



What's New For 2018

A COMPENDIUM OF NEW LAWS THAT
IMPACT K-12 EDUCATION IN CALIFORNIA





What's New For 2018

This report offers details on legislation signed into law in 2017 that will impact K-12 education in California. The new laws in this report are bills that CSBA adopted a specific position on, or those which CSBA monitored throughout the year to assess potential impact on public schools. Each listing provides the following information:

- » The bill number, author, chapter number (Statutes of 2017) and brief summary
- » When the bill takes effect
(Most new statutes take effect on January 1, 2018, unless passed with an urgency clause)
- » Whether or not the bill will impact CSBA board policies
- » What sections of the Education Code and/or relevant code sections are added, amended or repealed
- » CSBA's position on the bill (see below for details on positions)

IMPORTANT NOTE: Some bills in this report show “No Official Position,” indicating that CSBA did not adopt a formal position on the bill. However, each bill included in this report will have an impact on K-12 public education, even if CSBA did not adopt a position or if CSBA board policies will not be impacted.

CSBA positions

There are several different positions CSBA can take on a bill:

Position	Description	New Laws with this Position
Sponsor/ Cosponsor	CSBA drafts bill language, secures a Legislator to author and strongly pursues passage	2
Support	Actively monitor, pursue and lobby in support	29
Support & Seek Amendments	Support and seek appropriate amendments	0
Support if Amended	Support only if specific amendments made	1
Approve	Approve in concept or principle but do not actively lobby in support	5
Neutral	Existence of bill is noted, but no action taken	4
Disapprove	Disapprove in concept or principle but do not actively lobby in opposition	6
Oppose Unless Amended	Seek defeat unless specific amendments are made	1
Oppose	Actively monitor, pursue and lobby in opposition	2



CSBA policy platform

As you review the What's New for 2018 report, you will see one or more of these four icons next to each bill, indicating which of CSBA's policy pillars the bill falls under:



**Strengthen Local
Governance**



**Improve Conditions
of Children**



Secure Fair Funding



**Ensure Achievement
for All**

For more information about CSBA's Policy Platform, visit www.csba.org/policyplatform

Additional information on new bills

If you are viewing this document online, the title of each bill is linked to a webpage with additional information, including amendments made to the language of the bill, analysis by policy and fiscal committees (where applicable) and a record of how individual members of the Legislature voted on the measure.

Additional details on 2017-18 legislation can be found at:
leginfo.legislature.ca.gov

For news and updates from the 2017 legislative session, visit:
www.csba.org/LegislativeNews

For questions regarding new laws or other legislative items,
please contact Governmental Relations:
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ADDENDUM (Added November 2017) - Please see the end of this report for further analysis and guidance on select new legislation (including public employee orientation laws, immigration laws and school site water supply testing), which has appeared in CSBA's *California School News* monthly newsletter throughout 2017.



2017 bills signed

View details on each bill beginning on page 8. For online viewing, each bill title is hyperlinked to more info

AB 10 (Garcia, Cristina-D)	Feminine hygiene products: public school restrooms
AB 23 (Ridley-Thomas-D)	Educational programs: single gender schools and classes
AB 24 (Eggman-D)	Instructional programs: State Seal of Civic Engagement
AB 37 (O'Donnell-D)	Pupil instruction: VAPA: content standards in media arts
AB 46 (Cooper-D)	Employers: wage discrimination
AB 81 (Gonzalez Fletcher-D)	English learners: identification: notice
AB 168 (Eggman-D)	Employers: salary information
AB 170 (O'Donnell-D)	Teacher credentialing
AB 192 (Medina-D)	Migrant education: statewide parent advisory council: reports
AB 203 (O'Donnell-D)	School facilities: design and construction: report: regulations
AB 226 (Cervantes-D)	Teacher credentialing: spouses of active duty members
AB 236 (Maienschein-R)	CalWORKs: housing assistance
AB 258 (Arambula-D)	Child care subsidy plan: Fresno
AB 300 (Caballero-D)	Child care subsidy plan: Monterey, San Benito, Santa Clara, Santa Cruz
AB 377 (Frazier-D)	Child care subsidy plan: San Diego and Solano
AB 435 (Thurmond-D)	Child care subsidy plan: Alameda, Contra Costa, Marin, Sonoma
AB 261 (Thurmond-D)	Governing boards: pupil members: preferential voting
AB 273 (Aguar-Curry-D)	Child care services: eligibility
AB 340 (Arambula-D)	Trauma screening
AB 341 (Frazier-D)	School field trips: expenses
AB 365 (Muratsuchi-D)	Pupil instruction: children of military families
AB 424 (McCarty-D)	Possession of a firearm in a school zone
AB 500 (Bloom-D)	Employee codes of conduct: employee interactions with pupils
AB 581 (McCarty-D)	Apprenticeships on public works projects
AB 591 (O'Donnell-D)	School property: lease: county boards of education



AB 603 (Quirk-Silva-D)	Child care: alternative payment programs
AB 616 (Aguiar-Curry-D)	Pupil instruction: Summer School for Mathematics and Science
AB 643 (Frazier-D)	Pupil instruction: abusive relationships
AB 667 (Reyes-D)	Pupil discipline: suspension: informal conference
AB 670 (Thurmond-D)	Classified employees: part-time playground positions
AB 677 (Chiu-D)	Data collection: sexual orientation
AB 681 (Chau-D)	Teacher credentialing: teacher preparation outside of the U.S.
AB 691 (Levine-D)	Pupil nutrition: almond milk
AB 699 (O'Donnell-D)	Educational equity: immigration and citizenship status
AB 738 (Limón-D)	Pupil instruction: Native American studies: model curriculum
AB 746 (Gonzalez Fletcher-D)	Public health: potable water systems: lead testing: schoolsites
AB 752 (Rubio-D)	Child care: state preschool programs: expulsion
AB 760 (Arambula-D)	Pupils: minimum schoolday: concurrent enrollment
AB 818 (Burke-D)	CalWORKs: welfare to work
AB 830 (Kalra-D)	High school exit examination: repeal
AB 841 (Weber-D)	Pupil nutrition: food and beverages: advertising: corporate incentive
AB 872 (Chau-D)	School employees: employment: sex offenses
AB 949 (Gipson-D)	School employees: sole proprietors: criminal background check
AB 1035 (O'Donnell-D)	Pupil assessments: interim assessments: purposes of use
AB 1082 (Burke-D)	Electric vehicle charging infrastructure: school facilities
AB 1106 (Weber-D)	Child care and development services: alternative payment programs
AB 1124 (Cervantes-D)	Juvenile court school pupils: graduation requirements, continued options
AB 1127 (Calderon-D)	Baby diaper changing stations
AB 1157 (Mullin-D)	School property: employee housing: property tax exemption
AB 1176 (Mullin-D)	High school equivalency tests
AB 1194 (Dababneh-D)	Elections: local bond measures: tax rate statement



AB 1227 (Bonta-D)	Human Trafficking Prevention Education and Training Act
AB 1354 (Kiley-R)	Pupil instruction: repeal of programs
AB 1360 (Bonta-D)	Charter schools: pupil admissions, suspensions, and expulsions
AB 1453 (Garcia, Eduardo-D)	Schoolbuses: adult volunteer transportation
AB 1487 (Rodriguez-D)	Public Employees' Retirement System: limited term appointments
AB 1502 (Thurmond-D)	Free or reduced-price school meals: direct certification
AB 1533 (O'Donnell-D)	Pupil instruction: College Promise Partnership Act
AB 1550 (Limón-D)	School finance: school bonds: small school district
SB 12 (Beall-D)	Foster youth: postsecondary education: financial aid assistance
SB 20 (Hill-D)	Vehicles: buses: seatbelts
SB 31 (Lara-D)	California Religious Freedom Act
SB 45 (Mendoza-D)	Political Reform Act of 1974: mass mailing prohibition
SB 54 (de León-D)	Law enforcement: sharing data
SB 63 (Jackson-D)	Unlawful employment practice: parental leave
SB 138 (McGuire)	School meal programs: free and reduced-price meals: universal service
SB 233 (Beall-D)	Foster children: records
SB 250 (Hertzberg-D)	Pupil meals: Child Hunger Prevention and Fair Treatment Act of 2017
SB 257 (Lara-D)	School admissions: pupil residency: pupils of departed parents
SB 285 (Atkins-D)	Public employers: union organizing
SB 344 (Bradford-D)	School attendance: interdistrict attendance
SB 379 (Atkins-D)	Pupil health: oral health assessment
SB 418 (Hernandez-D)	Public contracts: skilled and trained workforce
SB 450 (Hertzberg-D)	Public bodies: bonds: public notice
SB 455 (Newman-D)	Pupil enrollment: military dependents
SB 468 (Leyva-D)	School districts: governing boards: pupil members
SB 496 (Cannella-R)	Indemnity: design professionals



SB 544 (McGuire-D)	School districts: contracting: purchases for child nutrition programs
SB 550 (Pan-D)	Public school employment: meeting and negotiating: attorney's fees
SB 557 (Hernandez-D)	Food donations and pupil meals: schools
SB 665 (Moorlach-R)	Elections: ballot measures
SB 730 (Pan-D)	Pupil nutrition: National School Lunch Act: Buy American provision
SB 751 (Hill-D)	School finance: school districts: annual budgets: reserve balance



AB 10 (*Garcia, Cristina-D*) **Feminine hygiene products: public school restrooms**

Requires a public school maintaining any combination of classes from grade 6 to grade 12, inclusive, that meets a 40% pupil poverty threshold specified in federal law to stock 50% of the school's restrooms with feminine hygiene products, as defined. The bill prohibits a public school from charging for any menstrual products, including feminine hygiene products, provided to pupils. By imposing additional duties on public schools, the bill imposes a state-mandated local program.

CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 687
CSBA Policies Impacted: Yes



Add Section 35292.6 to the Education Code, relating to feminine hygiene products.

AB 23 (*Ridley-Thomas-D*) **Educational programs: single gender schools and classes**

Current law authorizes the governing board of a school district to initiate and carry on any program or activity, or to otherwise act in any manner which is not in conflict or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established. This bill, until January 1, 2025, authorizes a school district with an average daily attendance of 400,000 or more pupils to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, if certain requirements are met. The bill authorizes a charter school authorized by a school district with an average daily attendance of 400,000 or more pupils that was operating as a single gender school or with single gender classes as of July 1, 2017, to be maintained as a single gender school or to maintain single gender classes, if those same requirements are met.

CSBA Position: Support
Effective Date: October 11, 2017

Chapter Number: 654
CSBA Policies Impacted: No



Add and repeal Article 4.5 (commencing with Section 232) of Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code, relating to educational programs, and declaring the urgency thereof, to take effect immediately.

AB 24 (*Eggman-D*) **Instructional programs: State Seal of Civic Engagement**

Requires the Superintendent, on or before January 1, 2020, to recommend to the State Board of Education criteria for awarding a State Seal of Civic Engagement to pupils who have demonstrated excellence in civics education and participation and have demonstrated an understanding of the United States Constitution, the California Constitution, and the democratic system of government. The bill requires the Superintendent to consider, among other criteria, the successful completion of history, government, and civics courses, including courses that incorporate character education, and voluntary participation in community service or extracurricular activities.

CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 604
CSBA Policies Impacted: Yes



Add Article 7 (commencing with Section 51470) to Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code, relating to instructional programs.

AB 37 (*O'Donnell-D*) **Pupil instruction: visual and performing arts: content standards in media arts**

Requires the Superintendent to additionally recommend visual and performing arts standards in the subject of media arts, and require those recommendations to go through the same development, public review, and approval process for recommended revisions to the visual and performing arts content standards, as specified.



CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 102
CSBA Policies Impacted: Yes



Amend Section 60605.13 of the Education Code, relating to pupil instruction.

AB 46 (Cooper-D) Employers: wage discrimination

Current law prohibits an employer from paying any of its employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, unless the employer demonstrates that one or more specific factors, reasonably applied, account for the entire wage differential. Under current law, an employer or other person who violates or causes a violation of that prohibition, or who reduces the wages of any employee in order to comply with that prohibition, is guilty of a misdemeanor. This bill defines “employer” for those purposes to include public and private employers.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 776
CSBA Policies Impacted: Yes



Amend Section 1197.5 of the Labor Code, relating to employment.

AB 81 (Gonzalez Fletcher-D) English learners: identification: notice

Requires the notice of assessment of a child’s English proficiency to include specified additional information, including whether a child is a long-term English learner or is an English learner at risk of becoming a long-term English learner, and authorizes a local educational agency or charter school to send an alternative notice to comply with this requirement, as specified.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 609
CSBA Policies Impacted: Yes



Amend Section 313.2 of the Education Code, relating to English learners.

AB 168 (Eggman-D) Employers: salary information

Prohibits an employer from relying on the salary history information of an applicant for employment as a factor in determining whether to offer an applicant employment or what salary to offer an applicant. The bill also prohibits an employer from seeking salary history information about an applicant for employment and requires an employer, upon reasonable request, to provide the pay scale for a position to an applicant for employment. The bill does not prohibit an applicant from voluntarily and without prompting disclosing salary history information and does not prohibit an employer from considering or relying on that voluntarily disclosed salary history information in determining salary, as specified.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 688
CSBA Policies Impacted: Yes



Add Section 432.3 to the Labor Code, relating to employers.

AB 170 (O’Donnell-D) Teacher credentialing

Current law establishes minimum requirements for the issuance of a preliminary teaching credential, multiple or single subject, which include possession of a baccalaureate degree in a subject other than professional education. This bill no longer requires, for issuance of a multiple subject teaching credential or a preliminary multiple subject teaching credential, that the baccalaureate degree be in a subject other than professional education.



CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 123
CSBA Policies Impacted: No



Amend Sections 44225 and 44259 of the Education Code, relating to teacher credentialing.

AB 192 (Medina-D) Migrant education: statewide parent advisory council: reports

Current law requires the Superintendent to sponsor an annual State Parent Advisory Council Conference. Current law requires the statewide parent advisory council to prepare and submit a report to the Legislature, the state board, the Superintendent, and the Governor regarding the status of the migrant education program. This bill requires the statewide parent advisory council to prepare and submit this report every 3 years. The bill requires the State Parent Advisory Council Conference to be held biennially and authorizes the Superintendent to sponsor regional conferences to take the place of the state conference if the Superintendent determines that regional conferences will increase parent participation.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 78
CSBA Policies Impacted: No



Amend Section 54444.2 of the Education Code, relating to migrant education.

AB 203 (O'Donnell-D) School facilities: design and construction: report: regulations

Current law requires the State Department of Education to take specified actions relating to the construction of school facilities, including to establish standards for use by school districts to ensure that the design and construction of school facilities are educationally appropriate and promote school safety. This bill requires those standards to also ensure that the design and construction of school facilities provide school districts with flexibility in designing instructional facilities.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 837
CSBA Policies Impacted: No



Amend Section 17251 of, to add Section 17256 to, and to add and repeal Section 17254 of, the Education Code, relating to school facilities.

AB 226 (Cervantes-D) Teacher credentialing: spouses of active duty members of the Armed Forces: expedited application process

Current law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. This bill requires the commission to grant or deny a completed application for a credential within 7 days of the date that the commission received the application if the applicant supplies the commission with evidence that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and holds a valid teaching credential in another state, district, or territory of the United States.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 436
CSBA Policies Impacted: No



Add Section 44343.5 to the Education Code, relating to teacher credentialing.



AB 236 (*Maienschein-R*) CalWORKs: housing assistance

As part of the CalWORKs program, a homeless family that has used all available liquid resources in excess of \$100 is eligible for homeless assistance benefits to pay the costs of temporary shelter if the family is eligible for aid under the CalWORKs program. This bill also provides that homeless assistance is available to homeless families that would be eligible for aid under the CalWORKs program but for the fact that the only child or children in the family are in out-of-home placement pursuant to an order of the dependency court, if the family is receiving reunification services and the county determines that homeless assistance is necessary for reunification to occur.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 545
CSBA Policies Impacted: No



Amend Sections 11203 and 11450 of the Welfare and Institutions Code, relating to CalWORKs.

Individualized county child care subsidy plans

(11 counties covered in four bills):



AB 258 (*Arambula-D*) Child care and development services: individualized county child care subsidy plan: County of Fresno

Chapter Number: 697

Add and repeal Article 15.1.1 (commencing with Section 8334) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to child care and development services.

AB 300 (*Caballero-D*) Child care and development services: individualized county child care subsidy plans: Counties of Monterey, San Benito, Santa Clara, and Santa Cruz

Chapter Number: 699

Amend Section 8332.2 of, and to add and repeal Article 15.4.1 (commencing with Section 8348) of Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, relating to child care.

AB 377 (*Frazier-D*) Child care subsidy plans: Counties of San Diego and Solano

Chapter Number: 701

Add and repeal Article 15.4.2 (commencing with Section 8349) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to child care and development services.

AB 435 (*Thurmond-D*) Child care subsidy plans: Counties of Alameda, Contra Costa, Marin, and Sonoma

Chapter Number: 703

Amend Section 8340.2 of, and to add and repeal Article 15.1.1 (commencing with Section 8333) of Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, relating to child care.

CSBA Position: No Official Position **Effective:** January 1, 2018 **CSBA Policies Impacted:** No



AB 261 (Thurmond-D) School districts: governing boards: pupil members: preferential voting

Requires a pupil member of the governing board of a school district to have preferential voting rights, and makes conforming and nonsubstantive changes. Because the bill requires school districts to provide a higher level of service, the bill imposes a state-mandated local program. This bill contains other related provisions and other existing laws.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 257
CSBA Policies Impacted: Yes



Amend Section 35012 of the Education Code, relating to school districts.

