



Legislative Update

November 14, 2019

INTRODUCTION

September 13, 2019 marked the end of the first year of the two-year legislative session. The legislature will be on Interim Recess until January 6, 2020. The governor had until October 13, 2019 to sign or veto those bills that made it to his desk.

Below is a summary of several significant bills that the CFT sponsored, co-sponsored or tracked and the governor either signed or vetoed at the end of the 2019 legislative session.

ALL UNION

Public Preschool, K-12 and College Health and Safety Bond Act of 2020

[Assembly Bill 48](#) (*O'Donnell, D-Long Beach*) places a \$15 billion statewide bond on the March 2020 ballot for consideration by California voters to fund new and renovate existing preschool through college facilities. The bond, if passed by voters, will provide \$9 billion for K-12 school districts and \$2 billion each for community colleges, the California State University and University of California systems.

Position: Support

AB 48 was signed into law by the governor on October 7, 2019.

EARLY CHILDHOOD/TK-12

Increase Base Funding for K-12 Schools

[Assembly Bill 39](#) (*Muratsuchi, D-Torrance*) would express the intent of the legislature to establish new, aspirational base grants to school districts beginning in 2020-21 to amounts equal to the national average per pupil funding. In addition, the bill would express the intent of the legislature to apply a cost-of-living adjustment above the cost-of-living adjustment in current law. This increase in the base grant would in turn increase the supplemental and concentration grant amounts proportionally per current law.

Position: Co-Sponsor

AB 39 was eligible for a Senate Floor vote by the deadline of September 13, 2019 but was not heard at the request of the author. The bill now becomes a two-year bill.

Early Childhood Education: Funding, Access and Standards

[Assembly Bill 123](#) (*McCarty, D-Sacramento*) would expand access to full-day, full-year preschool for all 4-year-olds who live in a neighborhood where there are more than 70% of students who are eligible for free or reduced-price lunch. In addition, AB 123 would ensure that all 3-year-olds living in poverty

receive two years of high-quality preschool. AB 123 also would raise reimbursement rates with the intent that early childhood educators would see increases in their salaries. In addition, AB 123 would require all new early childhood lead teachers to have a Bachelor's degree in early childhood education or a related field by 2028. However, lead teachers employed prior to the enactment of the bill would be exempt from this requirement. Finally, AB 123 would provide scholarships for current lead teachers and paraprofessionals who choose to earn degrees in majors related to early childhood education and in turn earn higher salaries.

Position: Co-Sponsor

AB 123 was scheduled to be heard in the Senate Education Committee, but the hearing was canceled at the request of the author. The bill now becomes a two-year bill (significant amendments are expected).

Early Childhood Education Reimbursement Rates

[Assembly Bill 125](#) (McCarty, D-Sacramento) would require the Superintendent of Public Instruction (SPI) to implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates that would vary with additional factors, including a quality adjustment factor to address the cost of staffing ratios. AB 125 would also require the reimbursement system plan, including methodology, standards, county rate targets and total statewide funding amounts necessary to reach annual rate targets for all agencies to be annually submitted to the Joint Legislative Budget Committee on or before November 10th. The bill would require the plan to include a formula for annually adjusting reimbursement rates.

Position: Co-Sponsor

AB 125 was held in the Senate Appropriations Committee at the request of the author and now becomes a two-year bill.

Assumption Program of Loans for Education (APLE)

[Assembly Bill 843](#) (Rodriguez, D-Pomona) would repeal loan assumption benefits that rely on API rankings, and instead provide additional loan assumption benefits of an unspecified amount to a person who holds a credential appropriate for teaching and who teaches mathematics, science, special education, bilingual education or career technical education in a school district that is determined to be in need of differentiated assistance beginning in 2020-21.

Position: Co-Sponsor

AB 843 was scheduled to be heard in the Senate Education Committee, but the hearing was canceled at the request of the author. The bill now becomes a two-year bill.

Charter School Authorization

[Assembly Bill 1505](#) (O'Donnell, D-Long Beach) addresses a number of charter school policy issues, including the following: 1.) allowing charter school authorizers to consider how the charter school would financially impact the community and neighborhood schools; 2.) creating a limited appeal process to the State Board which would only hear appeals for a charter school that can show the local educational agency abused its discretion; 3.) requiring charter school authorizers to use the state accountability system as a basis for charter school renewal and allowing authorizers to close a charter school for fiscal and governance concerns or if the charter school is not serving all student populations; 4.) ensuring that every teacher at a charter school has the appropriate credential for their assignment and a state level background check; and 5.) establishing a two-year moratorium on non-classroom based charter schools, with a commitment to reform the sector in the next two years.

