school programs to transfer program services to another school site within the same local educational agency under specified circumstances.

**ACSA Position:** Approve | **Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state costs.

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## ALTERNATIVE EDUCATION / CONTINUATION SCHOOL

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### **AB 2306 (Frazier - D) Juvenile court school pupils**

**Summary:** Requires school districts to exempt former juvenile court school students who transfer into school districts after their second year in high school from local graduation requirements that exceed those of the state, and requires a county office of education to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school.

**ACSA Position:** Support

| **Final Status:** Signed by the governor.

**Fiscal Effect:** Unknown reimbursable state mandate costs, potentially in the hundreds of thousands. The CDE indicates costs to implement this bill are minor.

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## ATTENDANCE

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### **AB 1593 (Oberholte - R) Pupil attendance: excused absences: naturalization ceremony.**

**Summary:** Current law requires a pupil to be excused from school for specified types of absences and prohibits those excused absences from generating state apportionment payments by deeming them as absences in computing average daily attendance. This bill would include attending the pupil's naturalization ceremony to become a United States citizen as another type of excused absence.

**ACSA Position:** Approve

| **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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### **AB 2815 (O'Donnell - D) Pupil attendance: supervisors of attendance.**

**Summary:** Current law authorizes a school district, with the approval of the county board of education, to contract with the county superintendent of schools for the supervision of attendance of pupils in the school district. This bill would delete the requirement that a county board of education approve a contract between a school district and the county superintendent of schools for the supervision of attendance of pupils in the school district. The bill would express the Legislature's intent that a supervisor of attendance perform specified functions, and would authorize the supervisor of attendance to provide support services and interventions.

**ACSA Position:** Support

| **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## CHARTER SCHOOLS

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### **AB 709 (Gipson - D) Charter schools.**

**Summary:** 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, the Public Records Act and Political Reform Act.

**ACSA Position:** Support

| **Final Status:** Vetoed by the governor

**Reason:** I am returning Assembly Bill 709 without my signature. This bill requires charter schools to be subject to the Brown Act, Public Records Act, Political Reform Act and Government Code section 1090. In 2014, I vetoed AB 913, a virtually identical bill. My reasons then were starting a charter school requires the strong commitment of dedicated individuals willing to serve on a governing board. While I support transparency, this bill goes further than simply addressing issues of potential conflicts of interest and goes too far in prescribing how these boards must operate. That's still my view. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** Unknown, potentially significant reimbursable state mandate costs for school districts and county offices of education due to increased oversight responsibilities. Would create pressure to increase the Proposition 98 funding.

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## CREDENTIALING

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### AB 1918 (O'Donnell - D) Teacher credentialing: temporary certificates.

**Summary:** Current law authorizes a county board of education or city and county board of education to issue temporary certificates to certified employees whose credentials are being processed by the Commission on Teacher Credentialing. This bill would authorize a county board of education or city and county board of education to issue temporary certificates to certified employees, including individuals certified in another state, whose credentials are being processed by the commission.

**ACSA Position:** Neutral | **Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state costs.

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### AB 2122 (McCarty - D) California Classified School Employee Teacher Credentialing Program.

**Summary:** The Wildman Keeley Solis Exemplary Teacher Training Act of 1997 establishes the California School Paraprofessional Teacher Training Program for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. This bill would substantially revise those provisions to instead establish the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

**ACSA Position:** Support | **Final Status:** Funded in State Budget.

**Fiscal Effect:** \$20 million over five years was funded in the state budget. Ongoing Proposition 98 / general fund cost pressure of at least \$4 million to support the provision of \$4,000 grant awards to 1,000 new participants each year. Unknown ongoing administrative costs to the CTC.

## **AB 2248 (Holden - D) Teacher credentialing: out-of-state trained teachers: English learner authorizations.**

**Summary:** Current law requires the Commission on Teacher Credentialing to issue authorizations for a teacher to provide specific services to limited English proficient pupils, if certain minimum requirements are met. This bill would provide that a teacher who possesses any of several specified California credentials or permits, and who is able to present a valid out of state credential or certificate that authorizes content instruction delivered in a pupil's primary language, may qualify for that authorization by submitting an application and a fee to the commission.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## **SB 916 (Allen - D) Teacher Credentialing.**

**Summary:** Current law authorizes the Commission on Teacher Credentialing to issue single subject teaching credentials only in specific subjects. This bill would add dance and theatre to the list of authorized subjects.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** One-time administrative costs to the CTC in the range of \$400,000 to \$500,000.

