

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

## MEMO

**Date:** September 4, 2016  
**To:** CABE Board Members  
**From:** Martha Zaragoza Diaz, Lobbyist  
**Subject:** Update on Legislation  
**Cc:** Jan Gustafson Corea, Executive Director

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The 2015-2016 Legislative Session finished its business on Tuesday, August 31, 2016. As you recall, Democrats are the majority in both houses of the Legislature and as such, legislation passed reflect a “liberal” agenda. There are 789 bills on the Governor’s desk; 391 bills on desk prior to end-of-session and 398 bills on their way!

The Legislature passed measures that include boosting California’s minimum wage to a nation-leading \$15-an-hour, augmenting overtime pay for farmworkers, allowing undocumented persons to buy health insurance, without government subsidies, on California’s state insurance exchange; unpaid leave to care for new infants; extension of clean air mandates; raising the tobacco-buying age to 21; regulating e-cigarettes as tobacco; and expansion of bans on assault weapons and large-capacity clips and regulating ammunition purchases. The Governor has signed some of these bills already, such as the minimum wage increase, but others, like the overtime pay for farmworkers, has still to be acted upon.

Below is an update on bills CABE has worked on and/or has closely monitored.

### **I. Bills on the Governor’s Desk**

#### **AB 491 (Gonzalez) English Learners: Identification: Parent Notice. Amended August 19, 2016.**

This bill would require the notice of assessment of a child's English proficiency to include: 1) specified information on the home language survey and the ability for a parent to dispute a district’s determination of their child’s primary language and 2) whether a child is a long-term English learner or is an English learner at risk of becoming a long-term English learner.

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

## **AB 575 (O'Donnell) Instructional Materials: Follow-Up. Amended August 15, 2016**

Current law requires the State Board of Education to adopt instructional materials for kindergarten and grades 1 to 8, inclusive, and to adopt procedures for the submission of instructional materials, and provides that instructional materials may be submitted for adoption in specified subject areas every 8 years. This bill would instead provide that instructional materials may be submitted for adoption at least once but no more than twice every 8 years.

## **AB 2290 (Santiago) Pupil Instruction: World Languages: Revision of Content Standards. Amended August 19, 2016.**

This bill would require the State Superintendent of Public Instruction, in consultation with the Instructional Quality Commission, to recommend revisions to the World Language Content Standards to be adopted by the State Board of Education (SBE) on or before March 31, 2019. If the State Board makes modified revisions, the SBE shall adopt the modified revisions before May 31, 2019. The SBE shall consider adopting curriculum framework and evaluation criteria for instructional materials that are aligned to the revised World Language Content Standards on or before September 30, 2020. The SBE may also adopt instructional materials for kindergarten and grades 1 to 8, inclusive that are aligned to the revised World Language Content Standards.

## **AB 2353 (McCarty) Teacher Professional Development: Culturally Responsive Instruction. Amended August 16, 2016.**

This bill would require the department to identify professional development programs in culturally responsive instruction and provide links to those programs on its Internet Web site. The bill would state legislative findings and declarations relating to the importance of culturally responsive teaching.

## **AB 2393 (Campos). School Employees: Parental Leave. Amended August 17, 2016.**

This bill would provide public school employees with up to twelve weeks of paid parental leave for both new mothers and fathers, by allowing them to use "differential pay" during parental leave.

## **AB 2548 (Weber) School Accountability: Statewide Accountability System. Amended August 19, 2016.**

This bill would, for purposes of a statewide accountability system and to ensure alignment and fidelity with the state priorities and federal law, require the state board to adopt a statewide accountability system that, among other things, is a single integrated system that aligns local, state, and federal accountability requirements. In identifying appropriate assistance for a school or local educational agency, the bill would require the California Collaborative for Educational Excellence and county superintendents of schools to analyze data aligned with all the state priorities in order to align the level of support,

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

collaboration, and intervention to the needs of the local educational agency or individual school or schools. The bill would require notifications of stakeholder engagement, school support and improvement activities to be translated in the top five languages identified by the California Department of Education. To the extent required by state and federal law, the information on school, school district and subgroup performance be made available in the top five languages as identified by the California Department of Education. Lastly, includes reclassification and LTEL as additional indicators along with the English language proficiency indicator.

## **AB 2785 (O'Donnell) Special Education: English Learners: Manual. Amended August 1, 2016.**

This bill would require the State Department of Education, on or before July 1, 2018, to develop a manual providing guidance to local educational agencies on identifying, assessing, supporting, and reclassifying English learners who may qualify for special education services and pupils with disabilities who may be classified as English learners, as specified, with the goal of providing guidance, for voluntary use by local educational agencies, charter schools, and the state special schools on evidence-based and promising practices for the identification, assessment, support, and reclassification of those pupils. and to promote a collaborative approach among general education teachers.

## **AB 2862 Public Instruction: Visual and Performing Arts: Revision of Current Standards. Amended August 19, 2016.**

This bill would require the State Superintendent of Public Instruction, in consultation with the Instructional Quality Commission, to recommend revisions to the visual and performing arts content standards in certain subjects to the state board, and would require the state board to adopt, reject, or modify the recommendations on or before January 31, 2019. The bill would require the Superintendent, in consultation with the Instructional Quality Commission and the state board, to select a group of experts in visual and performing arts for purposes of assisting the Superintendent in developing recommendations under the bill.