AB 273 (Aguilar-Curry-D) Child care services: eligibility

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. Current law establishes eligibility requirements and requires families to meet at least one requirement in each of 2 specified areas, including the area relating to why the family has a need for the child care service. This bill includes in the area relating to need, as a requirement that may be satisfied for purposes of eligibility, that the family needs the child care services because the parents are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate.

CSBA Position: Approve
Effective Date: January 1, 2018

Chapter Number: 689
CSBA Policies Impacted: Yes



Amend Section 8263 of the Education Code, relating to child care.

AB 340 (Arambula-D) Early and Periodic Screening, Diagnosis, and Treatment Program: trauma screening

Requires the State Department of Health Care Services, in consultation with the State Department of Social Services and others, to convene, by May 1, 2018, an advisory working group to update, amend, or develop, if appropriate, tools and protocols for screening children for trauma as defined, within the EPSDT benefit, as specified. The bill requires this group to report its findings and recommendations, as well as any appropriations necessary to implement those recommendations, to the department and to the Legislature's budget subcommittees on health and human services no later than May 1, 2019, and provides that this group be disbanded on December 31, 2019.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 700
CSBA Policies Impacted: No



Add Section 14132.19 to the Welfare and Institutions Code, relating to Medi-Cal.

AB 341 (Frazier-D) School field trips: expenses

Current law authorizes the governing board of a school district or the county superintendent of schools of a county to conduct field trips or excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities to and from places in the state, any other state, the District of Columbia, or a foreign country for pupils enrolled in elementary or secondary schools. Current law prohibits school districts from paying expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country with school district funds. This bill deletes that prohibition.



CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 40
CSBA Policies Impacted: Yes



Amend Section 35330 of the Education Code, relating to school field trips.

AB 365 (Muratsuchi-D) Pupil instruction: coursework and graduation requirements: children of military families

Current law requires a school district to exempt a pupil in foster care, a pupil who is a homeless child or youth, or a former juvenile court school pupil who transfers between schools any time after the completion of the pupil's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements unless the school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. Current law requires the school district to take specified actions if it determines that the pupil is reasonably able to complete the school district's graduation requirements within the pupil's 5th year of high school. This bill extends these provisions to a pupil who is a child of a military family, as defined.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 739
CSBA Policies Impacted: Yes



Amend Sections 51225.1 and 51225.2 of the Education Code, relating to pupils.

AB 424 (McCarty-D) Possession of a firearm in a school zone

Deletes the authority of a school district superintendent, his or her designee, or equivalent school authority to provide written permission for a person to possess a firearm within a school zone. By expanding the scope of a crime, the bill creates a state-mandated local program. The bill exempts from that crime the activities of a program involving shooting sports or activities that are sanctioned by a school, school district, college, university, or other governing body of the institution, as specified, and the activities of a certified hunter education program, as specified. The bill makes other conforming changes to related provisions.

CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 779
CSBA Policies Impacted: Yes



Amend Sections 626.9, 26370, and 26405 of the Penal Code, relating to firearms.

AB 500 (Bloom-D) Employee codes of conduct: employee interactions with pupils

Requires 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 a section on employee interactions with pupils in its employee code of conduct to, commencing July 1, 2018, provide a written copy of the section on employee interactions with pupils in its code of conduct to the parent or guardian of each enrolled pupil at the beginning of each school year and, commencing January 1, 2018, to post the section on employee interactions with pupils in its 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.

CSBA Position: Approve
Effective Date: January 1, 2018

Chapter Number: 580
CSBA Policies Impacted: Yes



Add Section 44050 to the Education Code, relating to school employees.



AB 581 (McCarty-D) Apprenticeships on public works projects

Current law provides for apprenticeship programs within the Division of Apprenticeship Standards, which is within the Department of Industrial Relations. This bill requires an apprenticeship program, to be eligible to receive grant funds from the California Apprenticeship Council, to agree to keep adequate records that document the expenditure of those grant funds and make all records available to the department so that the department is able to verify that grant funds were used solely for training apprentices. The bill also requires the department to verify that grants made by the council are used solely for training apprentices.

CSBA Position: No Official Position

Chapter Number: 553

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Amend Section 1777.5 of the Labor Code, relating to apprenticeships.

AB 591 (O'Donnell-D) School property: lease: county boards of education

Current law authorizes the governing board of a school district to lease real property that belongs to the school district for a minimum rental of \$1 per year if the instrument by which the property is leased requires a building to be constructed by the lessee for use by the school district and title to the building vests in the school district at the end of the lease. This bill makes all of the requirements in the provisions as specified applicable to an agreement entered into by a county board of education, county office of education, or county superintendent of schools to let to a person, firm, or corporation any real property that belongs to the county office of education or a school district that requires the lessee to construct a building on demised premises for use by the county office of education or a school district.

CSBA Position: No Official Position

Chapter Number: 125

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Add Sections 1048 and 17407.7 to the Education Code, relating to school property.

AB 603 (Quirk-Silva-D) Child care: alternative payment programs: child care providers: electronic payments: notice of service changes

The Child Care and Development Services Act requires the State Department of Education to contract with local contracting agencies to provide for alternative payment programs, and authorizes alternative payments to be made for child care services, as provided. The act requires child care providers authorized to provide services to submit to the alternative payment program a monthly attendance record or invoice for each child who received services, as provided. This bill requires, on or before July 1, 2019, an alternative payment program to establish a program of electronic banking for payments made to licensed or license-exempt child care providers that have a contract with that alternative payment program, as provided.

CSBA Position: No Official Position

Chapter Number: 706

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Add Sections 8227.2 and 8227.7 to the Education Code, relating to child care services.

AB 616 (Aguiar-Curry-D) Pupil instruction: California State Summer School for Mathematics and Science: funding: tuition

Current law establishes the California State Summer School for Mathematics and Science to provide academic development to enable pupils with demonstrated academic excellence in mathematics and science to receive intensive educational enrichment in these subjects. Current law requests the Regents of the University of California



to operate the summer school. Current law, until January 1, 2018, requests the regents to set a tuition fee for the summer school. This bill no longer requests the regents after January 1, 2018, to set a tuition fee within a range that corresponds to actual program costs, up to but not exceeding \$1,000 per session in the year 2000 and to increase this fee by an amount of up to 5% each year thereafter.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 781
CSBA Policies Impacted: No



Repeal and amend Section 8669 of the Education Code, relating to pupil instruction.

AB 643 (Frazier-D) Pupil instruction: abusive relationships

Current law, the California Healthy Youth Act, requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education, as specified. This bill requires the information included in the instruction about adolescent relationship abuse and intimate partner violence to also include the early warning signs thereof. To the extent that this requirement imposes additional duties on school districts, the bill imposes a state-mandated local program.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 574
CSBA Policies Impacted: Yes



Amend Section 51934 of the Education Code, relating to pupil instruction.

AB 667 (Reyes-D) Pupil discipline: suspension: informal conference

Current law requires a suspension by the principal, the principal's designee, or the district superintendent of schools to be preceded by an informal conference conducted by the principal, the principal's designee, or the district superintendent of schools between the pupil and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal, the principal's designee, or the district superintendent of schools. Current law requires a pupil, at the conference, to be informed of the reason for the disciplinary action and the evidence against him or her, and given the opportunity to present his or her version and evidence in his or her defense. This bill requires a pupil, at the conference, to also be informed of the other means of correction that were attempted before the suspension.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 744
CSBA Policies Impacted: Yes



Amend Section 48911 of the Education Code, relating to pupil discipline.

AB 670 (Thurmond-D) Classified employees: part-time playground positions

Current law requires school districts to employ persons for positions not requiring certification qualifications and to classify, as defined, these persons. Under current law, these employees make up the classified service. Current law exempts a person employed in a part-time playground position from the classified service, where the person is not otherwise employed in a classified position. Current law requires that a position not defined as requiring certification qualifications and not specifically exempted from the classified service is part of the classified service. This bill deletes the provision exempting a person employed in a part-time playground position from the classified service, where the person is not otherwise employed in a classified position, thereby making that person part of the classified service.

CSBA Position: Oppose
Effective Date: January 1, 2018

Chapter Number: 582
CSBA Policies Impacted: Yes





Amend Section 45103 of the Education Code, relating to classified employees.

AB 677 (Chiu-D) Data collection: sexual orientation

Prohibits a local educational agency that chooses to administer a voluntary survey already including questions pertaining to sexual orientation and gender identity from removing those questions. This bill contains other related provisions and other existing laws.

CSBA Position: Neutral
Effective Date: January 1, 2018

Chapter Number: 744
CSBA Policies Impacted: Yes



Add Section 51514 to the Education Code, and to amend Section 8310.8 of the Government Code, relating to data collection.

