



# ENACTED CALIFORNIA LEGISLATION RELATED TO EDUCATION | 2022

Prepared by Frank J. Fekete, Esq., Carlos Rojas, and Mae Kittle for Schools Legal Service

# DECEMBER 2022

This report contains a summary of major laws enacted by the California Legislature during the 2022 session of interest to K-12 schools and community colleges. Enacted bills become law on January 1, 2023, unless adopted as urgency measures with earlier effective dates or unless they contain delayed operative dates.

This year's report was compiled by Frank J. Fekete, former General Counsel of Schools Legal Service, and Carlos Rojas, Assistant Superintendent, State and Local Initiatives, and Mae Kittle, Legislative Assistant, Office of the Kern County Superintendent of Schools. The report has the following features:

- All bills are listed by subject matter, in numerical bill order by house: Assembly and Senate
- All bills are briefly summarized in boxed text; bills needing more detailed explanation are further explained below the box
- An index at the front of the report arranges bills in subject-matter categories, with references to the pages in the report where the summaries are found.
- The chapter numbers are assigned to enacted legislation in the order they are filed with the Secretary of State's office after being signed by the Governor. The full reference is Stats. 2021, Chapter #.

The full text of all bills considered by the Legislature in the 2022 session—whether or not adopted—can be found on the internet at <http://leginfo.legislature.ca.gov/>. This site also includes prior versions of the bill and various committee reports that can be helpful in understanding legislative history and intent. The full text of all current California code sections can also be found at <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

You may wish to “bookmark” these sites for continued reference. You will also find them under “Legal Links” at the Schools Legal Service website at [www.schoolslegalservice.org](http://www.schoolslegalservice.org).

Finally, if you're using West's or Deering's Annotated Education Codes (or any other set of volumes updated with annual supplements), we recommend ensuring your codes are up to date. As a convenient alternative, you may wish to purchase the annual one-volume softbound pamphlet edition of the Education Code published by Thomson West (<http://west.thomson.com/or> 1-800-344-5008).



Phone: (661) 636-4830  
FAX: (661) 636-4843  
E-mail: [sls@kern.org](mailto:sls@kern.org)  
[www.schoolslegalservice.org](http://www.schoolslegalservice.org)

# EDUCATION RELATED LEGISLATION (CHAPTERED)

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**EDUCATION RELATED LEGISLATION (CHAPTERED)  
2022 LEGISLATIVE SESSION**

**BOARD MEMBERS**

**AB 2158 (Fong) -- Chapter 279: Board Member Ethics Training**

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Requires each member of a governing board of a school district, a county board of education, or the governing body of a charter school, in service as of January 1, 2025, to receive ethics training before January 1, 2026, and at least once every two years thereafter.

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1. Requires all local agency officials who are members of the governing board of a school district, a county board of education, or the governing body of a charter school to receive training in ethics, whether or not any member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.
2. Requires each local agency official who, as of January 1, 2025, is a member of the governing board of a school district, a county board of education, or the governing body of a charter school (except for officials whose term of office ends before January 1, 2026) to receive ethics training before January 1, 2026.
3. Requires, after January 1, 2026, each local agency official who is a member of the governing board of a school district, a county board of education, or the governing body of a charter school to receive ethics training at least once every two years.
4. Expands the definition of “local agency” to include a school district, county office of education (COE), and charter school.
5. Expands the definition of “local agency official” to include a member of the governing board of a school district, a county board of education, or the governing body of a charter school, whether or not that member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.

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**SB 1061 (Laird) -- Chapter 831: Governing Board Elections**

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Changes the components of the petition for signatures and the election's timing for when a school district or community college district governing board makes a provisional appointment to fill a vacancy and the voters of the district challenge that appointment.

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1. Requires the petition for the collection of signatures to contain, in addition to the election official's estimate for the cost of conducting the special election, the estimated costs expressed on a per-pupil or per-student basis.
2. Changes when the election is held to not less than 88, nor more than 125, days following the order of the election. Provides the election may be conducted within 180 days after the issuance of the order of the election so that it may be consolidated with a regularly scheduled election.

<p style="text-align: center;"><b>BROWN ACT AND PUBLIC MEETINGS</b></p>
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**AB 2449 (Rubio) -- Chapter 285: Teleconferencing for Board Meetings**

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Revises teleconferencing provisions and, until January 1, 2026, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum participates in person from a single physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

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1. Authorizes a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances on a limited number of occasions.
2. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed.
3. Authorizes a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made.
4. Requires the agency to identify an opportunity for the public to attend and directly address the board in real time through specified options.

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**AB 2647 (Levine) -- Chapter 971: Board Meeting Materials Available to the Public**

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Requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements. This includes the local agency immediately posting the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

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**SB 1100 (Cortese) -- Chapter 171: Disruption at Meetings**

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Authorizes the presiding member of a legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting.

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1. Requires, except as provided, removal to be preceded by a warning to the individual by the presiding member of the legislative body or designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal and authorizes the presiding member or designee to then remove the individual if the individual does not promptly cease their disruptive behavior.
2. A. "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:
  - (i) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Government Code section 54954.3 or any other law.
  - (ii) Engaging in behavior that constitutes use of force or a true threat of force.
- B. "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

<p style="text-align: center;"><b>CHILD CARE AND PRESCHOOL</b></p>
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**AB 22 (McCarty) -- Chapter 901: Preschool Data Collection**

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Requires the California Department of Education (CDE) to collect specified student-level data relative to enrollment in California state preschool programs operated by local educational agencies (LEA) to provide longitudinal data by July 1, 2024.

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1. Pupil data for each pupil enrolled in a California state preschool program operated by an LEA, including all applicable data elements that are collected for pupils in transitional kindergarten (TK), which, in combination with the data collected through CALPADS, will provide longitudinal pupil data for pupils enrolled in state preschool programs operated by LEAs through grade 12.
2. The same data for educators in California state preschool programs operated by an LEA that is collected for educators in the K–12 classroom setting, to the extent that data is collected.

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**AB 321 (Valladares) -- Chapter 903: Child Care Services: Enrollment Priority**

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Adds children with a primary home language other than English to priority enrollment in state preschool and federal or state subsidized general child care programs.

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***Part- and Full-Day State Preschool Programs***

Adds children from a family in which the primary home language is other than English within priority enrollment, after the existing priority for children who are abused or neglected, low-income four-year-olds, and children with exceptional needs (and before children who have been on the waiting list).

***Childcare and Development Programs***

Children from a family in which the primary home language is other than English within priority enrollment, after the existing priority for children who are abused or neglected, low-income children, and children with exceptional needs (and before children who have been on the waiting list).

***Other***

1. Specifies that the existing requirement for the Superintendent of Public Instruction (SPI) to develop procedures for state preschool programs to distribute and collect a completed family language instrument is to identify dual language learners before enrollment.
2. States legislative findings and declarations relative to prioritizing access to state preschool and child care and developmental services for children who reside in homes in which the primary language is a language other than English.

**AB 2806 (Rubio) -- Chapter 915: Preschool Expulsion and Suspension**


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Expands the existing prohibition on expelling children from state preschool programs to also prohibit the suspension of children enrolled in state preschool programs and extends the prohibition on suspension and expulsion of children to include those enrolled in child care programs, with exception, and expands early childhood mental health services.

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**Expulsion**

1. Extends to general child care programs serving children birth through age five years the existing provisions that prohibit a state preschool program from doing either of the following, except as provided in #5:
  - A. Expel or disenroll a child because of a child's behavior.
  - B. Persuade or encourage a child's parents or legal guardians to voluntarily disenroll from the program due to a child's behavior.
2. Expands existing requirements and steps a program must take if a child exhibits persistent and serious behaviors, to include engaging an early childhood mental health consultant, if available.
3. Expands information that is to be provided to parents or guardians of a child who exhibits persistent and serious behaviors to include a description of the behaviors and the program's plan for maintaining the child's safe participation in the program.
4. Extends to general child care programs existing requirements that apply to state preschools related to (a) contacting agencies responsible for the individualized family service plan (IFSP) or individualized education program (IEP), if applicable, to seek consultation on serving the child; and, (b) completing a comprehensive screening to identify the needs of the child, including, but not limited to, screening the child's social and emotional development, referring the child's parents or legal guardians to community resources, and implementing behavior supports within the program.

5. Extends to general child care programs the authority to disenroll a child if the program has done both of the following within a 180-day timeframe:

A. Expeditiously pursued and documented reasonable steps to maintain the child's safe participation in the program and determines, in consultation with the parents or legal guardians of the child, the child's teacher, and, if applicable, the LEA responsible for implementing the federal Individuals with Disabilities Education Act, that the child's continued enrollment would present a serious safety threat to the child or other enrolled children; and,

B. Refer the parents or legal guardians to other potentially appropriate placements, the local child care resource and referral agency, or other referral services available in the local community and, to the greatest extent possible, support direct transition to a more appropriate placement.