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## **CURRICULUM / INSTRUCTION**

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### **AB 1719 (Rodriguez - D) Pupil instruction: cardiopulmonary resuscitation.**

**Summary:** Would require, commencing with the 2018-19 school year, the governing board of a school district or the governing body of a charter school that requires a course in health education for graduation from high school to include instruction in performing compression only cardiopulmonary resuscitation. The bill would encourage those entities to provide to pupils general information on the use and importance of an automated external defibrillator.

**ACSA Position:** Disapprove | **Final Status:** Signed by the governor.

**Fiscal Effect:** Unknown local costs and state cost pressure, but potentially in the low millions for school districts and charter schools to implement CPR instruction. Costs will depend on how schools choose to implement this instruction. Some school districts or charter schools may be able to secure private funding or equipment or materials which would mitigate costs. (Proposition 98) The California Department of Education estimates one-time costs of \$32,000 General Fund related to a partial position to provide the required guidance on the implementation of CPR instruction.

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## EMPLOYEE / EMPLOYER RELATIONS

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

**Summary:** Specifies measures of pupil progress, instructional techniques and strategies, and adherence to curricular objectives that school districts may use for purposes of teacher evaluation. The Senate amendments specify that locally-adopted measures of pupil progress would be in addition to local and state criterion-referenced evidence required by existing law and that locally-adopted formative and summative assessments measure the progress of pupils toward local or state-adopted academic content standards.

**ACSA Position:** Support | **Final Status:** Vetoed by the governor.

**Reason:** I am returning Assembly Bill 2826 without my signature. This bill sets forth 20 separate measures that school districts may voluntarily use for teacher evaluation. I don't believe that this list of particular measures will materially change current teacher evaluations in California.

**Fiscal Effect:** None

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### SB 654 (Jackson - D) Unlawful employment practice: parental leave.

**Summary:** Would prohibit an employer from refusing to allow an employee with more than 12 months of service with the employer, and who has at least 1,250 hours of service with the employer during the previous 12-month period, to take up to 6 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. The bill would also prohibit an employer from refusing to maintain and pay for coverage under a group health plan for an employee who takes this leave.

**ACSA Position:** Neutral | **Final Status:** Vetoed by the governor.

**Reason:** I am returning Senate Bill 654 without my signature. This bill establishes an unpaid, job protected parental leave requirement that applies to businesses with 20 or more employees and allows workers to take up to 6 weeks of parental leave to bond with a new child. It goes without saying that allowing new parents to bond with a child is very important and the state has a number of paid and unpaid benefit programs to provide for that leave. I am concerned, however, about the impact of this leave particularly on small businesses and the potential liability that could result. As I understand, an amendment was offered that would allow an employee and employer to pursue mediation prior to a lawsuit being brought. I believe this is a viable option that should be explored by the author.

**Fiscal Effect:** general fund administrative costs to the Department of Fair Employment and Housing (DFEH) of approximately \$190,000 in the first year and \$170,000 ongoing, to process complaints annually.

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## FACILITIES / CLASS SIZE REDUCTION / BONDS

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### AB 2316 (O'Donnell – D) School facilities: leasing property

**Summary:** This bill would delete the language that provides that the governing board of a school district is not required to advertise for bids pursuant to this provision. The bill would require an instrument created pursuant to these provisions to be awarded based on a competitive solicitation process to the proposer providing the best value to the school district. The bill would require the governing board of the school district to adopt and publish required procedures and guidelines for evaluating the qualifications of proposers. The bill would authorize a school district, for purposes of utilizing preconstruction services, to enter into an instrument before written approval is obtained from the Department of General Services' Division of the State Architect (DSA) only if the instrument provides that no work for which a contractor is required to be licensed and for which DSA approval is required can be performed before receipt of the required DSA approval.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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### AB 2738 (Olsen - R) School bonds: local school bonds: investment.