AB 681 (Chau-D) Teacher credentialing: teacher preparation outside of the United States: temporary certificates

Current law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. This bill authorizes the commission to determine that the national standards for coursework, programs, or degrees in a country other than the United States are equivalent to those offered by a regionally accredited institution in the United States. The bill provides that, if the commission determines that the other country's national standards are equivalent, an individual who holds or is eligible for a credential in that country is presumed to have satisfied specified requirements for obtaining a credential.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 199
CSBA Policies Impacted: Yes



Amend Sections 44332.5, 44332.6, and 44406 of, and to add Sections 44275.5 and 44275.6 to, the Education Code, relating to teacher credentialing.

AB 691 (Levine-D) Pupil nutrition: almond milk

Current law prohibits the governing board of a school district from entering into a contract that grants exclusive or nonexclusive advertising or grants the right to the exclusive or nonexclusive sale of carbonated beverages, nonnutritious beverages, or nonnutritious food within the school district to a person, business, or corporation unless the governing board of the school district has adopted a policy after a public hearing to ensure that the school district has internal controls in place regarding the expenditure of the public funds. Current law defines "nonnutritious beverages," for purposes of that provision. This bill specifies, for purposes of exclusion from the definition of "nonnutritious beverages," that milk also includes almond milk.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 382
CSBA Policies Impacted: No



Amend Sections 35182.5 and 49431.5 of the Education Code, relating to pupil nutrition.

AB 699 (O'Donnell-D) Educational equity: immigration and citizenship status

Current law requires the State Department of Education to assess whether local educational agencies have taken certain actions related to educational equity, including adopting a policy that prohibits, and adopting a process for receiving and investigating complaints of, discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. This bill expressly includes immigration status in the specified characteristics for purposes of those provisions.



CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 493
CSBA Policies Impacted: Yes



Amend Sections 200, 220, and 234.1 of, and to add Article 5.7 (commencing with Section 234.7) to Chapter 2 of Part 1 of Division 1 of Title 1 of, the Education Code, relating to educational equity.

AB 738 (Limón-D) Pupil instruction: Native American studies: model curriculum

Requires the Instructional Quality Commission to develop, and the State Board of Education to adopt, modify, or revise, a model curriculum in Native American studies, and encourages each school district and charter school that maintains any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based Native American studies curriculum to offer a course of study in Native American studies based on the model curriculum.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 614
CSBA Policies Impacted: Yes



Add Section 51226.9 to the Education Code, relating to pupil instruction.

AB 746 (Gonzalez Fletcher-D) Public health: potable water systems: lead testing: schoolsites

Requires a community water system that serves a schoolsite of a local educational agency with a building constructed before January 1, 2010, to test for lead in the potable water system of the schoolsite before January 1, 2019. The bill requires the community water system to report its findings to the schoolsite, as specified, and, if the schoolsite's lead level exceeds a certain level, to test a water sample from the point in which the schoolsite connects to the community water system's supply network. The bill requires the local educational agency, if the lead level exceeds the specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite or preschool.

CSBA Position: Support if Amended
Effective Date: January 1, 2018

Chapter Number: 746
CSBA Policies Impacted: Yes



Add and repeal Section 116277 of the Health and Safety Code, relating to public health.

AB 752 (Rubio-D) Child care: state preschool programs: expulsion

Prohibits a contracting agency from expelling or unenrolling a child from a state preschool program because of a child's behavior unless the contracting agency has expeditiously pursued and documented reasonable steps to maintain the child's safe participation in the program and determines, in consultation with specified parties, that the child's continued enrollment would present a continued serious safety threat to the child or other enrolled children, and has referred the parents or legal guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 708
CSBA Policies Impacted: Yes



Add Section 8239.1 to the Education Code, and to add Section 1596.893c to the Health and Safety Code, relating to child care.

AB 760 (Arambula-D) Pupils: minimum schoolday: concurrent enrollment: joint powers agreement

Current law, which becomes inoperative July 1, 2017, and is repealed on January 1, 2018, establishes, commencing with the 2008–09 fiscal year, 180 minutes as the minimum schoolday for a pupil concurrently enrolled in



regular secondary school classes and classes operating pursuant to a joint powers agreement, as specified. This provision specifies the methods for including these pupils in the computation of the average daily attendance of the affected school district. This bill deletes the language that renders this provision inoperative on July 1, 2017, and repeals it on January 1, 2018, thereby extending the operation of this provision indefinitely.

CSBA Position: Approve
Effective Date: July 10, 2017

Chapter Number: 47
CSBA Policies Impacted: No



Amend and renumber Section 42238.20 of the Education Code, relating to pupils, and declaring the urgency thereof, to take effect immediately.

AB 818 (Burke-D) CalWORKs: welfare to work

Current law requires a recipient of CalWORKs to participate in certain welfare-to-work activities as a condition of eligibility for 24 cumulative months, as specified, and then to meet other federal requirements afterwards, as specified. Current law authorizes each county to provide an extension of the 24 months for recipients who are unlikely to meet the federal requirements, and authorizes a recipient to request the extension and present evidence to the county that he or she meets a specified circumstance. This bill provides that for purposes of the educational or treatment program circumstance, a high school education or its equivalent is presumed to meaningfully increase the likelihood of the recipient's employment.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 141
CSBA Policies Impacted: No



Amend Section 11322.87 of the Welfare and Institutions Code, relating to CalWORKs.

AB 830 (Kalra-D) High school exit examination: repeal

Eliminates the high school exit examination and removes it as a condition of receiving a diploma of graduation or a condition of graduation from high school. The bill also makes clarifying, conforming, and nonsubstantive changes.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 641
CSBA Policies Impacted: Yes



Amend Sections 8421, 8423, 8484.1, 10805, 33126, 47605, 48070.6, 48800, 48980, 49600, 52052, 52302.8, 52335.12, 60605.6, 60900, 99222, 99223, 99224, and 99225 of, to add Section 51413 to, and to repeal Chapter 9 (commencing with Section 60850) of Part 33 of Division 4 of Title 2 of, the Education Code, to amend Section 11126 of the Government Code, and to amend Section 14530 of the Unemployment Insurance Code, relating to the high school exit examination.

AB 841 (Weber-D) Pupil nutrition: food and beverages: advertising: corporate incentive program

Prohibits, except as provided, a school, school district, or charter school from advertising food or beverages during the schoolday, as provided, and from participating in a corporate incentive program that rewards pupils with free or discounted foods or beverages that do not comply with specified nutritional standards when the pupils reach certain academic goals. The bill provides that it is the intent of the Legislature that the governing board or body of a school district and a charter school annually review their compliance with these provisions.

CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 843
CSBA Policies Impacted: Yes





Add Section 49431.9 to the Education Code, relating to pupil nutrition.

AB 872 (Chau-D) School employees: employment: sex offenses

Current law prohibits the employment or retention of employment by a school district of a person convicted of a sex offense and defines the term “sex offense” for those purposes and for specified other provisions relating to schools and school employees. This bill revises the list of crimes included in the definition of “sex offense” by, among other things, including specified crimes a violation of which requires a person to register as a sex offender under the Sex Offender Registration Act.

CSBA Position: *No Official Position*
Effective Date: January 1, 2018

Chapter Number: 167
CSBA Policies Impacted: No



Amend Section 44010 of the Education Code, relating to school employees.

AB 949 (Gipson-D) School employees: contracts: sole proprietors: criminal back-ground check

Current law requires an employee of an entity that has a contract with a school district to provide janitorial, administrative, grounds and landscape maintenance, transportation, and food services for the school, if that employee may have contact with pupils, to submit or have submitted his or her fingerprints to the Department of Justice, which is required to ascertain whether that individual has been arrested or convicted of a crime and to notify the employer designated by the individual of that fact. This bill provides that an individual operating as a sole proprietor of an entity that has a contract with a school district, as specified, is considered to be an employee of the entity for purposes of the criminal background check requirements described above.

CSBA Position: *No Official Position*
Effective Date: January 1, 2018

Chapter Number: 84
CSBA Policies Impacted: Yes



Amend Section 45125.1 of the Education Code, relating to school employees.

AB 1035 (O'Donnell-D) Pupil assessments: interim assessments: purposes of use

Current law requires the Superintendent of Public Instruction, the State Board of Education, and any other entity or individual designated by the Governor to participate in the Common Core State Standards Initiative consortium or any related interstate consortium, as specified. Current law requires the State Department of Education to acquire, and offer at no cost to local educational agencies, interim and formative assessment tools for kindergarten and grades 1 to 12, inclusive, as provided through membership in that consortium. This bill requires those interim assessments to be designed to provide timely feedback to teachers that they may use to continually adjust instruction to improve pupil learning.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 752
CSBA Policies Impacted: Yes



Amend Sections 60603 and 60642.6 of, and to add Section 60642.7 to, the Education Code, relating to pupil assessment.