### **Suspension**

1. Prohibits a state preschool program and a general child care program from doing either of the following, except as provided in #2, #3, and #4:

A. Suspend a child due to a child's behavior.

B. Encourage or persuade a child's parents or legal guardians to prematurely pick up a child due to a child's behavior before the program day ends.

2. Authorizes suspension to be used only as a last resort in extraordinary circumstances when there is a serious safety threat that cannot be reduced or eliminated without removal. Requires a program, to the greatest extent possible, to endeavor to ensure the full participation of enrolled children in all program activities.

3. Requires a program, before it determines that suspension is necessary, to collaborate with the child's parents or legal guardians and use appropriate community resources, as needed, to determine no other reasonable option is appropriate, and provide written notice to the child's parents or legal guardians.

4. Requires a program, if suspension is deemed necessary, to help the child return to full participation in all program activities as quickly as possible while ensuring child safety by doing all of the following:

A. Continuing to engage with the parents or legal guardians and continuing to use appropriate community resources.

B. Developing a written plan to document the action and supports needed.

- C. Providing referrals to appropriate community services.
- D. Contact the agency responsible for the IFSP or IEP, as appropriate, with written parental consent, to seek consultation on serving the child.

**Mental Health Consultation Service**

1. Modifies the definition of “early childhood mental health consultation service” to clarify who is to receive support (families, providers, caregivers) and to include the creation of trauma-informed, proactive inclusive environments.
2. Expands early childhood mental health consultation to include (a) face-to-face interactions or video-based platforms and other modes of communication that are compliant with the federal Health Insurance Portability and Accountability Act, such as the telephone; and, (b) group or individual consultations of any of the specified actions.
3. Modifies the frequency at which early childhood mental health consultation services may occur in order for reimbursement, from a “consistent frequency to ensure a mental health consultant is available to partner with staff and families in a timely manner,” to the service being provided continuously throughout the program year.
4. Expands the existing list of licensed mental health professionals who are to provide early childhood mental health consultation to include a credentialed school psychologist and a credentialed school counselor.

**AB 2827 (Quirk-Silva) -- Chapter 916: Daycare Outdoor Play Facilities**

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Requires the Department of Social Services (DSS), on or before January 1, 2024, to revise its regulations to permit children with exceptional needs who are enrolled in separate programs or classrooms from nondisabled children to use outdoor play spaces simultaneously with nondisabled children without first seeking a waiver, as specified, and requires DSS to provide any health and safety requirements that must be met to do so.

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## **SB 1047 (Limon) -- Chapter 923: Early Learning Eligibility**

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Expands from 12 months to 24 months the period of a family's eligibility after establishing initial eligibility for state preschool and subsidized child care and development programs, and expands priority for eligibility, enrollment, and services to include families who receive specified human services benefits.

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### ***Twenty-Four Month Eligibility and Eligibility Based on Employment or Homelessness***

1. Expands, from 12 months to 24 months, the period of a family's eligibility for ongoing services after establishing initial eligibility.
2. Provides that eligibility is to last until the end of the programs year even if the eligibility time period expires during the year, as long as applicable age-eligibility requirements are met.

### ***Direct Certification***

1. Expands priority for eligibility, enrollment, and services to include a family who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Assistance Program for Women, Infants, and Children, the Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by CDE for state preschool programs.
2. Provides that eligibility "as determined by the department" means either: a) the family provides documentation of current enrollment in the program, unless the contracting agency has, and elects to use, other means of obtaining verification of that enrollment; or, b) a contracting agency has determined a member of the household is eligible for Head Start or Early Head Start services.
3. Requires qualifying families to submit a self-certification of income for the purposes of prioritizing enrollment and calculating family fees.

<p style="text-align: center;"><b>COVID-19</b></p>
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**AB 1751 (Daly) -- Chapter 75: COVID-19: School Closure**

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Clarifies that community college district chancellors, school presidents, and school superintendents may order a school to close due to risk of infection by COVID-19.

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**AB 2693 (Reyes) -- Chapter 799: COVID-19 Exposure**

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Extends to January 1, 2024, the sunset date on COVID-19-related workplace reporting requirements and for the Division of Occupational Safety and Health's authority to disable an operation or process at a place of employment when the risk of COVID-19 infection creates an imminent hazard.

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1. Revises and recasts COVID-19 exposure reporting provisions to require employers to display a notice with information on confirmed COVID-19 cases at the worksite.
2. Authorizes employers to post this information on an employer portal or continue to provide it in writing.
3. Strikes requirements in existing law pertaining to the reporting by employers of COVID-19 outbreaks to local public health agencies and the public posting of this information by the State Department of Public Health.

**SB 1479 (Pan) -- Chapter 850: COVID-19 Testing**

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Requires the California Department of Public Health (CDPH) to coordinate COVID-19 testing programs in LEAs funded by federal resources or organized under the California COVID-19 Testing Task Force.

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1. Permits CDPH in coordinating these testing programs to provide supportive services related to LEA testing plans and testing programs for teachers, staff, pupils, and surrounding communities that help LEAs reopen and operate safely for in-person learning. Permits the supportive services to include, but not be limited to: technical assistance, vendor support, guidance, monitoring, and testing education. Defines "local educational agency," for purposes of this bill, as a school district, COE, or charter school.

2. Encourages CDPH to expand its contagious, infectious, or communicable disease testing and other public health mitigation efforts to include prekindergarten, onsite after school programs, and child care centers according to the CDPH framework.
3. Requires federal funds, if the state secures additional funds through the Centers for Disease Control and Prevention Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases Program for the purposes of COVID-19 testing in LEAs, to be expended before allocating state funds for purposes of testing and mitigation efforts in #1 and #2 above.
4. Requires LEAs, after consulting with its local health department (LHD) regarding any local guidance or best practices from the Safe Schools for All Hub, to create a COVID-19 testing plan consistent with CDPH guidance, or adopt the CDPH framework. Requires an LEA to publish the testing plan on its website. Permits LEAs to designate one staff member to report information on its COVID-19 testing program to CDPH. Requires the publishing of a testing plan on the LEA website to satisfy the reporting provision.
5. Requires COVID-19 testing data to be in a format that facilitates a simple process by which parents and LEAs can report data to CDPH or LHDs, consistent with the CDPH framework.
6. Prohibits testing plans from being required to include the provision of onsite testing or programs.
7. Specifies that nothing in this bill requires CDPH to review or approve testing plans that are consistent with the framework before the testing plan is published or implemented.
8. Requires CDPH to determine which COVID-19 tests are appropriate for use for the testing programs created under this bill.

<b>CURRICULUM AND INSTRUCTION</b>
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**AB 102 (Holden) -- Chapter 902: College and Career Access Pathways**


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Allows COEs and adult education programs to enter into College and Career Access Pathways (CCAP) partnerships with community college districts.

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1. Removes the CCAP sunset date of January 1, 2027.
2. Authorizes the governing board of a community college district to enter into a CCAP partnership with the governing board of a COE for the purpose of offering or expanding dual enrollment opportunities for pupils who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.
3. Defines “high school” to include a community school, continuation high school, juvenile court school, or adult education program offering courses for high school diplomas or high school equivalency certificates.
4. Requires the governing board of a COE when entering into a CCAP partnership to do the following:
  - A. Consult with, and consider the input of the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs; and,
  - B. Present, take comments from the public on, and approve or disapprove the CCAP partnership agreement at an open public meeting of the COE governing board.
5. Requires the CCAP partnership agreement to identify a point of contact for the participating California Community Colleges (CCC) and the participating COE.
6. States that a CCC district may enter into an agreement with a COE outside its service area as long as there exists an established agreement permitting the CCAP partnership between the local CCC and the CCC district seeking the CCAP partnership.
7. Requires that both the CCC district and the COE comply with local collective bargaining agreements (CBA) and all state and federal reporting requirements regarding the qualifications of teachers and faculty who teach a CCAP partnership course.

8. Requires that the CCAP partnership agreement include whether the CCC district or COE will be the employer of record for purposes of assignment monitoring and reporting to the COE, and which will assume reporting responsibility pursuant to federal teacher quality mandates.

9. Requires that any remedial course taught by CCC faculty on a high school campus be offered to high school pupils who do not meet grade 10 or 11 level standards as determined by the COE. These courses will be the result of a collaborative effort between high school and CCC faculty to deliver innovative remediation courses for the purpose of ensuring the student is prepared for college level work upon graduation.

10. Prohibits the duplication of state funding for instructional activity provided to a student participating in a CCAP agreement.

11. Requires that a high school student, identified as a special part-time or full-time student at the CCC, who attends a CCAP agreement course is credited or reimbursed if the participating COE has not received funding for the same instructional activity.