**Summary:** Current law requires the proceeds of the sale of school bonds, exclusive of any premium received, to be deposited in the county treasury to the credit of the building fund of the school district, or community college district as designated by the California Community Colleges Budget and Accounting Manual. This bill would prohibit the proceeds from the sale of bonds from being withdrawn by the school district or community college district for investment outside the county treasury.

**ACSA Position:** Neutral | **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## FOSTER CARE / YOUTH

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### AB 2656 (O'Donnell - D) Pupils: diploma alternatives: fee waiver: foster youth.

**Summary:** Current law authorizes the State Department of Education to charge a fee for each proficiency examination application in an amount sufficient to recover the costs of administering the requirements of these provisions but prohibits the fee from exceeding an amount equal to the cost of test renewal and administration per examination application. Current law prohibits the department from charging the fee to an examinee who qualifies as a homeless child or youth and meets other specified criteria. This bill would prohibit the department from charging the fee to a foster youth who is under 25 years of age.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** Unknown special fund costs, likely minor, to subsidize fees for foster youth and former foster youth who choose to take any of the high school equivalency tests or the California High School Proficiency Exam (CHSPE).

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### **SB 906 (Beall - D) Public postsecondary education: priority enrollment systems.**

**Summary:** Current law requires the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority for registration for enrollment to foster youth or former foster youth. Current law repeals these requirements on January 1, 2017. This bill would revise the definition of foster youth or former foster youth for these provisions. This bill would extend the operation of these provisions indefinitely.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Costs will be minor and absorbable.

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## **GRADUATION REQUIREMENTS**

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### **SB 1123 (Leyva - D) Pupil instruction: high school graduation requirements.**

**Summary:** Extends, until July 1, 2022, the sunset on the option to fulfill a high school graduation requirement by successfully completing a career technical education (CTE) course.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## **HIGHER EDUCATION**

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### **AB 1449 (Lopez - D) Student financial aid: California Community College Transfer Cal Grant Entitlement Program.**

**Summary:** Under the California Community College Transfer Cal Grant Entitlement Program, a student who transfers from a California community college to a qualifying institution that offers a baccalaureate degree receives a Cal Grant A or B award if the student meets specified requirements, among which is that the student graduate from a California high school or its equivalent during or after the 2000-01 academic year. This bill would, commencing with the 2017-18 academic year, exempt a student from the requirement that the student graduate from a California high school or its equivalent if he or she did not graduate from high school or its equivalent and was a California resident on his or her 18th birthday.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.



**Fiscal Effect:** California Student Aid Commission (CSAC) costs are about \$1.4 million in the first year, growing to \$2.5 million general fund by full implementation (the fourth year) and out years.

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### **AB 1741 (Rodriguez - D) California College Promise Innovation Grant Program.**

**Summary:** Establishes the California College Promise Innovation Grant Program, under the administration of the Office of the Chancellor of the California Community Colleges, which would require the chancellor's office to distribute grants, upon appropriation by the Legislature, to the governing boards of community college districts, who meet certain requirements, to support the establishment of regional programs with the goals of increasing college preparation, college access, and college success. These provisions would be repealed on January 1, 2021.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** CCC Chancellor's Office indicates that \$120,000 general fund would be needed for staff to administer this program.

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### **AB 1985 (Williams - D) Advanced Placement credit.**

**Summary:** Will, commencing January 1, 2017, require the office of the Chancellor of the California Community Colleges to begin development of, and would require each community college district subsequently to begin adoption and implementation of, a uniform policy to award a pupil who passes an Advanced Placement examination course credit for certain requirements in a course with subject matter similar to that of the Advanced Placement examination. The bill would require each community college campus to post the most recent policy on its website.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** One-time costs ranging in the low tens of thousands to low hundreds of thousands for campuses to either create or adapt their AP policies to a uniform policy adopted by the CCC Chancellor's Office.

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### **AB 2009 (Lopez - D) Student support services: Dream Resource Liaisons.**

**Summary:** Would, commencing with the 2017-18 academic year, require the California Community Colleges and the California State University, and would request the University of California to designate a Dream Resource Liaison on each of their respective campuses, to assist students meeting specified requirements, including undocumented students, by streamlining access to all available financial aid and academic opportunities for those students. By requiring community colleges to designate a Dream Resource Liaison, this bill would impose a state mandated local program.