Position: Co-Sponsor

AB 1505 was signed into law by the governor on October 3, 2019.

Charter School Location

[Assembly Bill 1507](#) (*Smith, D-Santa Clarita*) closes a loophole in current law which allows a charter school to operate outside of its authorizing district. The bill ends the practice of local school districts being forced to accept a charter school in their district if it was authorized by a different school district.

Position: Co-Sponsor

AB 1507 was signed into law by the governor on October 3, 2019.

Charter School Transparency

[Senate Bill 126](#) (*Leyva, D-Chino*) requires charter schools to adhere to the Ralph M. Brown or Bagley Keene Open Meetings Act, the California Public Records Act and the Political Reform Act.

Position: Co-Sponsor

SB 126 was signed into law by the governor on March 5, 2019.

Immunizations: Medical Exemptions

[Senate Bill 276](#) (*Pan, D-Sacramento*) requires the California Department of Public Health (CDPH) to develop a standardized medical exemption certification form to be used by licensed physicians, which beginning January 1, 2021, will be the only documentation of a medical exemption that is acceptable. The bill also requires the CDPH to review all medical exemptions from schools or institutions with an immunization rate of less than 95%, physicians who have submitted five or more medical exemptions in a calendar year and schools or institutions that do not provide reports of vaccination rates to the CDPH.

Position: Support

SB 276 was signed into law by the governor on September 9, 2019.

Pupil Attendance: School Start Time

[Senate Bill 328](#) (*Portantino, D-La Cañada Flintridge*) requires the school day for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 am and 8:30 am respectively, by January 1, 2022, or the date in which a district's collective bargaining agreement that is operative on January 1, 2020 expires, whichever is later. The start time restriction would not apply to rural school districts.

Position: Watch

SB 328 was signed into law by the governor on October 13, 2019.

Pupil Discipline: Suspensions: Willful Defiance

[Senate Bill 419](#) (*Skinner, D-Berkeley*) prohibits, beginning July 1, 2020, the suspension of a student enrolled in a school district or charter school in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. In addition, the bill prohibits, from July 1, 2020 until July 1, 2025, the suspension of a student enrolled in a school district or charter school in any of grades 6 to 8 for willful defiance.

Position: Watch

SB 419 was signed by the governor on September 9, 2019.

School Safety: Lockdown Drills and Multi-Option Response Drills

[Senate Bill 541](#) (*Bates, R-Laguna Niguel*) requires the California Department of Education (CDE) and local educational agencies (LEAs) to collect data pertaining to lockdown or multi-option response drills conducted at school sites within school districts, county offices of education and charter schools. The

bill also requires the CDE to conduct, or contract to conduct, a study that identifies, among other things, best practices for age-appropriate drills. Finally, SB 541 requires the data and the study to be submitted to the governor and relevant policy committees of the legislature on or before November 1, 2021.

Position: Watch

SB 541 was signed into law by the governor on October 12, 2019.

Immunizations

[Senate Bill 714](#) (*Pan, D-Sacramento*) is a companion bill to SB 276 that aims to prevent fraudulent medical exemptions for mandatory vaccinations. The bill makes further amendments to medical exemption requirements, including the following:

- Allows a child with a medical exemption as of January 1, 2020 to continue to enroll in any public or private school, child care center, family day care home or developmental center within the state until the child enrolls in the next grade span, which are:
 - Birth to pre-school
 - Grades K-6 (including transitional kindergarten)
 - Grades 7-12
- Prohibits medical exemptions issued prior to January 1, 2020 from being revoked unless it was issued by a physician who has been subject to disciplinary action by a licensed board
- Removes the penalty of perjury provision of SB 276 for physicians signing medical forms

Position: No Position/Late Gut-and-Amend

SB 714 was signed into law by the governor on September 9, 2019.

Charter School Moratorium

[Senate Bill 756](#) (*Durazo, D-Los Angeles*) would express the intent of the legislature to enact legislation containing specified policies relating to charter schools and would prohibit the approval of a petition for the establishment of a new charter school until January 1, 2022. The bill would require by January 1, 2022 the Legislative Analyst's Office to publicly issue a report that answers specified questions relating to charter schools, the effects of the moratorium and the projected effects of those specified policies if enacted by the legislature.