12. Requires the Chancellor of the CCC to annually collect data from the CCCs and COEs participating in a CCAP partnership. Requires the data to include:

A. The total number of high school pupils by schoolsite enrolled in each CCAP partnership, disaggregated by gender and ethnicity;

B. The total number of CCC courses taken by CCAP partnership participants disaggregated by category, type, and schoolsite;

C. The total number and percentage of courses successfully completed by CCAP partnership participants disaggregated by course category, type, and schoolsite;

D. The total number of full-time equivalent students generated by the CCAP partnership CCC district participants; and,

E. The total number of full-time equivalent students served online by the CCAP partnership college district participants.

13. Removes the 10 percent cap of full-time equivalent students claimed as special admits.

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### **AB 1923 (Mathis) -- Chapter 114: STEM Partnership Academies**

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Requires the SPI to prioritize proposals for new California Partnership Academies (CPAs) based on a school district's enrollment of socioeconomically disadvantaged pupils and for school districts located in a rural or economically disadvantaged area.

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1. Requires the SPI to prioritize proposals for new CPAs based upon a school district's enrollment of the following pupil groups:
  - A. Unduplicated pupils, including students that are English learners, low-income or foster youth.
  - B. Pupils from groups historically underrepresented in career technical education (CTE) or science, technology, engineering, and mathematics (STEM) programs or professions.
  - C. At-promise pupils.
2. Authorizes the SPI to prioritize new CPAs for school districts located in a rural area or an economically disadvantaged area.
3. Adds STEM courses to the CTE courses required to be provided to the pupils at each grade level participating in CPAs.
4. Adds STEM courses to the existing requirement to offer CTE courses in high skill occupations of regional and local economic need.

Adds STEM courses to the requirement that, whenever possible and appropriate, the school district offer CTE courses that also meet the subject requirements for admission to the California State University (CSU) and the University of California (UC).

### **AB 2028 (Davies) -- Chapter 116: Bicycle and Scooter Safety Instruction**

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Authorizes the governing board of any LEA to provide time and facilities to public agencies and other organizations, as defined in the Civic Center Act, in addition to a local law enforcement agency, to provide bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction.

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1. Adds "public agencies" and "other organizations," to the list of entities an LEA may provide time and facilities to for the safety instruction of a bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter.

2. Adds “scooter,” “electric bicycle,” “motorized bicycle,” and “motorized scooter,” to the list of safety instruction that a local law enforcement agency, to provide bicycle, scooter, may provide.
3. Aligns the definition of “electric bicycle,” “motorized bicycle,” or “motorized scooter” as specified in the Vehicle Code.

### **SB 532 (Caballero) -- Chapter 918: Coursework and Graduation Requirements**

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Expands the rights for foster youth, homeless youth, former juvenile court school students, children of military families, migratory children, and students participating in a newcomer program (highly mobile students) to be exempted from local graduation requirements if certain conditions are met; requires LEAs to provide these students the option to remain in school for a fifth year to complete the statewide coursework requirements if certain conditions are met; specifies the contents of transcripts when transferred to a new LEA; and requires LEAs to annually report to the CDE on the number of students, who in the prior school year, graduated with an exemption from the LEA's local graduation requirements.

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1. Requires an LEA that exempts a highly mobile student from local graduation requirements, as required by current law, to consult with, rather than only notify, the student and their parent or guardian on various items, including how graduating with the state graduation requirements may affect the pupil's postsecondary or vocational future.
2. Requires, until January 1, 2028, an LEA to consult with a highly mobile student and their parent or guardian of the option to remain in high school for a fifth year if the LEA determines the student is reasonably able to complete the LEA's local graduation requirements within that time. Also expands these provisions to students enrolled in adult education programs who are or were highly mobile students in high school, regardless of age.
3. Makes various changes to how LEAs accept coursework of a highly mobile student who transfers to a new LEA, such as ensuring an LEA issues partial credit coursework when a highly mobile student transfers to a new LEA.
4. Requires LEAs to annually report to the CDE on the number of students who graduated with an exemption from their LEA's local graduation requirements and requires CDE to make this data publicly available on an annual basis.

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**SB 941 (Portantino) -- Chapter 711: STEM and Dual Language Agreements**

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Authorizes LEAs to enter into an agreement with one or more LEAs to offer the same or similar corresponding individual courses or coursework to a student from another LEA who has been impacted by disruptions or cancellations in classes in STEM or dual language immersion programs, or teacher shortages in those classes or programs.

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**SB 955 (Leyva) -- Chapter 921: Excused Absences: Civic or Political Events**

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Allows students in grades 6–12 to have one excused absence per year to participate in a civic or political event provided that the pupil notifies the school ahead of the absence.

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1. Adds “civic and political event” to list of excused absences for a middle or high school pupil provided that the pupil notifies the school ahead of the absence.
2. Clarifies that an excused absence to attend a “civic or political event” counts as one school day and is available once every school year to middle or high school students.
3. Adds that a middle or high school pupil who is absent to attend a “civic or political event” may be granted additional absences to attend a “civic or political event,” at the discretion of the school administrator.
4. Specifies that a “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
5. Removes the requirement that the State Board of Education update its illness verification regulations for pupils who are absent for the benefit of their mental or behavioral health.

<p style="text-align: center;"><b>EMPLOYEES</b></p>
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**AB 1041 (Wicks) -- Chapter 748: Employment: Leave**

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Adds a “designated person” to the list of individuals for whom an employee may take leave to care for under the California Family Rights Act (CFRA) and the Healthy Workplaces, Healthy Families Act of 2014 (Paid Sick Days).

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1. Expands the list of individuals for whom an employee can take leave under CFRA and the Healthy Workplaces, Healthy Families Act of 2014 to include a “designated person” by the employee.
2. Defines, for purposes of CFRA leave, “designated person” as any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave and authorizes employers to limit an employee to one designated person per 12-month period.
3. Defines, for purposes of Paid Sick Days leave, a “designated person” as a person identified by the employee at the time the employee requests paid sick days and authorizes employers to limit employees to one designated person per 12-month period.

**AB 1667 (Cooper) -- Chapter 754: STRS: Administration**

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Alters the manner in which CalSTRS can audit public school employers, employees, and retirees related to the reporting of creditable service and compensation and limits CalSTRS’ ability to collect pension overpayments arising from errors in reporting disallowed compensation.

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**AB 1876 (Seyarto) -- Chapter 113: Substitute Teachers: Emergency Permit**

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Requires Commission on Teacher Credentialing (CTC), when issuing an initial emergency career substitute teaching permit, to accept employment verification for the previous consecutive three-year period from one or more California school districts participating in a consortium in determining the accumulated work days per year.

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### **AB 2085 (Holden) -- Chapter 770: Mandated Reporters: General Neglect**

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Redefines “general neglect” for purposes of the Child Abuse and Neglect Reporting Act by excluding a person’s economic disadvantage.

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1. Clarifies that for purposes of mandating reporting, “general neglect” means that the child is at substantial risk of suffering serious physical harm or illness and that it does not include a parent’s economic disadvantage.
2. Clarifies that the duty to report suspected child abuse is only required when the abuse is “reasonably” suspected.

### **AB 2274 (Rubio) -- Chapter 587: Mandated Reporters: Statute of Limitations**

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Extends the statute of limitations for the failure of a mandated reporter to report reasonably suspected child abuse or severe neglect not involving sexual abuse to within one year of the discovery of the offense, but in no case later than four years after the commission of the offense.

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### **AB 2413 (Carrillo) -- Chapter 913: Classified School and Community College Employees: Disciplinary Hearings: Compensation**

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Prohibits K-12 and community college districts from suspending without pay, suspending with a reduction in pay, demoting, or dismissing a permanent classified employee who timely requests a hearing on the charges against the employee before the district or hearing officer renders a decision on the matter except for certain conduct.

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1. Prohibits a K-12 or CCC district from imposing specified adverse action against a permanent classified employee who timely requests a hearing on the charges against them before the school employer renders its decision at the hearing, unless the employer demonstrated with a preponderance of the evidence at the time the district imposed discipline upon the conclusion of a *Skelly* hearing, that the employee engaged in criminal misconduct, misconduct that presents a risk of harm to pupils, staff, or property, or the employee committed habitual violations of the district’s policies or regulations.
2. Permits the district to stop paying the employee after 30 calendar days from the date the employee requests the hearing and before the hearing officer renders a decision on the charges if the hearing is conducted by an impartial third-party hearing officer or the governing board.

3. Clarifies that this statute's provisions, to the extent they conflict with a CBA, do not apply until the expiration or renewal of the CBA.

**AB 2508 (Quirk-Silva) -- Chapter 153: Educational Counseling**

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Urges the governing board of an LEA to provide a comprehensive educational counseling program for all pupils and redefines the definition of educational counseling and services provided to pupils to reflect current practices.