**ACSA Position:** Watch | **Final Status:** Vetoed by the governor.

**Reason:** I am returning Assembly Bill 2009 without my signature. The bill requires public colleges and universities to have a staff member who is knowledgeable about financial aid and academic opportunities for undocumented students and also encourages the creation of resource centers for these students. The state has long recognized that dreamers should pay resident tuition at public colleges and universities and also be eligible to receive financial aid. At this stage, all of our higher education institutions ought to be well versed in the rights and opportunities available to undocumented students. Rather than reinforcing state law with an additional law, I am calling upon University of California President Janet Napolitano and California State University President Tim White to ensure that relevant campus personnel can ably fulfill these duties, and I will request incoming California Community Colleges Chancellor Eloy Oakley to help our 113 community college campuses do the same. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** State reimbursable mandate costs of \$100,000 per campus (\$11.3 million statewide) for each CCC campus to designate a Dream Resource Liaison. The CCC Chancellor's Office indicates the need for one part-time position and \$60,000 to support oversight of Dream Resource Centers. (general fund)

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### **AB 2056 (Garcia, Eduardo - D) Cal Grant Program: graduation verification.**

**Summary:** The Cal Grant Program establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C award, and the Cal Grant T award under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. This bill would require the commission, if it requires the verification of high school graduation or its equivalent, to provide guidance to high schools or high school districts to ensure that high schools and high school districts verify the graduation of their pupils as soon as possible upon a pupil's graduation and no later than August 31 of the academic year following the pupils' graduation.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** This bill could result in potentially significant costs to the state (general fund) and minor costs to the Commission to provide required guidance.

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### **AB 2364 (Holden - D) Public postsecondary education: community colleges: exemption from nonresident tuition.**

**Summary:** Current law authorizes community college districts to admit nonresident students, and requires that nonresident students be charged a nonresident tuition fee unless an exemption is applicable. Current law authorizes a community college district to exempt from all or parts of the fee a special part-time student admitted pursuant to a specified concurrent or dual enrollment program. This bill instead would require a community college district to exempt a special part-time student, other than a nonimmigrant alien, as defined, from paying all or parts of the fee if that student is admitted pursuant to one of additionally specified concurrent or dual enrollment programs.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** CCC estimates the cost of allowing community colleges to claim apportionment for specified students is \$2.6 million. This would constitute a cost pressure as CCC enrollment funding is capped each year.

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### **SB 1314 (Block - D) Cal Grant Program: Middle Class Scholarship Program: community college baccalaureate degree program students.**

**Summary:** The Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Entitlement Awards, and the Competitive Cal Grant A and B Awards and eligibility requirements for these awards for participating students attending qualifying institutions. This bill would provide that community college students participating in specified baccalaureate degree programs who also satisfy specified eligibility requirements shall receive these awards for upper division coursework fees.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** Estimated general fund costs of \$1.4 million in 2016-17, \$2.7 million in 2017-18, and \$3.1 million in 2018-19 for Cal Grants and Middle Class Scholarship awards. Cost will continue if the program is extended and will increase if the program is expanded to additional districts.

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## **PRESCHOOL / CHILD DEVELOPMENT**

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### **AB 1712 (Obernolte - R) Child care: contractors: digital signatures.**

**Summary:** The Child Care and Development Services Act authorizes the Superintendent of Public Instruction to enter into and execute local contractual agreements with any public or private entity or agency for the delivery of child care and development services. The act authorizes these contractors to maintain records electronically. This bill would authorize the contractors to use a digital signature, and would require that the use of a digital signature have the same force and effect as a manual signature if specified requirements are met.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Costs to the CDE of \$73,000 general fund. Unknown ongoing costs to the CDE related to audit fieldwork to verify and test that electronic systems and digital signatures meet all required standards. These costs could be in the tens of thousands, but will likely decrease over time as digital signatures become more standard.