AB 1082 (Burke-D) Transportation electrification: electric vehicle charging infrastructure: school facilities and other educational institutions

Authorizes an electrical corporation to file with the PUC, by July 30, 2018, a pilot program proposal for the installation of vehicle charging stations at school facilities and other educational institutions, giving priority to school facilities and other educational institutions located in disadvantaged communities, as defined. The bill requires



the PUC to review, modify if appropriate, and decide whether to approve a pilot program proposal filed by an electrical corporation by December 31, 2018.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 637
CSBA Policies Impacted: No



Add Section 740.13 to the Public Utilities Code, relating to transportation electrification.

AB 1106 (Weber-D) Child care and development services: alternative payment programs

The Child Care and Development Services Act requires the State Department of Education to expand existing alternative payment programs and fund new alternative payment programs to the extent that funds are provided by the Legislature. This bill requires an alternative payment program, with certain exceptions, to have no less than 36 months to expend funds allocated to that program in any fiscal year, and requires the Superintendent of Public Instruction to develop a process that provides alternative payment programs no less than 36 months to expend funds allocated to that program in any fiscal year.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 716
CSBA Policies Impacted: No



Amend Section 8220.1 of the Education Code, relating to child care.

AB 1124 (Cervantes-D) Juvenile court school pupils: graduation requirements and continued education options

Current law provides that if a pupil completes the statewide coursework requirements for graduation while attending a juvenile court school, a county office of education is required to issue to the pupil a diploma of graduation and shall not require the pupil to complete coursework or other requirements that are in addition to the statewide coursework requirements. This bill, notwithstanding the above requirement, permits the pupil, upon agreement between the county office of education and the pupil or the person holding the right to make educational decisions for the pupil, to take coursework or other requirements adopted by the governing board of the county office of education, and to defer the granting of the diploma until the pupil is released from the juvenile detention facility.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 754
CSBA Policies Impacted: Yes



Amend Section 48645.3 of, and to add Section 48645.7 to, the Education Code, relating to juvenile court school pupils.

AB 1127 (Calderon-D) Baby diaper changing stations

Requires new construction or renovation of a public building, as specified, that is owned by a state or a local agency, or a portion of a building that is owned by a state or local agency and includes at least one restroom that is open to the public, to provide at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station, as specified. The bill requires each station to be maintained, repaired, and replaced as necessary to ensure safety and ease of use, and to be cleaned with the same frequency as the restroom in which it is located. By imposing a higher level of service on local agencies, the bill imposes a state-mandated local program.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 755
CSBA Policies Impacted: No





Add Sections 15805 and 50535 to the Government Code, and to add Section 118506 to the Health and Safety Code, relating to public accommodations.

AB 1157 (Mullin-D) School property: school district advisory committees: teacher and school district employee housing: property tax exemption

Authorizes the governing board of a school district to elect not to appoint a school district advisory committee in the sale, lease, or rental of excess real property to be used for teacher or school district employee housing. This bill contains other related provisions and other existing laws.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 717
CSBA Policies Impacted: Yes



Amend Sections 17391 and 17456 of the Education Code, and to amend Section 202 of the Revenue and Taxation Code, relating to school facilities.

AB 1176 (Mullin-D) High school equivalency tests

Current law authorizes the Superintendent of Public Instruction to provide the general educational development test to, among others, persons confined in certain hospitals or correctional institutions. Current law authorizes the Superintendent to grant a waiver to a county office of education to provide a general educational development test preparation program, not to exceed one hour per schoolday, as part of any other instructional program during the regular schoolday to certain of these confined persons. This bill no longer limits that program from exceeding one hour per schoolday. The bill replaces all references in the Education Code of the “general educational development test” to a “high school equivalency test.”

CSBA Position: Approve
Effective Date: January 1, 2018

Chapter Number: 663
CSBA Policies Impacted: Yes



Amend Sections 51420, 51421, 51422, and 51423 of the Education Code, relating to high school equivalency tests.

AB 1194 (Dababneh-D) Elections: local bond measures: tax rate statement

Current law requires local government agencies, when submitting for voter approval bond measures that will be secured by an ad valorem tax, to provide the voters, along with a sample ballot, a statement that includes estimates of tax rates and debt service in connection with the measure, including estimates of the tax rates required to fund the bond issue during the first fiscal year after the first sale of the bonds and the first fiscal year after the last sale of the bonds. This bill requires the statement to include an estimate of the average annual tax rate required to fund the proposed bond measure for the duration of its debt service, and to identify the final fiscal year in which the tax is anticipated to be collected.

CSBA Position: Neutral
Effective Date: January 1, 2018

Chapter Number: 795
CSBA Policies Impacted: No



Amend Section 9401 of the Elections Code, relating to elections.

AB 1227 (Bonta-D) Human Trafficking Prevention Education and Training Act

The California Healthy Youth Act requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education, as specified. Under the act, this instruction includes, among other things, information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex trafficking. This bill requires that



instruction to additionally include information about sexual abuse and to include information about human trafficking instead of sex trafficking.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 558
CSBA Policies Impacted: Yes



Amend Sections 51934 and 51950 of the Education Code, and to amend Sections 16524.6, 16524.7, 16524.8, and 16524.9 of the Welfare and Institutions Code, relating to sexual abuse.

AB 1354 (Kiley-R) Pupil instruction: repeal of programs

Current law requires the Superintendent of Public Instruction to authorize the development of the Bill Bradley Human Relations Pilot Project for teaching a course on human relations and to take specified actions in that regard. Current law establishes the California International Studies Program, the Reading First Plan, Early Warning Program, the No Child Left Behind Liaison Team, the Education Technology Grant Act of 2002, the Educational Improvement Act of 1969, the School Improvement Act of 1970, the Education Improvement Incentive Program, the Demonstration of Restructuring in Public Education and the State Instructional Materials Fund. This bill repeals all of the above-specified provisions. The bill also repeals provisions relating to the sunseting of obsolete programs.

CSBA Position: Sponsor
Effective Date: January 1, 2018

Chapter Number: 130
CSBA Policies Impacted: Yes



Repeal Section 62000.1 of, to repeal Article 11 (commencing with Section 280) of Chapter 2 of Part 1 of Division 1 of Title 1 of, to repeal Article 4 (commencing with Section 8750) of Chapter 4 of Part 6 of Division 1 of Title 1 of, to repeal Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of Division 4 of Title 2 of, to repeal Article 3.1 (commencing with Section 52055.57) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of, to repeal Article 4.1 (commencing with Section 52058.1) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of, to repeal Article 1 (commencing with Section 54600) of Chapter 9 of Part 29 of Division 4 of Title 2 of, to repeal Article 2 (commencing with Section 54630) of Chapter 9 of Part 29 of Division 4 of Title 2 of, to repeal Article 2.5 (commencing with Section 54650) of Chapter 9 of Part 29 of Division 4 of Title 2 of, to repeal Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of, to repeal Chapter 3.7 (commencing with Section 44780) of Part 25 of Division 3 of Title 2 of, to repeal Chapter 8.9 (commencing with Section 52295.10) of Part 28 of Division 4 of Title 2 of, and to repeal Chapter 9 (commencing with Section 58900) of Part 31 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

AB 1360 (Bonta-D) Charter schools: pupil admissions, suspensions, and expulsions

The Charter Schools Act of 1992 provides for the establishment and operation of charter schools and requires a petition for the establishment of a charter school to contain comprehensive descriptions of various procedures, including the charter school's admission, suspension, and expulsion procedures. This bill requires the charter petition, regardless of the chartering authority, to contain a comprehensive description of procedures by which a pupil can be suspended, expelled, or otherwise involuntarily removed from the charter school that includes an explanation of how the charter school will comply with specified federal and state constitutional due process requirements.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 760
CSBA Policies Impacted: Yes



Amend Sections 47605 and 47605.6 of the Education Code, relating to charter schools.



AB 1453 (*Garcia, Eduardo-D*) Schoolbuses: adult volunteer transportation

Authorizes the governing board of a school district to additionally provide for the transportation of adult volunteers to and from educational activities authorized by the school district. This bill contains other existing laws.

CSBA Position: Support

Chapter Number: 173

Effective Date: January 1, 2018

CSBA Policies Impacted: Yes



Amend Section 39837.5 of the Education Code, and to amend Section 545 of the Vehicle Code, relating to schoolbuses.

AB 1487 (*Rodriguez-D*) Public Employees' Retirement System: limited term appointments

The Public Employees' Retirement Law authorizes a public agency and a school employer to contract to make their employees members of PERS. PERL establishes the compensation earnable by members of the system, defined as the member's payrate and special compensation, which includes out-of-class pay for state members. This bill prohibits an out-of-class appointment by a contracting agency or school employer from exceeding 960 hours each fiscal year. The bill defines "out-of-class appointment" to mean an appointment to an upgraded position or higher classification by an employer or governing board or body in a vacant position for a limited duration.

CSBA Position: No Official Position

Chapter Number: 229

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Add Section 20480 to the Government Code, relating to public employees' retirement, and making an appropriation therefor.