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***Amends the Legislative Intent of School Counselor Duties***

1. Declares school counselors engage with, advocate for, and provide direct services including, but not limited to, individual counseling, group counseling, risk assessment, crisis response, and instructional services including, but not limited to, mental health, behavioral, academic, and postsecondary educational services.
2. Declares school counselors engage with, advocate for, and provide indirect services including, but not limited to, positive school climate strategies, teacher and parent consultations, and referrals to public and private community services.
3. Plan, implement, and evaluate comprehensive school counseling programs.
4. Work within multi-tiered systems of support that use multiple data sources to monitor and improve pupil behavior, attendance, engagement, and achievement.
5. Develop, coordinate, and supervise comprehensive pupil support systems in collaboration with teachers, administrators, other pupil personnel service professionals, families, community partners, and community agencies, including county mental health agencies.
6. Promote and maintain a safe learning environment for all pupils by providing restorative practices, positive behavior interventions, and support services, and by developing and responding with a variety of intervention strategies to meet individual, group, and school community needs before, during, and after crisis response.
7. Intervene to ameliorate school-related problems, including problems related to chronic absences and retention.
8. Use research-based strategies to promote mental wellness, reduce mental health stigma, and identify characteristics, risk factors, and warning signs of pupils who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying.

9. Improve school climate and pupil well-being including, but not limited to, by addressing the mental and behavioral health needs of pupils during their times of transition, separation, heightened stress, and critical changes, and accessing community programs and services to meet those needs.

10. Enhance pupils' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs.

11. Provide counseling services for unduplicated pupils who are classified as English learners, eligible for free or reduced-price meals, or foster youth in a manner that promotes equity and access to appropriate education systems and public and private services.

***Amends the Definition and Services of Education Counseling***

1. Defines "educational counseling" to mean a specialized service provided by a school counselor possessing a valid credential with a specialization in pupil personnel services who directly counsels pupils and implements equitable school programs and services that support pupils in their academic development, social emotional development, and college and career readiness; and includes additional academic counseling and postsecondary services, in the following areas:

A. Progress towards achievement of proficiency standards and competencies.

B. High-quality career programs at all grade levels for pupils, in which pupils are assisted in doing, among other things, work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on the quality of life, understanding the value of participating in career technical education pathways, programs, and certifications, and understanding entrance requirements to the Armed Forces of the United States.

2. Adds optional duties of educational counseling to include the following:

A. Advising pupils, in consultation with their parents and legal guardians when at all possible, who are at risk of not promoting or graduating with the rest of their class;

B. In schools that enroll pupils in grades 6-12, developing a list of coursework and experience necessary to assist and counsel each pupil to begin to satisfy the A-G requirements for admission to the UC and the CSU and encourage participation in college preparation programs, including the Advancement Via Individual Determination program, and early college, dual enrollment, advanced placement, and international baccalaureate programs;

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C. Developing pupil knowledge of financial aid planning for postsecondary education by providing pupils with financial aid information, including information on the Free Application for Federal Student Aid, the California Dream Act application, the Cal Grant Program, local and national scholarship programs, financial aid programs and resources for foster and homeless youth, fee waiver programs, and other financial aid programs and options, and net college cost;

D. Providing mental and behavioral health services to which pupils receive prevention, early intervention, and short-term counseling services and receive classroom instruction in mental health to reduce stigma and increase awareness of counseling support services; and, providing training to school staff to recognize mental health warning signs.

**SB 868 (Cortese) -- Chapter 818: STRS: Supplemental Benefits**

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Provides additional Supplemental Benefit Maintenance Account benefits to CalSTRS members and beneficiaries of members, between 5% and 15%, depending on the date the member retired, became disabled or died. The increase in benefit is to be paid quarterly beginning July 1, 2023.

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**SB 874 (Cortese) -- Chapter 150: Classified School District and Community College Employees: Probation: Promotion**

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Amends existing law to require reemployment of permanent employees in K-12 school districts and community college districts that have adopted the merit system, if the employee fails the probationary period for the promotion, among other provisions.

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1. Requires a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position to be employed in the classification from which the employee was promoted.

2. Provides that if the provisions of this legislation conflict with a provision of a CBA between a school employer and an exclusive bargaining representative before January 1, 2023, the provisions of this legislation must not apply to the district until expiration or renewal of that CBA.

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**SB 1397 (Borgeas) -- Chapter 335: Basic Skills Waiver for Substitutes**

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Requires CTC to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute teaching permit until July 1, 2024.

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**SB 1487 (Rubio) -- Chapter 924: Survey on Teacher Resignations**

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Requires CTC and CDE to develop, and LEAs to annually administer and report on, a survey of teachers exiting the profession.

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1. Requires CTC and CDE to develop a survey, with input from education stakeholders by July 1, 2023, for purposes of collecting data from teachers of LEAs resigning their positions or electing not to accept a teaching assignment for the upcoming school year, including data on whether or not they are exiting the profession.
2. Encourages LEAs, beginning with the 2023-24 school year, to administer the survey within 15 days of a teacher of the LEA resigning their position or electing not to accept a teaching assignment for the upcoming school year.
3. Encourages LEAs to report the results of the surveys to CTC annually.
4. Requires CTC to work with CDE to prepare an annual report that compiles the LEA data, submit the report to CDE and the Legislature, and post the report on its internet website.
5. Specifies that the reporting requirement for CTC and CDE is contingent on an appropriation for that purpose in the annual Budget Act or other statute.

<b>FACILITIES</b>
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**AB 1867 (Lee) -- Chapter 434: Modernization Projects: Bathrooms**


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Requires the governing board of an LEA intending to seek state funding for specified school modernization projects to include, as part of the project, faucet aerators and water-conserving plumbing fixtures in all bathrooms.

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1. Requires faucet aerators and water-conserving plumbing fixtures in all bathrooms for modernization projects for school facilities that were constructed before January 1, 2012.
2. Provides that the requirements of the bill apply to the following:
  - A. Projects submitted to the Division of the State Architect (DSA) three months after voters approve a statewide general obligation bond that provides funds for school facilities for kindergarten or any of grades 1-12, inclusive, at a statewide election occurring after November 1, 2022.
  - B. Projects that contain an existing faucet or water plumbing fixture in the space to be modernized or repaired and propose to modernize or repair the interior of a school building and do not apply to projects that only propose to repair or make alterations to the exterior of a school building, the school grounds, or the playing fields of a school.
3. States that bathrooms that already contain both faucet aerators and water-conserving plumbing fixtures at the time a modernization project is submitted to DSA are not subject to this requirement.

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**AB 2232 (McCarty) -- Chapter 777: HVAC Systems**

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Requires a school district, COE, charter school, private school, CCC, CSU, and requests the UC, to ensure that facilities, including classrooms for students, have heating, ventilation, and air conditioning (HVAC) systems that meet minimum ventilation rate requirements and to install filtration that achieves minimum efficiency reporting values (MERV) levels of 13 or higher. Requires the DSA to propose for adoption mandatory standards for carbon dioxide monitors in classrooms of a covered school and the UC.

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1. Establishes the following definitions:
  - A. "Covered school" means a school district, a COE, a charter school, a private school, the CCCs, or the CSU;
  - B. "HVAC" means heating, ventilation, and air conditioning; and
  - C. "MERV" means minimum efficiency reporting values.
2. Requires a covered school, and requests the UC, to ensure that facilities including, but not limited to, classrooms for students, have HVAC systems that meet the minimum ventilation rate requirements set forth in Table 120.1-A of Part 6 (commencing with Section 100.0) of Title 24 of the California Code of Regulations unless the existing HVAC system is not capable of safely and efficiently providing the minimum ventilation rate.
3. Requires that, if a school's existing HVAC system is not capable of safely and efficiently providing the minimum ventilation rate as proposed to be required, the covered school, and requests the UC, to ensure that its HVAC system meets the minimum ventilation rates in effect at the time the building permit for installation of that HVAC system was issued.
4. Requires a covered school, and requests the UC, to document the HVAC system's inability to meet the current ventilation standards in the annual HVAC inspection report required by Title 8 of the California Code of Regulations, section 5142, and make this information available to the public upon request.
5. Requires a covered school, and requests the UC, to install filtration that achieves MERV levels of 13 or higher where feasible with the existing HVAC system.
6. Requires, during the next triennial update of the California Building Standards Code (Title 24 of the California Code of Regulations), the DSA to research, develop, and propose for adoption mandatory standards for carbon dioxide monitors in classrooms of a covered school and the UC.

### **AB 2295 (Bloom) -- Chapter 652: Housing Development Projects**

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Deems a housing project, beginning January 1, 2024 and until January 1, 2033, to be an allowable use on property owned by an LEA if it meets affordability criteria and planning standards.

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### **AB 2638 (Bloom) -- Chapter: Drinking Water Bottle Filling Stations**

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Requires new construction or modernization projects submitted to the DSA by a school district or governing body of a charter school to include one or more water bottle filling stations.