Position: Co-Sponsor

SB 756 was not heard on the Senate Floor and was ordered to the Inactive File at the request of the author on May 29, 2019. The bill now becomes a two-year bill.

COUNCIL OF CLASSIFIED EMPLOYEES

Classified Employee Probationary Period

[Assembly Bill 1353](#) (*Wicks, D-Oakland*) shortens the maximum length of a prescribed period of probation from not exceeding one year to not exceeding 6 months or 130 days of paid service, whichever is longer. In addition, AB 1353 provides that, to the extent these provisions conflict with a collective bargaining agreement entered into before January 1, 2020, these provisions would not apply until the expiration or renewal of that agreement.

Position: Sponsor

AB 1353 was signed into law by the governor on October 7, 2019.

COMMUNITY COLLEGE COUNCIL

Part-Time Faculty Public Service Loan Forgiveness Program

[Assembly Bill 463](#) (*Cervantes, D-Riverside*) factors in part-time faculty preparation time and office hours in the calculation for qualifying for the federal Public Service Loan Forgiveness (PSLF) Program by creating a 3.35 multiplier to class time. In addition, AB 463 requires the chancellor's office to develop and provide to community college districts materials designed to increase awareness of the federal PSLF Program among community college faculty members. AB 463 also requires the governing board of a community college district to annually provide this information to faculty members. Finally, AB 463 requires a community college district to annually provide a faculty member who is enrolled in the federal PSLF Program with notice of renewal and a copy of the employment certification form with the employer portion of the form already completed.

Position: Sponsor

AB 463 was signed into law by the governor on October 4, 2019.

Community Colleges Apprenticeship Programs

[Assembly Bill 595](#) (*Medina, D-Riverside*) authorizes a student enrolled in a community college class or classes pursuant to an apprenticeship training program or an internship training program who does not have a social security number to use an individual tax identification number for purposes of any background check required by the class or program.

Position: Co-Sponsor

AB 595 was signed into law by the governor on August 30, 2019.

Increase Allowable Community College Part-Time Faculty Load to 85%

[Assembly Bill 897](#) (*Medina, D-Riverside*) would raise the community college part-time faculty workload maximum from 67% to 85%. AB 897 would also clean up part-time faculty job security language that is being misinterpreted by some districts.

Position: Sponsor

AB 897 remained in the Assembly Appropriations Suspense File and now becomes a two-year bill.

Community Colleges: Student Equity Plans

[Assembly Bill 943](#) (*Chiu, D-San Francisco*) authorizes the use of Student Equity and Achievement Program funding for emergency student financial assistance to help students overcome unforeseen financial challenges that directly impact the student's ability to persist in their course of study, such as the need for food or shelter.

Position: Co-Sponsor

AB 943 was signed into law by the governor on October 4, 2019.

Community College Districts: Governing Board Elections

[Assembly Bill 1150](#) (*Gloria, D-San Diego*) requires a candidate for election as a member of the governing board of the San Diego Community College District and the Grossmont-Cuyamaca Community College District to submit at least 40 valid signatures to qualify for the ballot.

Position: Sponsor

AB 1150 was signed into law by the governor on October 8, 2019.

Student Support Services: Dreamer Resource Liaisons

[Assembly Bill 1645](#) (*Rubio, D-Baldwin Park*) requires the California Community Colleges and the California State University, and requests the University of California, commencing with the 2020-21 academic year, to designate a Dreamer Resource Liaison who is knowledgeable in financial aid and other support services to assist students who qualify for the exemption from paying non-residential tuition established by AB 540 (2001). The bill also encourages the establishment of Dream Resource Centers on each campus.

Position: Watch

AB 1645 was signed into law by the governor on October 12, 2019.

UNIVERSITY COUNCIL

University Council-American Federation of Teachers (UC-AFT) Unit 17 (Librarians)

[Senate Concurrent Resolution \(SCR\) 29](#) (*Leyva, D-Chino*) recognizes June 27, 2019, as the anniversary of the commencement of the University Council-American Federation of Teachers (UC-AFT) representation of librarians.

Position: Sponsor

SCR 29 passed off of the Assembly Floor with a 77-0-2 vote on August 12, 2019. Subsequently, the resolution passed off of the Senate Floor with a 39-0-1 concurrence vote on August 22, 2019 and was enacted.