AB 1502 (*Thurmond-D*) Free or reduced-price school meals: direct certification

Current law requires the State Department of Education to create a computerized data matching system using existing databases from the State Department of Education and the State Department of Health Care Services to directly certify recipients of CalFresh, the CalWORKs program, and other programs authorized for direct certification for enrollment in the federal National School Lunch Program and the federal School Breakfast Program. Current law requires the State Department of Health Care Services to conduct the data match of local school records and return a list to the State Department of Education. This bill instead requires the State Department of Health Care Services or the State Department of Education to conduct the data match of local school records to determine program eligibility.

CSBA Position: No Official Position

Chapter Number: 91

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Amend Section 49561 of the Education Code, relating to school meals.

AB 1533 (*O'Donnell-D*) Pupil instruction: College Promise Partnership Act

Current law establishes the College Promise Partnership Act, and authorizes the Long Beach Community College District and the Long Beach Unified School District to enter into a partnership, as specified, to provide participating pupils with an aligned sequence of rigorous high school and college coursework leading to capstone college courses, as defined, with consistent and jointly established eligibility for college courses. Current law makes the act and related provisions necessary to implement the act inoperative on June 30, 2017, and repeals the act and those related provisions on January 1, 2018. This bill extends the operation of the act and those related provisions indefinitely.



CSBA Position: Support
Effective Date: October 13, 2017

Chapter Number: 762
CSBA Policies Impacted: No



Amend Sections 48811 and 76003 of, and to repeal Section 48814 of, the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

AB 1550 (Limón-D) School finance: school bonds: small school district

Current law authorizes the formation of a school facilities improvement district (SFID) by a school district or community college district and provides for the issuance of bonds for that district subject to specified requirements, including voter approval. Current law authorizes the governing board of a school district or community college district, as an alternative to issuing bonds pursuant to the above authorities, to pursue the authorization and issuance of bonds through an election pursuant to certain provisions of the California Constitution. This bill authorizes 2 or more small school districts, as defined, that have voter-approved authority to issue bonds pursuant to the above provisions to form a joint powers authority pursuant to the Joint Exercise of Powers Act for the purpose of issuing or selling those bonds to raise money for the purposes authorized.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 451
CSBA Policies Impacted: Yes



Add Sections 15100.3, 15267, and 15302 to the Education Code, relating to school finance.

SB 12 (Beall-D) Foster youth: postsecondary education: financial aid assistance

Requires the Student Aid Commission to work cooperatively with the State Department of Social Services to develop an automated system to verify a student's status as a foster youth to aid in the processing of applications for federal financial aid. This bill contains other related provisions and other existing laws.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 722
CSBA Policies Impacted: No



Amend Sections 79220, 79221, and 79226 of, and to add Section 69516 to, the Education Code, and to amend Section 16501.1 of the Welfare and Institutions Code, relating to foster youth.

SB 20 (Hill-D) Vehicles: buses: seatbelts

Requires a passenger who is 16 years of age or older in a bus that is equipped with safety belts to be properly restrained by a safety belt and requires a motor carrier to maintain those safety belts in good working order for the use of the passengers. The bill prohibits a parent, legal guardian, or chartering party from transporting on a bus that is equipped with safety belts, or permitting to be transported on a bus that is equipped with safety belts, a child, ward, or passenger who is 8 years of age or older, but under 16 years of age, unless he or she is properly restrained by a safety belt.

CSBA Position: Neutral
Effective Date: January 1, 2018

Chapter Number: 593
CSBA Policies Impacted: No



Amend Sections 12810.2 and 34505.8 of, and to add Sections 27318 and 27319 to, the Vehicle Code, relating to vehicles.



SB 31 (Lara-D) California Religious Freedom Act: state agencies: disclosure of religious affiliation information

Prohibits a state or local agency or a public employee acting under color of law from providing or disclosing to the federal government personal information regarding a person's religious beliefs, practices, or affiliation, as specified, when the information is sought for compiling a database of individuals based on religious belief, practice, or affiliation, national origin, or ethnicity for law enforcement or immigration purposes.

CSBA Position: Support

Chapter Number: 826

Effective Date: October 15, 2017

CSBA Policies Impacted: Yes



Add Section 8310.3 to the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

SB 45 (Mendoza-D) Political Reform Act of 1974: mass mailing prohibition

The Political Reform Act of 1974 prohibits sending mass mailings at public expense. The act defines "mass mailing" as over 200 substantially similar pieces of mail not including form letters or other mail that is sent in response to an unsolicited request, letter, or other inquiry. An existing regulation adopted by the Fair Political Practices Commission prescribes criteria for mass mailings that are prohibited by the act and for mass mailings that are permissible under the act. This bill codifies this regulation. The bill additionally prohibits a mass mailing from being sent within the 60 days preceding an election by or on behalf of a candidate whose name will appear on the ballot, except as specified.

CSBA Position: Neutral

Chapter Number: 827

Effective Date: January 1, 2018

CSBA Policies Impacted: Yes



Add Sections 89002 and 89003 to the Government Code, relating to the Political Reform Act of 1974.

SB 54 (de León-D) Law enforcement: sharing data

Current law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. This bill repeals those provisions.

CSBA Position: Support

Chapter Number: 495

Effective Date: January 1, 2018

CSBA Policies Impacted: No



Amend Sections 7282 and 7282.5 of, and to add Chapter 17.25 (commencing with Section 7284) to Division 7 of Title 1 of, the Government Code, and to repeal Section 11369 of the Health and Safety Code, relating to law enforcement.

SB 63 (Jackson-D) Unlawful employment practice: parental leave

Prohibits an employer, as defined, from refusing to allow an employee with more than 12 months of service with the employer, who has at least 1,250 hours of service with the employer during the previous 12-month period, and who works at a worksite in which the employer employs at least 20 employees within 75 miles, to take up to 12 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 also prohibits an employer from refusing to maintain and pay for coverage under a group health plan for an employee who takes this leave.



CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 686
CSBA Policies Impacted: Yes



Add, repeal, and add Section 12945.6 of the Government Code, relating to employment.

SB 138 (McGuire) School meal programs: free and reduced-price meals: universal meal service

On or before September 1, 2018, requires a school district or county superintendent of schools that has a very high poverty school, as defined, in its jurisdiction to apply to operate a federal universal meal service provision pursuant to specified federal law, and to begin providing breakfast and lunch free of charge through the universal meal service to all pupils at the very high poverty school upon state approval to operate that service. The bill authorizes a school district or county superintendent of schools to stop providing the universal free meal service at a school if the school ceases to be a very high poverty school.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 724
CSBA Policies Impacted: Yes



Amend Section 49562 of, and to add Sections 49564 and 49564.5 to, the Education Code, relating to school meals.

SB 233 (Beall-D) Foster children: records

Adds to the information that may be accessed records of attendance, discipline, and online communication on platforms established by schools for pupils and parents, and any plan adopted pursuant to specified federal law, as provided, and requires that these records be the current or most recent records for the pupil.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 829
CSBA Policies Impacted: Yes



Amend Sections 49069.3 and 49076 of the Education Code, and to amend Sections 361, 361.5, 366.1, 366.21, 366.22, 16010, and 16010.4 of, and to add Sections 16501.16 and 16519.7 to, the Welfare and Institutions Code, relating to foster child records.

SB 250 (Hertzberg-D) Pupil meals: Child Hunger Prevention and Fair Treatment Act of 2017

Enacts the Child Hunger Prevention and Fair Treatment Act of 2017. The act requires certain local educational agencies, as defined, that provide school meals through the federal National School Lunch Program or the federal School Breakfast Program to ensure that a pupil whose parent or guardian has unpaid school meal fees is not shamed, treated differently, or served a meal that differs from what a pupil whose parent or guardian does not have unpaid school meal fees receives under that local educational agency's policy.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 726
CSBA Policies Impacted: Yes



Add Section 49557.5 to the Education Code, relating to pupil meals.

SB 257 (Lara-D) School admissions: pupil residency: pupils of departed parents: residents of adjoining state or foreign country: school district reimbursement

Provides that a pupil complies with the residency requirement for school attendance in a school district if he or she is a pupil whose parent or parents were residents of this state and departed California against their will, as



defined, and, if the pupil seeks admission to a school of a school district, requires that the pupil be admitted by the governing board of the school district if that pupil meets specified requirements.

CSBA Position: Oppose Unless Amended
Effective Date: January 1, 2018

Chapter Number: 498
CSBA Policies Impacted: Yes



Amend Sections 48050 and 48052 of, and to add Section 48204.4 to, the Education Code, relating to school admissions.

SB 285 (Atkins-D) Public employers: union organizing

Prohibits a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. The bill defines a public employer for this purpose to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. The bill grants the Public Employment Relations Board jurisdiction over violations of its provisions.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 567
CSBA Policies Impacted: Yes



Add Chapter 11 (commencing with Section 3550) to Division 4 of Title 1 of the Government Code, relating to public employment.