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### **SB 1226 (Durazo) -- Chapter 423: JPAs: Zero-Emission Transportation Facilities**

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Allows a private, non-profit corporation that provides services for zero-emission transportation to enter into a joint powers agreement with a public agency to facilitate the development, construction, and operation of zero-emission transportation systems or facilities.

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1. Allows, until January 1, 2032, one or more private, nonprofit 501(c)(3) mutual benefit corporations formed to provide services to zero-emission transportation systems or facilities, or authorized by their board of directors to provide such services, to join a joint powers agreement (JPA), or enter into a JPA, with one or more public agencies for the purpose of facilitating the development, construction, and operation of zero-emission transportation systems or facilities that lower greenhouse gases, reduce vehicle congestion and vehicle miles traveled, and improve public transit connections. This bill deems any such JPA that these corporations join, a public entity.
2. Provides that JPAs formed using this authority do not have the power to incur debt.
3. Requires that the participating public agencies determine the governing board's structure, but representation of nonprofit corporations cannot exceed 50% of the board membership.
4. Requires that any projects these JPAs authorize, use a skilled and trained workforce and pay prevailing wages.

<b>FINANCE AND BUDGET</b>
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**AB 185 (Committee on Budget) -- Chapter 571: Education Omnibus Trailer Bill**

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Provides for statutory changes necessary to enact the K-12 and child care-related statutory provisions of the Budget Act of 2022.

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1. Clarifies that new cost-of-living adjustment add-ons to the county Local Control Funding Formula (LCFF) Floor and Minimum State Aid Guarantee are cumulative from one fiscal year to the next.
2. Requires the Department of Education, in consultation with the DSS, to convene statewide workgroup of preschool stakeholders, as specified, and provide recommendations regarding preschool access and quality standards across the mixed child care delivery system.
3. Establishes an alternative design-build process for school facilities.
4. Specifies funding calculations as it relates to school transportation for common administration districts, district reorganizations, and allows for school transportation to be provided by JPAs. Also clarifies that prior year LCFF transportation costs should be used to calculate funding.
5. Repeals the requirement to adopt regulations for program funding.
6. Clarifies requirements for LEAs to be eligible for the 2021-22 average daily attendance boost.
7. Updates language for school district reorganizations or territory transfers to specify that adjustments will be made to any applicable prior fiscal year, as a result of the new three prior year average calculation.
8. Increases the necessary small school funding bands to correspond to the increase for school districts.
9. Clarifies the recoupment of payment procedures in the event of wage overpayment for school employees.
10. Adds TK as an eligible requirement for the mentor teacher experience as part of the Teacher Residency Grant Program.

11. Allows classified employees and CCC employees to be represented by an attorney or non-attorney representative during layoff proceedings.
12. Makes the following changes for purposes of TK funding through LCFF:
  - A. Clarifies that TK class size requirements are not subject to collectively bargained class size alternative for purposes of calculating the TK average class size requirements.
  - B. Clarifies how class size and adult-to-pupil ratio should be defined for purposes of calculating the LCFF for TK, and clarifies CDE authority on expanded learning wrap for TK, using state preschool contracts.
  - C. Clarifies how fiscal penalties for failing to meet TK requirements should be calculated.
13. Extends the sunset for the district of choice program through July 1, 2028.
14. Extends the sunset for graduation requirements related to career technical education through July 1, 2027.
15. Adds exceptions for students participating for fewer than 15 school days and make conforming changes for purposes of the independent study program.
16. Adds back provision that allowed LEAs to obtain a signed master agreement within 30 days of the first day of independent study instruction.
17. Specifies that Computer Science is its own content area with standards and credentialing requirements apart from science for the Math and Science Professional Development Fund.

**AB 1491 (McCarty) -- Chapter 519: Adult Education: Consortia: Funds Carryover**

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Authorizes an adult education consortium to reduce a member’s allocation by no more than the amount of the member’s carryover if the consortium makes a finding by a majority vote, if the member has had excessive carryover for at least two consecutive years.

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1. Defines “carryover” to mean the amount of unspent adult education program funds from the prior fiscal year, certified on or before September 1<sup>st</sup> of the current fiscal year, expressed as a percentage of the prior fiscal year’s allocation.

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2. Clarifies that a consortium's existing authority to make a finding that a member has been consistently ineffective in providing services that address the needs identified in the adult education plan:

A. May be based on that member having excessive carryover for at least two consecutive fiscal years beginning in 2022-23;

B. Shall require a majority vote of the consortium's membership;

C. Authorizes the consortium to reduce the ineffective member's allocation by no more than the amount of the member's carryover.

3. Requires a consortium with carryover from one or more prior fiscal years exceeding 20% to submit a written expenditure plan, including future corrective actions to reduce the consortium's carryover to below 20%, to the chancellor and the superintendent.

4. Specifies that, for each fiscal year a consortium has carryover of more than 20%, the Chancellor of the CCCs and the SPI shall prescribe and assign technical assistance to that consortium to ensure adequate adult education services are provided to the region in proportion to the region's available funding. Clarify that the Chancellor and the SPI shall ensure the consortium funding remains dedicated to that consortium's region.

<b>PUPILS</b>
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**AB 740 (McCarty) -- Chapter 400: Foster Youth: Suspension and Expulsion**


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Requires an LEA to send a notification to the foster child's attorney, county social worker, and educational rights, or tribal social worker, if that child is an Indian child as specified in the Welfare and Institutions Code, when an involuntary transfer to a continuation school, suspension, or expulsion proceeding occurs.

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1. If that child is an Indian child as specified in the Welfare and Institutions Code, requires a school district to provide written notice to a foster child's attorney, county social worker, and educational rights, or tribal social worker of a decision to transfer the foster child to a continuation school, stating the facts and reasons for the decision, informing them of the opportunity to request a meeting with the district prior to a student being transferred, and indicating whether the decision is subject to periodic review and the periodic review procedure.
2. If that child is an Indian child as specified in the Welfare and Institutions Code, requires that the foster child's attorney, county social worker, and educational rights holder, or tribal social worker be informed of the specific facts and reasons for the proposed transfer, and have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the pupil's behalf.
3. Requires that an involuntary transfer to a continuation school not extend beyond the end of the semester following the semester during which the acts leading directly to the involuntary transfer occurred unless the school district adopts a procedure for yearly review of the involuntary transfer at the request of the foster child's attorney or county social worker.
4. Repeals existing law regarding requirements of the CDE and LEAs regarding notices and staff designations and specifies that a foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker, shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information. Requiring an LEA to notify a parent with the final determination regarding the student's retention within 10 days of the consultation.
5. If that child is an Indian child as specified in the Welfare and Institutions Code, requires that a foster child's attorney, county social worker, and educational rights holder, or tribal social worker be notified of the pupil's right to a conference if a foster child is suspended without the opportunity for an informal conference, as specified.

6. If that child is an Indian child as specified in the Welfare and Institutions Code, requires that a school employee make a reasonable effort to contact a foster child's attorney, county social worker, and educational rights holder, or tribal social worker in person, by email, or by telephone at the time of the suspension of the foster child, and if the foster child is suspended from school, requires the school to notify the foster child's attorney and county social worker in writing.

7. If that child is an Indian child as specified in the Welfare and Institutions Code, requires the foster child's attorney, county social worker, and educational rights holder, or tribal social worker to respond without delay to a request from school officials to attend a conference regarding the foster child's behavior.

8. If that child is an Indian child as specified in the Welfare and Institutions Code, prohibits penalties on the pupil if the foster child's attorney, county social worker, and educational rights holder, or tribal social worker fails to attend a conference with school officials, and specifies that reinstatement of the suspended pupil not be contingent upon attendance of the attorney or social worker at the conference.

9. If that child is an Indian child as specified in the Welfare and Institutions Code, requires that a foster child's attorney, county social worker, and educational rights holder, or tribal social worker be notified by a school employee in person, by email, or by telephone if a foster child is assigned to a supervised suspension classroom and that if the suspension is for longer than one class period, the notification must be in writing.

10. If that child is an Indian child as specified in the Welfare and Institutions Code, requires an LEA to invite the foster child's attorney, county social worker, and educational rights holder, or tribal social worker participate in the individualized education program team meeting that makes a manifestation determination if an LEA is proposing a change of placement for a foster child with exceptional needs.

11. Requires, rather than authorizes, a school district to provide notice of an expulsion hearing to a foster child's attorney and a representative of the county child welfare agency at least 10 days before an expulsion hearing, and instead requires such notification to the attorney and county social worker at least 10 days before the hearing.

**AB 2598 (Weber) -- Chapter 914: Restorative Justice Practices**

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Requires the CDE, on or before June 1, 2024, to develop and post on its website, evidence-based best practices for restorative justice practices for LEAs to implement to improve campus culture and climate.

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**SB 997 (Pan) -- Chapter 922: LCAPs: Student Advisory Committee**

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Requires school districts serving middle or high school students and COEs, by July 1, 2024, to either include two students on an existing parent advisory committee or establish a student advisory committee for purposes of developing and adopting the Local Control and Accountability Plan (LCAP).