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### **AB 2537 (O'Donnell - D) Pupils: school attendance: residency requirements.**

**Summary:** This bill would indefinitely extend the operation of the provision authorizing the school district within the boundaries of which a parent or legal guardian of a pupil is physically employed for a minimum of 10 hours during the school week to allow that pupil to attend a school in that school district.

**ACSA Position:** Support

**Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## PRIVACY

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### **AB 2097 (Melendez - R) Pupil records: social security numbers.**

**Summary:** Current law authorizes the Superintendent of Public Instruction, in order to assist the state in evaluating the effectiveness of special education programs to collect and utilize social security numbers of individuals with exceptional needs as pupil identification numbers beginning in the 1993-94 fiscal year and phased in over a 2 year period. In a situation where a social security number is not available, current law requires the Superintendent to assign another student identification number for purposes of evaluating special education programs and related services. This bill would repeal that authorization and would instead require the Superintendent, commencing with the 2017-18 fiscal year and phased in over a 2 year period, to assign a student identification number to individuals with exceptional needs for purposes of evaluating special education programs and related services.

**ACSA Position:** Approve

**Final Status:** Signed by the governor.

**Fiscal Effect:** None

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## PROFESSIONAL DEVELOPMENT

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

**Summary:** 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 website. The bill would state legislative findings and declarations relating to the importance of culturally responsive teaching.

**ACSA Position:** Support

**Final Status:** Vetoed by the governor.

**Reason:** I am returning Assembly Bill 2353 without my signature. This bill requires the CDE to identify professional development programs in culturally responsive instruction and provide links to those programs on its website. Clearly, it's important to train teachers in cultural competency, which is why California's teacher preparation programs provide instruction on this issue. The Department currently provides resources and links related to culturally responsive instruction on its website. If this information needs to be enhanced or expanded, I'm confident the Superintendent can handle that request without this bill. Sincerely, Edmund G. Brown

**Fiscal Effect:** CDE estimates about \$150,000 one-time general fund for experts to review and identify programs to post online and for CDE staff to support the project.

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## PUPIL SERVICES

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

**Summary:** 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. 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.

**ACSA Position:** Neutral

| **Final Status:** Vetoed by the governor.

**Reason:** I am returning Senate Bill 123 without my signature. This bill establishes a work group jointly administered by the Departments of Health Care Services and Education to recommend changes to school based Medi-Cal programs. There is an advisory committee within the Department of Health Care Services whose very purpose is to continuously review and recommend improvements to these programs. Collaboration among the health and education departments and local education groups is very important, but the existing advisory committee is working well and certainly up to the task. Codification in this case is not needed. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** One-time cost of \$600,000 to DHCS. Costs for the appeals process could be in the range of \$2 million or more ongoing, including informal and formal appeals, and related legal services (LEA reimbursement funds/federal). Ongoing cost to CDE of \$222,000 to jointly co-chair the workgroup.

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### **SB 1466 (Mitchell - D) Early and Periodic Screening, Diagnosis and Treatment Program: trauma screening.**

**Summary:** Would require, consistent with federal law, that screening services under the EPSDT program include screening for trauma. The bill also would require the State Department of Health Care Services, in consultation with the State Department of Social Services and others, to adopt, employ, and develop, as appropriate, tools and protocols for screening children for trauma and would authorize the department to implement, interpret, or make specific the screening tools and protocols by means of all-county letters, plan letters, or plan or provider bulletins.

**ACSA Position:** Support

| **Final Status:** Vetoed by the governor.

**Reason:** I am returning Senate Bill 1466 without my signature. This bill establishes a new trauma screening entitlement for every child on Medi-Cal. Medi-Cal has grown from 8 million to 14 million beneficiaries since our implementation of the federal Affordable Care Act and provides coverage for over 5 million children. Given this dramatic expansion, I am reluctant to create another entitlement as required by this bill. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** Costs, likely in the millions annually for additional screening and assessment services provided to Medi-Cal-eligible children, including foster children (GF/federal). The state could also experience unknown additional cost pressure for provision of additional mental health services for mild to moderate diagnoses through Medi-Cal managed care plans (GF/federal).