LABOR

Worker Status: Employees and Independent Contractors

[Assembly Bill 5](#) (*Gonzalez, D-San Diego*) codifies a unanimous California Supreme Court Decision, *Dynamex Operations West, Inc. v. Superior Court of Los Angeles* (2018), which applies the "ABC Test" to determine if a worker is an employee or an independent contractor. Workers shall be considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business and the person is customarily engaged in an independently established trade, occupation or business

Position: Support

AB 5 was signed into law by the governor on September 18, 2019

School Safety: School Security Officers and Security Guards

[Senate Bill 390](#) (*Umberg, D-Santa Ana*) requires school security officers employed by a school district, charter school, county office of education or community college district, commencing July 1, 2021, and security guards working on the property of a school district, charter school, county office of education or community college district, to complete a training course regardless of the number of hours worked per week.

Position: Support

SB 390 was signed into law by the governor on October 2, 2019.

VETOED LEGISLATION

Full-Day Kindergarten

[Assembly Bill 197](#) (*Weber, D-San Diego*) would have required schools in school districts offering kindergarten and charter schools serving students in early primary grades to implement at least one full-day kindergarten program. AB 197 would have required that the minimum school day for full-day kindergarten would have to equal the number of minutes offered to students in the 1st grade.

Position: Watch

AB 197 was vetoed by the governor on October 13, 2019. [A veto message can be found here.](#)

Paid Maternity Leave for K-14 Certificated and Classified Employees

[Assembly Bill 500](#) (*Gonzalez, D-San Diego*) would have required K-14 districts to provide certificated and classified employees a paid leave when an employee is required to be absent for a length of time to be determined by the employee and their doctor for a minimum of six weeks for pregnancy, miscarriage, childbirth and recovery.

Position: Sponsor

AB 500 was vetoed by the governor on October 13, 2019. [A veto message can be found here.](#)

Student Assessments: Pathways to College Act

[Assembly Bill 751](#) (*O'Donnell, D-Long Beach*) would have established the Pathways to College Act which would have required the Superintendent of Public Instruction (SPI) to approve one or more nationally recognized high school assessments (i.e., SAT or ACT) that a local educational agency could, at its own discretion, administer in-lieu-of the grade 11 Smarter Balanced Summative Assessment.

Position: Support

AB 751 was vetoed by the governor on October 12, 2019. [A veto message can be found here.](#)

Mandated Child Abuse Employee Training

[Assembly Bill 1153](#) (*Wicks, D-Oakland*) would have established the Child Abuse Reporting Training Act of 2020 which would have required each governing board of a community college to 1.) annually train, using an online training module, employees and administrators of the district who are mandated reporters on the reporting requirements; 2.) develop a process for those persons to provide proof of completing this training within 6 weeks of each academic year or within 6 weeks of that person's employment; and 3.) develop a process to identify students who are minors enrolled in classes at a community college district and provide that information only to faculty members and other employees who are mandated reporters.

Position: Sponsor

AB 1153 was vetoed by the governor on October 13, 2019. [A veto message can be found here.](#)

California Tax Expenditure Review Board

[Senate Bill 468](#) (*Jackson, D-Santa Barbara*) would have established the California Tax Expenditure Review Board as an independent advisory body to comprehensively assess major tax expenditures and make recommendations to the legislature.

Position: Support

SB 468 was vetoed by the governor on October 11, 2019. [A veto message can be found here.](#)

Special Education: Individualized Education Programs: Translations

Senate Bill 695 (*Portantino, D-La Cañada Flintridge*) would have required a local educational agency (LEA), upon a parent's request, to translate:

- The student's completed Individual Education Plan (IEP) and any revisions to the plan
- Any evaluation, assessment or progress data used to determine eligibility or to develop the IEP that is discussed at an IEP team meeting

For a parent whose native language is one of the eight commonly spoken languages, excluding English, the LEA would have 30 calendar days of the IEP meeting, or within 30 calendar days of a later request by the parent, to provide the translation.

Position: Support

SB 695 was vetoed by the governor on October 12, 2019. [A veto message can be found here.](#)

FOR ADDITIONAL INFORMATION, CONTACT:

Ron Rapp Legislative Director rrapp@cft.org
Tristan Brown Legislative Representative tbrown@cft.org
Bryan Ha Legislative Representative bha@cft.org
Telephone (916) 446-2788