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1. Requires a parent advisory committee to include parents or legal guardians of currently enrolled pupils in the school district and COE-operated schools, including currently enrolled pupils with disabilities.
2. Requires a parent advisory committee of a school district or COE serving middle school or high school pupils to include at least two pupils as full members for a renewable term of one full school year.
3. Requires the governing board of a school district or COE serving middle school or high school pupils to establish a student advisory committee to provide advice to the governing board of the school district or COE and the superintendent of the school district or COE.
4. Requires a school district or COE to take into consideration that the pupil members of a parent advisory committee or student advisory committee represent the diversity of the school district or COE's pupils, including geographical, socioeconomic, cultural, physical, and educational diversity.

<p style="text-align: center;"><b>PUPIL SAFETY AND HEALTH</b></p>
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### **AB 58 (Salas) -- Chapter 428: Suicide Prevention Policies and Training**

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Requires each LEA, on or before January 1, 2025, to review and update its policy on pupil suicide prevention, and encourages LEAs commencing with the 2024-25 school year, to provide suicide awareness and prevention training to teachers of pupils in all of the grades served by the LEA.

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1. Requires an LEA, on or before January 1, 2025, to revise its training materials to incorporate best practices identified by CDE.
2. Encourages an LEA, commencing with the 2024–25 school year, to provide suicide awareness and prevention training to teachers of pupils in all of the grades served by the LEA.
3. Requires CDE, on or before June 1, 2024, to complete the development of, and issue to LEAs, resources and guidance on how to conduct suicide awareness and prevention training remotely.

Requires, on or before January 1, 2025, the governing board or body of an LEA that serves pupils in kindergarten and grades 1-12 to adopt best practices identified by CDE on pupil suicide prevention.

### **AB 452 (Friedman) -- Chapter 199: Firearm Safety: Parental Notification**

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Requires LEAs to provide notification to parents of each student about California's child access prevention laws and laws relating to the safe storage of firearms and requires the CDE to develop model language for this notification in consultation with the Department of Justice (DOJ).

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#### ***Notification to Parents***

1. Requires LEAs to inform the parents or guardians of each enrolled student about California's child access prevention laws and laws relating to the safe storage of firearms specified in the Penal Code.
2. Requires the notice to be provided as part of the existing annual notification to parents.
3. Requires LEAs to use the most updated model language developed pursuant to #5.

4. Requires the notice to be made by mail or electronically upon request, or by any other way usually used to communicate with parents in writing, and authorizes the notice to be provided as a single notice for multiple students living in the same household.
5. Provides that the requirement to inform parents about child access prevention laws and laws relating to the safe storage of firearms is met if the LEA provides notice as required by SB 906 (See Related/Prior Legislation).

***Model Language of Notification***

1. Requires CDE, in consultation with the DOJ, to develop model language for the notice by July 1, 2023.
2. Requires CDE, in consultation with the DOJ, to update the model language as necessary to reflect any changes in law by July 1, 2024, and each July 1<sup>st</sup> thereafter.
3. Requires CDE to share the model language in both of the following manners:
  - A. With all LEAs for distribution to parents.
  - B. Upon request, with any private school for distribution or potential distribution by the private school. Immunity from civil liability.
4. Provides that LEAs, private schools, and CDE are immune from civil liability for any damages allegedly caused by, arising out of, or relating to the notice if the entity supplied the notice using the model language provided to it by the CDE.

***Miscellaneous***

1. Provides the following definitions:
  - A. “Local educational agency” means a school district, COE, or charter school.
  - B. “Private school” means a person, firm, association, partnership, or corporation offering or conducting private school instruction in the state.
  - C. “Private school instruction” means instruction at the elementary or high school level for one or more pupils who are 6-18 years of age, inclusive. Private school instruction includes, but is not limited to, instruction by conventional or traditional private schools, private school satellite programs, private online or virtual schools, and certified nonpublic nonsectarian schools.

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2. State legislative findings and declarations relative to children’s access to firearms stored in their family’s homes and the need to educate gun owners to protect children from death and injury.

**AB 748 (Carrillo) -- Chapter 431: Pupil Mental Health Assistance Posters**

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Requires, on or before the start of the 2023–24 school year, each schoolsite in a school district, COE, or charter school serving pupils in any of grades 6-12 to create a poster that identifies approaches and shares resources regarding pupil mental health. This bill also requires the CDE to develop a model poster.

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1. Requires, on or before the start of the 2023–24 school year, each schoolsite in a school district, COE, or charter school, serving pupils in any grades 6-12, inclusive, to create a poster identifying approaches and shares resources regarding pupil mental health.
2. Authorizes a schoolsite to partner with local, state, or federal agencies, nonprofit organizations, and students enrolled in an LEA for purposes of the design and content of the poster.
3. Requires the poster to be displayed in English and any other language if 15% or more of the pupils enrolled at the schoolsite speak a primary language other than English.
4. States the minimum size of the poster shall be no smaller than 8.5” x 11” and must use at least 12-pt. font.
5. Requires the poster, at a minimum, to display the following content:
  - A. Identification of common behaviors of those struggling with mental health or who are in a mental health crisis including, but not limited to, anxiety, depression, eating disorders, emotional dysregulation, bipolar episodes, and schizophrenic episodes.
  - B. A list of schoolsite-specific resources including, but not limited to, counselors, wellness centers, peer counselors, community resources, including suicide prevention, substance abuse, child crisis, nonpolice mental health hotlines, public behavioral health services, and community mental health centers.
  - C. A list of positive coping strategies to use when dealing with mental health including, but not limited to, meditation, mindfulness, yoga, breathing exercises, grounding skills, journaling, acceptance, and seeking therapy.
  - D. A list of negative coping strategies to avoid including, but not limited to, substance abuse or self-medication, violence and abuse, self-harm, compulsivity, dissociation, catastrophizing, and isolating.

6. Requires the poster to be prominently and conspicuously displayed at each schoolsite, and allows a governing board of a school district, governing body of a charter school, and COE to determine additional areas including, but not limited to, bathrooms, locker rooms, classrooms, classroom hallways, gymnasiums, auditoriums, cafeterias, wellness centers, and offices.
7. Requires schools to digitalize and distribute the poster related to pupil mental health through social media, internet websites, portals, and learning platforms.
8. Requires CDE to develop and maintain a model poster in collaboration with mental health experts, pupils, and administrators to serve as a guide for school districts, COEs, and charter schools.
9. Clarifies that a school district, COE, or charter school, serving pupils in any of grades 6-12, inclusive, shall not be civilly liable for any damages alleged to have been caused by, or arisen as a result of, compliance or failure to comply with any of the requirements set in this legislation.

#### **AB 1810 (Levine) -- Chapter 906: Seizure Disorders**

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Authorizes schools to designate and train persons to provide anti-seizure medication in an emergency involving a pupil diagnosed with a seizure disorder. The persons must be provided defense and indemnification and are granted qualified immunity.

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1. Authorizes an LEA, if a pupil diagnosed with seizures, a seizure disorder, or epilepsy has been prescribed an emergency anti-seizure medication, upon receipt of a request from the pupil's parent or guardian, to designate one or more volunteers to receive initial and annual refresher training, based on developed standards, regarding the emergency use of anti-seizure medication from the school nurse or other qualified person.
2. Requires an LEA, before administering emergency anti-seizure medication or therapy, to obtain from the pupil's parent or guardian a seizure action plan.
3. Requires an LEA to ensure that each employee who volunteers will be provided defense and indemnification for any and all civil liability. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file.
4. Provides that a trained person who administers emergency anti-seizure medication or medication in compliance with this statute, in good faith and not for compensation, to a pupil diagnosed with seizures, a seizure disorder, or epilepsy who appears to be experiencing a seizure shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the person's acts or omissions in administering the emergency anti-seizure medication.

5. Provides that this immunity does not extend to an act or omission that constitutes gross negligence or willful or wanton misconduct and does not affect the ability of a licensing board to take disciplinary action against a licensed healthcare professional for an act not specifically authorized by this article.

6. Provides that any public employee who volunteers to administer emergency anti-seizure medication is not providing emergency medical care for compensation, notwithstanding the fact that the employee is a paid public employee.

### **AB 2329 (Carrillo) -- Chapter 911: Eye Examinations**

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Authorizes LEAs and charter schools to enter into an MOU with a nonprofit vision examination provider including, but not limited to, a nonprofit mobile vision examination provider; requires notification to parents; and deems that informed medical consent has been given if the parent does not opt-out of the examination in writing.

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1. Authorizes a public school maintaining kindergarten or any of grades 1-12, inclusive, to enter into an MOU with a nonprofit mobile vision examination provider to provide vision examinations to pupils at the schoolsite of the public school.

2. Clarifies that vision examinations provided by a nonprofit mobile vision examination provider under this section shall be supplemental to, and shall not replace, the vision screenings in current law.