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## RETIREMENT

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### **AB 736 (Cooley - D) State teachers' retirement: executive positions.**

**Summary:** The Teachers' Retirement Law provides for the administration of the system and the plan by the Teachers' Retirement Board and authorizes the board to appoint employees as necessary for those purposes. The law requires the board to fix the compensation of specified executive and managerial positions, including chief executive officer, chief investment officer, and general counsel. This bill would provide the duty to fix the compensation of specified executive and managerial positions, described above, applicable to a single position in the various job categories.

**ACSA Position:** Approve | **Final Status:** Signed by the governor.

**Fiscal Effect:** This bill would result in increased annual salary costs to CalSTRS of up to \$189,300, excluding cost of living adjustments. The actual amount of the increase would depend on future hiring decisions by TRB.

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### **AB 2833 (Cooley - D) Public investment funds: disclosures.**

**Summary:** This bill, for new contracts entered into on and after January 1, 2017, and for existing contracts for which a new capital commitment is made on or after January 1, 2017, would require a public investment fund to require alternative investment vehicle to make specified disclosures regarding fees, expenses and carried interest in connection with these vehicles and the underlying investments, as well as other specified information.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state costs.

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### **SB 1234 (De León - D) Retirement savings plans.**

**Summary:** Current law requires contributions from the wages of employees participating in the California Secure Choice Savings Program to be deposited in the California Secure Choice Retirement Savings Trust, which is continuously appropriated and administered by the California Secure Choice Retirement Savings Investment Board. Current law authorizes the board to adjust the employee contribution amount between 2% and 4%, inclusive, of the employee's annual salary or wages. This bill would express legislative approval of the program and its implementation as of January 1, 2017.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Unknown fiscal impact. The State Treasurer's Office (STO) estimates that total implementation costs over a multi-year period could reach up to \$134 million.

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## SCHOOL FINANCE / BUDGET / PARCEL TAXES

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### AB 1602 (Committee on Budget) Education.

**Summary:** The California Library Services Act establishes the California Library Services Board and provides that its duties include, among other things, adopting rules, regulations, and general policies relating to the implementation of the act. This bill would revise and recast the act, including, among other things, removing from the board the powers to annually submit budget proposals as part of the annual budget of the Department of Education and to develop formulas for the equitable allocation of reimbursements to public libraries for providing specified library services.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Budget Appropriation.

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### AB 1624 (Committee on Budget) Education.

**Summary:** Current law establishes the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Subject to an appropriation for these purposes, current law requires the Commission on Teacher Credentialing to adopt criteria for the selection of school districts, charter schools, or county offices of education to participate in the program. Current law requires that criteria to include the extent to which the applicant's plan for recruitment attempts to meet the demand for teachers in shortage areas. This bill would add to that criteria the extent to which the applicant's plan for recruitment attempts to meet the demand for bilingual cross-cultural teachers.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** Budget Appropriation.

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### SB 826 (Leno - D) Budget Act of 2016.

**Summary:** Would establish a statewide grant program for educational apprenticeship programs under the administration of the Superintendent of Public Instruction. The bill would require that a grant allocated by the Superintendent under this bill to be distributed on a competitive basis, subject to funding being made available in the annual Budget Act. The bill would specify certain criteria to be applied by the Superintendent to determine the competitive value of an application for a grant under the bill.

**ACSA Position:** Watch

**Final Status:** Signed by the governor.

**Fiscal Effect:** Budget Appropriation.

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### **SB 828 (Committee on Budget and Fiscal Review) School finance: education omnibus trailer bill.**

**Summary:** The Child Care and Development Services Act, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. This bill would require, if only one parent has signed an application for enrollment in child care services and the information provided on the application indicates that there is a 2nd parent who has not signed the application, the parent who has signed the application to self certify the presence or absence of the 2nd parent under penalty of perjury. By expanding the crime of perjury, the bill would impose a state mandated local program.

**ACSA Position:** Watch

**Final Status:** Signed by the governor.

**Fiscal Effect:** This bill appropriates funding for K-14 education programs, totaling approximately \$4.7 billion.

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### **SB 1211 (Huff - R) Educational programs.**

**Summary:** Current law required the Legislature to complete a specified study on or before March 31, 2007, on specified matters relating to school breakfast programs. Current law establishes the Community Policing and Mentoring for School Safety Pilot Program to award grants to specified school districts for a 2 year period. Current law establishes the Nell Soto Parent/Teacher Involvement Program and the Tom Hayden Community Based Parent Involvement Grant Program to provide grants to schools for specified purposes relating to parental involvement. Current law states various findings and declarations of the Legislature relating to a nuclear age education curriculum. This bill would repeal all of the above specified provisions.