SB 344 (Bradford-D) School attendance: interdistrict attendance

Current law authorizes the governing boards of 2 or more school districts to enter into an agreement for the interdistrict attendance of pupils who are residents of the school districts. Current law provides for appeal to the county board of education if the governing board of either school district fails to approve a request within a specified time period or the governing board fails or refuses to enter into an agreement. Current law requires the county board of education, within 30 calendar days after the appeal is filed, to determine whether the pupil should be permitted to attend the school in which the pupil desires to attend unless the county board of education is located in a class 1 or class 2 county, as defined, in which case the county board of education, until July 1, 2018, is required to make this determination within 40 schooldays. This bill, in regard to appeals in a class 1 or class 2 county, instead requires the county board of education in a class 1 county, until July 1, 2023, to make the determination within 60 calendar days and the county board of education in a class 2 county, until July 1, 2019, to make the determination within 45 calendar days.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 461
CSBA Policies Impacted: Yes



Amend and repeal Section 46601 of the Education Code, relating to school attendance.

SB 379 (Atkins-D) Pupil health: oral health assessment

Current law requires a public school, using a standardized notification form developed and posted online by the State Department of Education in consultation with interested persons, to notify parents and legal guardians of the oral health assessment requirement. Current law requires a school district to send a report by December 31 of each year containing information related to the assessments to the county office of education in the county in which the school district is located. Current law requires the Office of Oral Health of the Chronic Disease Control Branch of the State Department of Public Health to conduct an evaluation of, and submit a report related to, these requirements by January 1, 2010. This bill requires the State Department of Education to also consult with the state dental director in developing and posting online the standardized notification form and requires the department, in consultation with those entities, to revise the standardized form as necessary.



CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 772
CSBA Policies Impacted: Yes



Amend Section 49452.8 of the Education Code, relating to pupil health.

SB 418 (Hernandez-D) Public contracts: skilled and trained workforce

Current law defines a “skilled and trained workforce” to mean a workforce that meets certain conditions for when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Current law also authorizes a public entity to require that a bidder, contractor, or other entity use a skilled and trained workforce to complete a contract or project. This bill revises the definition of a “skilled and trained workforce” to exclude from the conditions work performed on or after specified dates, in certain occupations.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 393
CSBA Policies Impacted: No



Amend Section 2601 of the Public Contract Code, relating to public contracts.

SB 450 (Hertzberg-D) Public bodies: bonds: public notice

Current law authorizes the governing body of a public body to authorize the issuance of bonds pursuant to a resolution, indenture, agreement, or other instrument providing for the issuance of bonds. Current law defines a “public body” to mean, among other entities, a county, city, or city and county. This bill, prior to authorization of the issuance of certain bonds, requires the governing body of a public body to obtain and disclose specified information regarding the bonds in a meeting open to the public.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 625
CSBA Policies Impacted: Yes



Add Section 5852.1 to the Government Code, relating to bonds.

SB 455 (Newman-D) Pupil enrollment: military dependents

Current law states that a pupil complies with the residency requirements if the pupil’s parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order, and requires a parent to provide proof of residence within 10 days after the published arrival date provided on official documentation. This bill instead provides that a pupil complies with the residency requirements if the pupil’s parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order, and requires a parent to provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.

CSBA Position: Approve
Effective Date: January 1, 2018

Chapter Number: 239
CSBA Policies Impacted: Yes



Amend Section 48204.3 of the Education Code, relating to pupil enrollment.

SB 468 (Leyva-D) School districts: governing boards: pupil members

Current law requires the governing board of a school district maintaining one or more high schools to appoint to its membership one or more pupil members if pupils submit a petition to the governing board to make those appointments, as provided. This bill specifies that a pupil member shall receive all open meeting materials presented to the board members at the same time the materials are presented to the board members and additionally



requires a pupil member to be invited to staff briefings of board members or provided a separate staff briefing within the same timeframe as the staff briefing of board members.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 283
CSBA Policies Impacted: Yes



Amend Section 35012 of the Education Code, relating to school districts.

SB 496 (Cannella-R) Indemnity: design professionals

Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency, as defined, for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. This bill instead makes these provisions applicable to all contracts for design professional services entered into on or after Jan. 1, 2018.

CSBA Position: Oppose
Effective Date: January 1, 2018

Chapter Number: 8
CSBA Policies Impacted: No



Amend Section 2782.8 of the Civil Code, relating to indemnity.

SB 544 (McGuire-D) School districts: contracting: purchases for child nutrition programs

Current law requires the governing board of any school district to let contracts for the purchase of equipment, materials, or supplies to be furnished, leased, or sold to the district, services other than construction services, and certain repairs, involving an expenditure of more than \$50,000, and to let contracts for public projects, as defined, involving an expenditure of \$15,000 or more, to the lowest responsible bidder who gives security as the governing board requires. This bill requires procurement bid solicitations and awards made by a school district for purchases in support of federal nonprofit child nutrition programs to be consistent with certain federal procurement standards.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 395
CSBA Policies Impacted: Yes



Amend Section 20111 of the Public Contract Code, relating to public contracts.

SB 550 (Pan-D) Public school employment: meeting and negotiating: legal actions: settlement offer: attorney's fees

Authorizes an employee organization to make an offer to settle a dispute alleging an employer's failure to provide wages, benefits, or working conditions required by state law in accordance with specified procedural requirements and requires the employer, if the employer does not accept the offer and fails to obtain a more favorable judgment or award, to pay the employee organization's attorney's fees and expenses incurred after the offer was made, subject to specified exceptions.

CSBA Position: Disapprove
Effective Date: January 1, 2018

Chapter Number: 812
CSBA Policies Impacted: No



Amend Section 3543.8 of the Government Code, relating to public school employment.



SB 557 (Hernandez-D) Food donations and pupil meals: schools

Current law generally prohibits food that is unused or returned by the consumer, after being served or sold and in the possession of a consumer, from being offered as food for human consumption. Current law authorizes a container of food that is not potentially hazardous to be transferred from one consumer to another if the food is dispensed so that it is protected from contamination and the container is closed between uses or if the food is in an unopened original package and is maintained in sound condition, and if the food is checked periodically on a regular basis. This bill exempts from this prohibition specified food that food service staff, pupils, and faculty return to a sharing table at a local educational agency, as defined, and that is made available to pupils during the course of a regular school meal time or then donated to a food bank or any other nonprofit charitable organization, as specified.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 285
CSBA Policies Impacted: Yes



Add Article 13 (commencing with Section 49580) to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety.

SB 665 (Moorlach-R) Elections: ballot measures

Current law states that whenever a statewide, county, city, or school district measure qualifies for the ballot, specified entities, including bona fide associations of citizens, may file a written argument for or against the measure. This bill requires an organization or association submitting an argument for or against a measure to also submit additional information to the appropriate official to enable that official to determine if it qualifies as a bona fide association of citizens.

CSBA Position: Support
Effective Date: January 1, 2018

Chapter Number: 75
CSBA Policies Impacted: No



Amend Sections 9067, 9166, 9287, and 9503 of the Elections Code, relating to elections.

SB 730 (Pan-D) Pupil nutrition: National School Lunch Act: Buy American provision: compliance

Requires the State Department of Education to take certain actions to monitor and support school food authorities' compliance with the Buy American provision. The bill states that its provisions are operative only to the extent mandated under federal law.

CSBA Position: No Official Position
Effective Date: January 1, 2018

Chapter Number: 571
CSBA Policies Impacted: Yes



Add Section 49563 to the Education Code, relating to pupil nutrition.

SB 751 (Hill-D) School finance: school districts: annual budgets: reserve balance

Current law, unless the school district is granted an exemption, limits the amount of the combined assigned or unassigned ending fund balance contained in a school district's annual budget in any fiscal year immediately after a fiscal year in which a transfer is made into the Public School System Stabilization Account. Current law establishes formulas for calculating the maximum amount allowable for school districts with less than 400,000 units of average daily attendance and for school districts with more than 400,000 units of average daily attendance, as specified. This bill instead makes that limitation applicable in a fiscal year immediately after a fiscal year in which the amount of moneys in the Public School System Stabilization Account is equal to or exceeds 3% of the



combined total of General Fund revenues appropriated for school districts and allocated local proceeds of taxes, as specified, for that fiscal year.

CSBA Position: Sponsor

Effective Date: January 1, 2018

Chapter Number: 674

CSBA Policies Impacted: Yes



Amend Section 42127.01 of the Education Code, relating to school finance.

What's New For 2018

ADDENDUM

The following articles, which have appeared in *California School News* throughout 2017, offer additional guidance on a number of newly-signed laws, including:

- » New Employee Orientation
- » School site water supply testing
- » Immigration-related bills



Employee orientation law (July 2017)

A new law requires that public sector employees provide labor union representatives with access to newly hired employees during their employee orientation. The law also mandates that specific employee contact information be provided to labor unions.

Signed as part of the 2017–18 budget deal, **Assembly Bill 119** reflects a preemptive effort by labor groups to minimize the impact that an unfavorable court decision on “fair share” fees would have on labor union membership. Due to the efforts of CSBA and other education groups, the law is significantly less cumbersome for local educational agencies than previously proposed versions. With that in mind, there are several important aspects of the new orientation law that all California LEAs need to be aware of, some of which raise concerns.