3. Clarifies a vision examination provided by a nonprofit mobile vision examination provider shall be noninvasive and provided exclusively for the purpose of providing vision examinations and eyeglasses.

4. Specifies that a mobile vision examination provider providing vision examination pursuant to this section shall provide reports to parents and guardians.

5. Requires a schoolsite of a public school to have an MOU in place with a nonprofit mobile vision examination provider before a vision examination is provided.

6. Requires a public school to notify parents and guardians of the upcoming provision of vision examinations at the schoolsite.

7. Specifies that a notification to parents and guardians shall include a form in which a parent or guardian may indicate that they do not consent to a vision examination being provided to their child and, upon a parent or guardian completing and submitting that form to the public school, may opt-out of their child receiving a vision examination.

8. Clarifies that notwithstanding the submittal of a written statement exempting a child from any physical examination, a parent or guardian having control or charge of any child enrolled in the public school may consent to a vision examination by submitting a written consent to the examination to the public school.
9. States that no later than March 1, 2023, the CDE shall develop and post on appropriate department internet websites a model opt-out form.
10. Clarifies participating licensed healthcare professionals, including independent contractors of those professionals, shall have immunity from civil and criminal liability, and shall not be subject to disciplinary action by a licensing board, for providing services that are authorized by this section without parent or guardian consent.
11. Clarifies participating public schools shall have immunity from civil and criminal liability for providing services that are authorized by this section without parent or guardian consent.
12. Specifies a public school, the state of California, or a participating licensed healthcare professional, including independent contractors of those professionals who provide services on behalf of a mobile vision examination provider, may be subject to the following:
  - A. A person's liability for damages caused by an act or omission that constitutes gross negligence or willful or wanton misconduct.
  - B. A person's culpability for an act that constitutes a crime and is not specifically authorized by the MOU between the school and a nonprofit mobile vision examination provider.
  - C. The ability of a licensing board to take disciplinary action against a licensed healthcare professional for an act not specifically authorized by the MOU between the school and a nonprofit mobile vision examination provider.
  - D. The ability of a parent or guardian, having control or charge of a pupil enrolled in the public school stating that they do not consent to a physical examination of their child, thereby exempting the pupil from any physical examination including, but not limited to, the vision examination unless the parent or guardian has provided written consent to the school.
13. States that vision examination providers providing vision examinations to pupils at a public school are subject to and shall comply with existing law.
14. Requires any nonprofit mobile vision examination provider, participating licensed healthcare professional, including independent contractors of these professionals, or other entity providing services, to have a background check prior to interacting with any pupils.

**AB 2640 (Valladares) -- Chapter 794: California Food Allergy Resource Internet Web Page**


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Requires CDE to create the "California Food Allergy Resource Guide" (Guide) for voluntary use by LEAs to protect pupils with food allergies.

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**SB 906 (Portantino) -- Chapter 144: Homicide Threats**


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Requires specified school personnel to report to law enforcement threats or perceived threats of potential homicidal acts by students, describes law enforcement's required response to such threats, and requires the CDE to develop model content.

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1. Defines a "threat or perceived threat" as any conduct or writing by a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. Specifies that a threat could include possession, use, or depictions of firearms and associated materials, as well as warnings from other students, parents, or individuals.
2. Requires a school official to report a threat or perceived threat of a homicidal act to law enforcement and requires any documentary evidence associated with the threat be sent to law enforcement.
3. Requires law enforcement to keep records of such a report sent by a school official.
4. Requires a local law enforcement agency or schoolsite police officer to conduct an investigation and assessment of the threat or perceived threat, and to review the firearm registry maintained by the DOJ.
5. States that the investigation and threat assessment must include a search conducted at the schoolsite, but only if the search is justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat.
6. Requires the CDE, in consultation with relevant LEAs, civil rights groups, and the DOJ, to examine best practices to develop model content for LEAs to use by July 1, 2023.
7. States that the model content issued by the CDE must, at a minimum, include informational material for parents of laws relating to safe storage of firearms and child access prevention.

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8. Commencing with the 2023-24 school year, requires LEAs to send out annual notifications to parents or guardians of pupils in kindergarten or any grades 1-12 containing information of laws relating to the safe storage of firearms and child access prevention.
9. Provides LEAs serving pupils in kindergarten and grades 1-12 immunity from civil liability for any damages related to the above-mentioned requirements.

<b>SPECIAL EDUCATION</b>
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**SB 291 (Stern) -- Chapter 917: Advisory Commission on Special Education**

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Increases the number of members on the Advisory Commission on Special Education from 17 to 19 members and requires the additional members to be pupils between the ages of 16-22 with exceptional needs.

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**SB 692 (Cortese) -- Chapter 919: Least Restrictive Environment**

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Requires the CDE, by November 30, 2023, to publish data related to federal measures of least restrictive environment (LRE) for pupils with disabilities on its internet website and include it as a resource on the California School Dashboard.

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**SB 1016 (Portantino) -- Chapter 611: Fetal Alcohol Spectrum Disorder**

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Requires the State Board of Education to include “fetal alcohol spectrum disorder” in the regulatory definition of “other health impairment” for the purpose of special education eligibility.

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<b>MISCELLANEOUS</b>
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**AB 408 (Quirk-Silva) -- Chapter 904: Homeless Children and Youths: Reporting**


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Requires LEAs to establish homeless education program policies, requires homeless education liaisons to offer training to specified school staff, and requires CDE to develop a risk-based monitoring plan for homeless education requirements.

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1. Requires LEAs to establish homeless education program policies that are consistent with existing law relative to the rights of homeless youth and responsibilities of LEA liaisons.
2. Requires LEAs to update these policies at intervals of at most three years, and in developing program policies, to use existing resources that are currently posted on CDE's website and those developed by homeless education technical assistance centers.
3. Requires an LEA liaison to do both of the following:
  - A. Offer training at least annually to certificated and classified employees of the LEA including, but not limited to, teachers, support staff, and other school staff who work with students experiencing homelessness, relating to both of the following:
    - i. The homeless education program policies established pursuant to #1 above.
    - ii. Recognition of signs that students are experiencing, or are at risk of experiencing homelessness.
  - B. Inform the certificated and classified employees of the LEA of the availability of training and the services the liaison provides to aid in the identification and provision of services to students who are experiencing or are at risk of experiencing homelessness.
4. Encourages an LEA liaison to offer training to all other school employees.
5. Requires CDE to develop and implement a plan for monitoring LEA compliance with existing law related to the rights of homeless youth and responsibilities of LEA liaisons, to the extent possible within existing resources.

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6. Requires implementation of this risk-based monitoring plan to include reviews of the LEAs that are to include, but not be limited to, schoolsite inspections to ensure that the state is not underestimating the number of youths experiencing homelessness.

**AB 558 (Nazarian) -- Chapter 905: Child Nutrition Act of 2022**

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Requires CDE to develop guidance for LEAs participating in the federal School Breakfast Program that maintain any of grades K-6 on how to serve eligible non-school-aged children breakfast or a morning snack at an LEA schoolsite.

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1. Requires CDE to develop guidance, in consultation with DSS, for LEAs participating in the federal School Breakfast Program that maintain any of grades K-6 on how to serve eligible non-school-aged children breakfast or a morning snack at an LEA schoolsite.

2. Requires the guidance to highlight opportunities to maximize federal reimbursement through the federal School Breakfast Program and the federal Child and Adult Care Food Program.

3. Requires a guardian of an eligible non-school-aged child be present at the LEA schoolsite in order for the non-school-aged child to receive breakfast or a morning snack at the schoolsite.

4. Requires CDE to develop guidance, in consultation with DSS, in a manner that not jeopardize federal funding for school meal programs and that maximizes federal meal reimbursement.

5. Requires CDE to post the guidance on its website by July 1, 2023, and provides that CDE is not required to mail the guidance to LEA.

6. Provides that provisions related to this guidance does not require an LEA to take any action.

7. Defines:

A. “Eligible non-schoolaged child” to mean a child who is not enrolled in school and who is a sibling, half-sibling, or stepsibling of, or a foster child residing with, a student who meets the federal eligibility criteria for a free or reduced-price breakfast at an LEA participating in the federal School Breakfast Program that maintains any of grades K-6.

B. “Guardian” to mean a parent, stepparent, grandparent, or other adult family member or caretaker who is caring for an eligible non-school-aged child.

C. “Local educational agency” to mean a school district, COE, or charter school.

### **AB 1655 (Jones-Sawyer) -- Chapter 753: State Holidays: Juneteenth**

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Adds June 19<sup>th</sup>, known as “Juneteenth,” to the list of state holidays and authorizes state employees to elect to take time off with pay in recognition of Juneteenth.