**ACSA Position:** Support

**Final Status:** Signed by the governor.

**Fiscal Effect:** Negligible state fiscal impact.



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## SPECIAL EDUCATION

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### AB 2785 (O'Donnell - D) Special education: English learners: manual.

**Summary:** Requires the State Department of Education, on or before July 1, 2018, to develop a manual providing guidance to local educational agencies on identifying, assessing, supporting and reclassifying English learners who may qualify for special education services and pupils with disabilities who may be classified as English learners with the goal of providing guidance, for voluntary use by local educational agencies, charter schools, and the state special schools on evidence-based and promising practices for the identification, assessment, support and reclassification of those pupils and to promote a collaborative approach among general education teachers, special education teachers, school administrators, paraprofessionals, other involved personnel, and parents in determining the most appropriate academic placements and services for these pupils.

**ACSA Position:** Support | **Final Status:** Signed by the governor.

**Fiscal Effect:** Total amount of the contract is anticipated to be \$450,000 to cover the period from January 1, 2017 to July 1, 2018. (Federal funds) CDE cites the need for one limited-term position until July 1, 2018 at a cost of \$229,000 to oversee the contract and to act as the liaison with the EL Division within the department. (Federal funds)

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

**Summary:** 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.

**ACSA Position:** Watch | **Final Status:** Vetoed by the governor.

**Reason:** I am returning the following four bills without my signature: Assembly Bill 1198 Assembly Bill 1783 Assembly Bill 2182 Senate Bill 1113. Each of these bills creates unfunded new programs. Despite significant funding increases for local educational agencies over the past few years, the Local Control Funding Formula remains only 96 percent funded. Given the precarious balance of the state budget, establishing new programs with the expectation of funding in the future is counterproductive to the Administration's efforts to sustain a balanced budget and to fully fund the Local Control Funding Formula. Additional spending to support new programs must be considered in the annual budget process. Sincerely, Edmund G. Brown Jr.

**Fiscal Effect:** Proposition 98/general fund (GF) cost pressure, in the millions of dollars. Annual administrative costs to the CDE of approximately \$150,000 to administer the competitive grant process.

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## TAXES

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### **AB 1789 (Santiago - D) Personal income taxes: voluntary contributions: School Supplies for Homeless Children Fund.**

**Summary:** Current law requires the moneys deposited in the School Supplies for Homeless Children Fund, upon appropriation by the Legislature, to be allocated to the State Department of Social Services for distribution to a designated nonprofit organization for the sole purpose of assisting pupils in California pursuant to the federal McKinney Vento Homeless Assistance Act. This bill would authorize the designated nonprofit organization to provide school supplies and health related products to homeless children and homeless youth residing in or receiving services from specified living centers and would extend the time period for the School Supplies for Homeless Children Fund to appear on the tax return to January 1, 2022, or when the amount of contributions by taxpayers does not meet the minimum contribution amount, whichever occurs first.

**ACSA Position:** Watch | **Final Status:** Signed by the governor.

**Fiscal Effect:** The FTB estimates that this bill would result in annual revenue losses of \$10,000 in fiscal year 2017-18, and \$15,000 thereafter (general fund).

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### **AB 1891 (Dababneh - D) School districts: special taxes: exemptions.**

**Summary:** Current law defines "qualified special taxes" as taxes that apply uniformly to all taxpayers or all real property within a school district and may include taxes that provide for an exemption from those taxes for persons who are 65 years of age or older, for persons receiving Supplemental Security Income for a disability, or for persons receiving Social Security Disability Insurance benefits. This bill would require any exemption granted to remain in effect until the taxpayer becomes ineligible, and would allow a new exemption to be granted in the same manner if the taxpayer becomes ineligible for the exemption for any reason.

**ACSA Position:** Approve | **Final Status:** Signed by the governor.

**Fiscal Effect:** None