Fair share fees in the Supreme Court:

The push for public employee orientation legislation by labor groups assumed new urgency in 2015, when the U.S. Supreme Court agreed to hear *Friedrichs v. California Teachers Association*, a case challenging the legality of fair share (or “agency”) fees. Under current California law, labor unions are permitted to charge a fair share fee to employees who opt not to be members of the union.

Heard in January 2016, it was widely expected that the court would rule in favor of the plaintiff in *Friedrichs*, which would have rendered fair share fees illegal. However, Justice Antonin Scalia passed away before a ruling was handed down, which resulted in a 4-4 Supreme Court decision that allowed a lower court judgment in favor of fair share fees to stand.

A similar case renewing the challenge to fair share fees, *Janus v. American Federation of State, County and Municipal Employees*, was petitioned to the Supreme Court last month — the case could be heard as early as next fall.

What the new law requires:

“Orientation” is defined in the new law as, “the onboarding process of a newly hired public employee, whether in person, online, or through other means or mediums, in which employees are advised of their employment status, rights, benefits, duties and responsibilities, or any other employment-related matters.”

The new law requires that access to new employees during their onboarding be locally negotiated, with the following stipulations:

1. The structure, time and manner of the mandatory access shall be determined by mutual agreement.
2. Exclusive representative must receive at least 10 days’ notice in advance of the orientation.
3. Within 30 days of hire or by the first pay period of the month following hire, employers must provide union representatives with the following information: name, job title, department, work location, phone numbers (work, home and personal cell), personal email address on file and home address. The same information must be provided to the representative for all bargaining unit employees at least every 120 days.



Employee orientation law (continued)

Alternatively, the public employer and the union can negotiate an agreement that provides for new employee orientations that vary from the requirements of the new law. However, AB 119 creates strict timelines for negotiating any such agreement and resolving related disputes.

Disputes and arbitration:

Employers and unions are required to seek binding arbitration (known as “compulsory interest arbitration”) if they cannot agree on the structure, time and manner of access to new employees within 45 days after the first meeting of the two parties or 60 days after the initial request for negotiation.

This fast-track arbitration process must begin no later than 14 days before the end of the negotiation period and be completed within 30 days, with a binding decision from the arbitrator due 10 days thereafter. Both parties must select an arbitrator from a list provided by the State Mediation and Conciliation Service within seven days of receipt of the list. Alternatively, the parties may mutually select an individual to serve as the arbitrator.

In similar situations, what is known as the impasse process (a form of mediation) is customarily used to resolve disputes in collective bargaining. This new arbitration requirement is likely to yield higher legal costs for LEAs if such disputes arise, as costs must be shared equally between the parties.

Employee attendance:

One issue with the law is its failure to specify that an employer cannot compel an employee to attend the orientation. As enacted, AB 119 places LEAs at risk of having to face new grievances and unfair labor proceedings from employees who refuse to attend the orientation. There are inherent costs and logistical implications for LEAs if defense against such cases becomes necessary.

Additional legal guidance and updated sample policies related to this new law will be provided by CSBA. For questions, please email Carlos Machado, CSBA legislative advocate at cmachado@csba.org.



School water supply testing (Sept. 2017)

With the signing of Assembly Bill 746 (Gonzalez Fletcher, D-San Diego), school sites will be required to test their drinking water for lead beginning in 2018, and will need to complete testing by July 2019.

CSBA worked closely with the author on amendments to this bill throughout 2017. **AB 746** was amended late in the session to address several concerns raised by CSBA and by the Governor's office.

The amendments align provisions of the bill with U.S. Environmental Protection Agency drinking water safety standards, and also alleviate some of the costs on local educational agencies related to testing. AB 746 stipulates that community water systems would be required to test all of the school sites they serve before July 1, 2019; the bill applies to all sites with buildings constructed before Jan. 1, 2010.

If a test reveals a lead level greater than the U.S. EPA safe drinking water standard of 15 parts per billion, the LEA would be required to notify parents and guardians of the elevated level, and to immediately shut down fountains and faucets where excess lead levels may exist; additional testing to determine if certain sources need to be shut off may be required.

If fountains and faucets are disabled due to an elevated lead test, LEAs would be required to provide a potable water source for all students — this would range from providing bottled water as a short-term solution to replacing pipes or fixtures.

While the amended version of AB 746 shifts many of the cost burdens of testing from LEAs to community water systems, repairs of pipes and fixtures — which could be necessary subsequent to the tests — will likely yield significant costs for school districts and county offices of education. The state-level Emergency Repair Program is essentially out of available funding, and need for lead abatement in plumbing fixtures alone would likely not qualify an LEA for Proposition 51 funds.

Additional information about free lead water testing for schools, which is available through 2019, as well as the Drinking Water for Schools Grant Program, is available online at www.waterboards.ca.gov.



New immigration laws (Nov. 2017)

“Immigration status” was a headline grabber in Sacramento throughout the 2017 year, as a handful of bills made their way through the Legislature and were signed by Gov. Jerry Brown amid concerns about how anticipated shifts in federal immigration policy and enforcement might affect California’s students and families.

While a number of these newly signed bills do apply to public schools, the message for school district and county leaders heading into 2018 is simply, “don’t panic.”

“Essentially what these bills do is reaffirm the 1982 *Plyler v. Doe* decision, that public schools must serve all students regardless of their immigration status, and codify or strengthen policies and procedures that school districts and county offices of education already employ,” said Nancy Chaires Espinoza, CSBA legislative advocate.

There are four bills of note pertaining to student immigration status that were signed in 2017: **Assembly Bill 699** (O’Donnell, D-Long Beach), **Senate Bill 31** (Lara, D-Bell Gardens) and **SB 54** (de León, D-Los Angeles) were all supported by CSBA. **SB 257** (Lara), on which CSBA held an “oppose unless amended” position, does create some uncertainty for school districts and counties — in particular for those near or adjacent to the U.S.–Mexico border — which may require further clarification and/or legislative “clean up” in 2018.

SB 257 provides that a pupil, for the purposes of admission to a school district of their choice, would be deemed a resident of California if their parents have departed the United States for an adjoining country against their will — most commonly, this will apply to situations where parents and/or guardians have been deported or are under threat of deportation. Amendments made to the bill late in the session also applied these provisions to parents who have, also against their will, departed California to an adjoining state.

“The biggest question surrounding this new law is how school districts verify whether or not a student is eligible for admission under this bill; the documentation that will actually be required is not clearly defined,” CSBA’s Chaires Espinoza said. “School districts will also have to balance verification of eligibility with existing CSBA guidance that discourages local educational agencies from inquiring about a pupil or family’s legal status, or requesting documentation that could discourage students from enrolling in school.”

“It is important to note, as districts determine a student’s eligibility under this bill, that if an order of deportation is presented, that does not necessarily mean that a pupil’s parents are actually in custody of immigration enforcement or have actually left the country,” she added.

CSBA’s legal staff is reviewing the legislation and will issue updated information for school and county boards pertaining to implementation of this bill as necessary.

SB 54, which has been at times inaccurately referred to as a “sanctuary state” bill, limits communication and sharing of data between state/local law enforcement agencies (including police departments of county offices of education and school districts) and federal law enforcement on issues related to enforcement of immigration law. The bill’s author, Senate President pro Tem Kevin de León, clarified on several occasions during the legislative session that the bill does not provide “sanctuary” with regard to immigration status.



New immigration laws (continued)

The bill has raised concerns from some school district leaders that its provisions would prevent schools from working and contracting with local law enforcement; Chaires Espinoza points out that this is not the case, and that the bill simply disallows local law enforcement from acting as immigration agents in dealing with schools.

By October 2018, the California Attorney General is tasked with providing model policies for LEAs to adopt on limiting assistance with immigration enforcement; CSBA will review those policies when they are made available.

SB 31, the “California Religious Freedom Act,” prohibits LEAs from providing the federal government with information regarding an individual’s religious beliefs, practices or affiliation when the information is sought for compiling a database of individuals for immigration enforcement purposes. As LEAs are already bound by the Federal Educational Rights and Privacy Act, SB 31 does not change existing protocol for sharing information and would not create any new exceptions to the existing FERPA law where an LEA would be specifically required to share such data.

AB 699, which codifies elements of the Plyler v. Doe decision into California statute, directs LEAs to adopt policies on limiting assistance with immigration enforcement at public schools and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. Similar to SB 54, model policies will be forthcoming from the Attorney General, which CSBA will likewise review. Safe haven resolutions, which many local boards have adopted in 2017, contain many of the same provisions that will be contained in model policies issued pursuant to AB 699.

CSBA’s sample policies will also be updated following the signing of SB 257, SB 31 and AB 699. Questions from board members on these bills or related matters can be directed to Governmental Relations at govrel@csba.org.