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1. Adds June 19<sup>th</sup>, known as “Juneteenth,” to the list of state holidays.
2. Authorizes a state employee, as defined, to elect to receive eight hours of holiday credit for June 19<sup>th</sup>, known as “Juneteenth,” in lieu of receiving eight hours of personal holiday credit, as defined.
3. Specifies that holidays created by federal legislation signed by the President are considered days appointed as holidays.

### **AB 1703 (Ramos) -- Chapter 477: California Indian Education Act**

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Establishes the California Indian Education Act and encourages LEAs to form California Indian Education Task Forces with California Indian tribes local to their respective regions for purposes of discussing issues of mutual concern and to undertake certain work.

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1. Encourages participants of the California Indian Education Task Forces meetings to discuss issues of mutual concern, and are encouraged to work to do all of the following:
  - A. Develop a thorough, shared understanding of accurate, high-quality curricular materials about the history, culture, and government of local tribes, and develop curricular materials for use within LEAs that include tribal experiences and perspectives and each about the history, culture, and government of local tribes.
  - B. Develop a shared understanding of proper or improper instructional material when these materials use depictions of Native Americans.
  - C. Encourage LEAs to adopt curriculum developed by the California Indian Education Task Forces in order to ensure that all pupils learn about the history, culture, government, and experiences of their Indian peers and neighbors, and to ensure that Indian pupils are more engaged and learn more successfully.
  - D. Identify the extent and nature of the achievement gap between Indian students and other students, and identify the strategies necessary to close it.

2. Requires the California Indian Education Task Forces to submit, within one year of formation and annually thereafter, a report of findings to the department, including a finding on the process of their work pursuant to the bill.
3. Provides that curricular materials developed by the California Indian Education Task Forces may be submitted to the COE, or consortium of county offices, that has contracted to develop a model curriculum related to Native American studies, pursuant to existing law and that the submitted materials be considered by the COE, or consortium of COEs for inclusion in the model curriculum.
4. Requires the department, within one year of receiving California Indian Education Task Forces, to submit those reports to the Senate Education Committee and the Assembly Education Committee regarding the progress made in the narrowing of the achievement gap, and the identification and adoption of curriculum regarding tribal history, culture, and government. The report must also include information about any obstacles encountered, and any strategies under development to overcome those obstacles.
5. Defines, for purposes of this bill, “local educational agency,” to mean a school district, COE, or charter school.

#### **AB 1868 (Rivas) -- Chapter 907: English Language Acquisition Data**

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Requires CDE to annually report on its website specified data on English learners, including enrollment data by English language acquisition status and disability and specified student performance and outcome data by English language acquisition status.

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1. Requires CDE to publicly report on an annual basis on its website, or a successor system, enrollment data by English language acquisition status and disability, including reporting on 13 disability categories.
2. Requires CDE to annually include a report that allows users of its website to view the following assessment data by English language acquisition status:
  - A. California Assessment of Student Performance and Progress test results by English language arts, mathematics, and science.
  - B. English Language Proficiency Assessments for California.

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3. Defines "English language acquisition status" for purposes of this requirement to include, but not be limited to, separately reporting data for:
  - A. LTELs;
  - B. ARLTELs;
  - C. ELs; and
  - D. Reclassified fluent English proficient pupils (RFEPs).

### **AB 2072 (Gabriel) -- Chapter 909: Mental Health Professionals: Natural Disasters**

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Requires COEs, in consultation with CDE and other relevant state and local agencies, to coordinate agreements between an LEA and charter schools within the county to deploy qualified mental health professionals and other key school personnel in the event of a natural disaster or traumatic event.

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1. Requires COEs, in consultation with CDE and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to deploy qualified mental health professionals and other key school personnel, to the extent the school district or charter school employing those professionals or personnel determine they can be deployed under the circumstances, to an area of the county that has experienced a natural disaster or other traumatic event to provide support to pupils and staff on or before November 1, 2024.
2. Requires a COE to consider when developing these agreements, at a minimum, all of the following:
  - A. The cost of creating and maintaining the system described in this bill.
  - B. The criteria required for an LEA to request the use of mental health professionals and other key school personnel employed by another LEA.
  - C. Potential reimbursement between LEAs.
  - D. Reimbursement for travel expenses incurred by mental health professionals and other key school personnel.
  - E. Specifies single school district COEs shall comply with and meet the minimum agreement requirements by entering into agreements with at least one other COE they share a border with.

F. Requires COEs with multiple school districts that share a county border with a single school district COE shall consult with and enter into agreements with at least one single school district COE in order to comply.

G. States that the intent of the Legislature recognizes school communities currently do not employ an adequate number of mental health professionals and other key school personnel necessary to support pupil and staff after traumatic natural disasters and human-caused event.

H. Defines for the purposes of this legislation, “Local educational agency” to mean a school district, COE, or charter school.

### **AB 2355 (Salas) -- Chapter 498: School Cybersecurity**

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Requires an LEA to report any cyberattack impacting more than 500 pupils or personnel to the California Cybersecurity Integration Center (Cal-CSIC).

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1. Requires an LEA to report any cyberattack impacting more than 500 pupils or personnel to Cal-CSIC.
2. Requires Cal-CSIC to establish a database that tracks reports of cyberattacks submitted by LEAs, and report annually, by January 1<sup>st</sup>, to the Governor and the relevant policy committees of the Legislature summarizing the types and number of cyberattacks on LEAs, the types and number of data breaches affecting LEAs.
3. Requires the Attorney General to share sample copies of data breach notifications received from LEAs excluding any personally identifiable information, with Cal-CSIC for the purposes of compiling the report required above.
4. Provides that nothing in this statute shall be construed to affect any disclosure or notification requirements in existing law.
5. Defines “cyberattack” to mean either of the following:
  - A. Any alteration, deletion, damage, or destruction of a computer system, computer network, computer program, or data caused by unauthorized access.
  - B. The unauthorized denial of access to legitimate users of a computer system, computer network, computer program, or data.
6. Defines “local educational agency” to mean a school district, COE, or charter school.

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### **AB 2375 (Rivas) -- Chapter 912: Homeless and Unaccompanied Youths Housing**

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Requires all LEAs to identify all homeless children and youth and unaccompanied youth enrolled at the school by administering a housing questionnaire based on specified best practices and eliminates the existing limitation that requires the housing questionnaire to be administered only by those LEAs that received funding from the American Rescue Plan Elementary and Secondary School Emergency Relief - Homeless Children and Youth Fund, thereby expanding the requirement to administer the housing questionnaire to all LEAs.

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### **SB 1057 (Committee on Education) - - Chapter 301: Annual Technical Clean-up**

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Makes technical, clarifying, conforming, and other non-controversial revisions to a number of provisions in the Education Code.

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1. Adds special education community advisory committees and district-wide school advisory committees on compensatory education to the list of local council and schoolsite advisory committees that are exempt from the Bagley-Keene Open Meeting Act and the Ralph M. Brown Act.
2. Clarifies existing law relating to the provisions to reorganize school districts, to include unified school districts, and to clarify procedures related to appeals to the State Board of Education and the role of the Secretary of State in notifying the county superintendent of schools upon the filing of an appeal.
3. Repeals an obsolete code reference and inserts the phrase “gifted and talented pupils” to replace the phrase “mentally gifted minors” within the section authorizing Saturday or Sunday classes.
4. Repeals the authorization for CTC to establish criteria for alternative routes to credentialing within the Science, Technology, Engineering, Math, and Career Technical Education Educator Credentialing Program, and removes an obsolete reference to the federal Race to the Top Fund.
5. Repeals an obsolete provision relating to a restriction on a pupil’s driving privilege upon classification as a truant.

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**SB 1184 (Cortese) -- Chapter 993: School-linked Services Coordinators**

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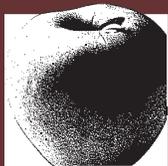
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Authorizes a provider of healthcare or a healthcare service plan to disclose medical information to a school-linked services coordinator pursuant to a written authorization.

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1. Authorizes a provider of healthcare or a healthcare service plan to disclose medical information to a school-linked services coordinator pursuant to a written authorization between the health provider and the patient or client that complies with HIPAA.
2. Defines “school-linked services coordinator” to include individuals located on a school campus or under contract by a county behavioral health provider agency for the treatment and healthcare operations and referrals of students and their families that holds any of the following:
  - A. A services credential with a specialization in either pupil personnel services as described in Education Code section 44266 or in health authorizing service as a school nurse, as described in Education Code section 44877;
  - B. A license to engage in the practice of marriage and family therapy, as provided;
  - C. A license to engage in the practice of educational psychology, as provided; or
  - D. A license to engage in the practice of professional clinical counseling.



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1300 17th Street  
Bakersfield, CA 93301

**MAILING ADDRESS:**

P.O. Box 2445/93303

Phone: (661) 636-4830

FAX: (661) 636-4843

E-mail: [sls@kern.org](mailto:sls@kern.org)

[www.schoolslegalservice.org](http://www.schoolslegalservice.org)