## **SB 916 (Allen) Teacher Credentialing. Amended August 15, 2016.**

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

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

## **II. Bills Not Proceeding Through the Legislative Process**

### **AB 1935 (Kim) Local Control and Accountability Plans: Posting in Different Languages. Amended April 21, 2016. Status: Assembly Appropriations Committee.**

Current law provides that, when 15% or more of the pupils enrolled in a public school speak a single primary language other than English, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to English, be written in their primary language, and may be responded to either in English or their primary language. This bill would require these multilingual notice requirements to apply to a local control and accountability plan or update or revision posted to the Internet Web site of a school district, a county of office of education, or the Superintendent of Public Instruction.

### **AB 2072 (CHANG) STEM State Seal. Amended June 22, 2016. Status: Senate Appropriations Committee.**

This bill would establish a State Seal of STEM to recognize high school graduates who have attained a high level of proficiency in science, technology, engineering, and mathematics fields. The bill would establish criteria for the receipt of the State Seal of STEM, would require the Superintendent of Public Instruction to prepare and deliver to participating school districts an appropriate insignia to be affixed to pupil diplomas or transcripts, and would require participating school districts to maintain appropriate records and affix the appropriate insignia to diplomas or transcripts of recipient pupils.

### **AB 2091 (Lopez) Special Education: IEP: Translation Services. Amended June 21, 2016. Status: Senate Appropriations Committee.**

Current law requires a local educational agency to initiate and conduct meetings for the purposes of developing, reviewing, and revising the individualized education program of each individual with exceptional needs in accordance federal law. Current law also requires the local educational agency to take any action necessary to ensure that the parent or guardian understands the proceedings at a meeting, including arranging for an interpreter for parents or guardians with deafness or whose native language is a language other than English. This bill would require a local educational agency to also provide translation services for a pupil's parent, guardian, or educational rights holder, as specified.

### **AB 2122 (McCarty) California Classified School Employee: Teacher Credentialing Program. Amended May 27, 2016. Status: Senate Education Committee.**

The Wildman-Keeley-Solis Exemplary Teacher Training Act of 1997 establishes the California School Paraprofessional Teacher Training Program for the purpose

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. This bill would substantially revise those provisions to instead establish the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. **(Please note that while this bill died, many of its provisions and funding are contained in the State Budget bill and trailer budget bill.)**

**AB 2336 (Olsen) Teacher Credentialing: Emergency Substitute Teacher Permits. Amended June 22, 2016. Status: Senate Appropriations Committee.**

The bill would prohibit an employer from employing an inappropriately credentialed substitute teacher for a period of more than 20 cumulative school days for each special education teacher absent, or if there is a vacancy, during each school year.

**AB 2350 (O'Donnell) English Learners: Participation in Standard Instructional Program. (Co-Sponsor) Amended August 19, 2016. Status: Assembly Floor-Inactive File**

The bill would specify that, except as provided, a middle or high school pupil who is classified as an English learner and scores at any proficiency level on the assessment of English language development shall not be denied participation in a school's standard instructional program, as defined, by being denied enrollment in specified courses, including, among others, courses required for graduation and college admission.

**AB 2401 (O'Donnell) Teachers: BTSA Program. Amended March 30, 2016. Status: Assembly Appropriations Committee.**

Current law establishes the California Beginning Teacher Support and Assessment System, to be administered jointly by the Commission on Teacher Credentialing and the Superintendent of Public Instruction for specified purposes, including providing an effective transition into the teaching career for first-year and 2nd-year teachers in California. This bill would make legislative findings and declarations regarding the teacher shortage in the state and the California Beginning Teacher Support and Assessment System. This bill contains other related provisions and other current laws.

**AB 2660 (McCarty) Early Education: Three Year Plan. Amended April 12, 2016. Status: Assembly Appropriations Committee.**

This bill would require the State Department of Education, in consultation with the State Board of Education and the State Advisory Council on Early Learning and Care, on or before January 1, 2018, to submit to the Legislature and the

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

Department of Finance a plan that provides a multiyear plan for providing access to income-eligible children to high-quality prekindergarten programs for a minimum of one year before enrollment in kindergarten and a multiyear plan for ensuring that publicly funded prekindergarten programs include specified elements.

**AB 2680 (Bonilla) Parent, Pupil and Family Engagement Support and Services. Amended April 13, 2016. Status: Assembly Appropriations Committee.**

This bill would, subject to one-time funding being provided for purposes of this act in the annual Budget Act, require local educational agencies, including county offices of education, charter schools, alternative education programs and schools, and state special schools, that elect to participate in family, parent, guardian, and pupil engagement support and services to develop, implement, and, once adopted, post to its Internet Web site, a strategic plan, as provided. If a local educational agency accepts funds appropriated in the annual Budget Act for purposes of those provisions. As a condition of receiving those funds, the school district, county office of education, or charter school would be required to develop and post to its Internet Web site an additional plan that aligns to the school district's or county office of education's local control and accountability plan or specified elements of the charter school's petition that delineates how funds apportioned for purposes of this section, if they are apportioned, would be spent, as specified.

**SB 915 (Liu) Teacher Recruitment Center: California Center on Teaching Careers. Amended May 31, 2016. Status: Assembly Education Committee.**

This bill would establish the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. From funds appropriated for that purpose, the Commission on Teacher Credentialing would be required to provide a multiyear grant to a local educational agency through a competitive grant process to establish and administer the center with the concurrence, as defined, of representatives of the Commission on Teacher Credentialing, the University of California, the California State University, the Chancellor's Office of the California Community Colleges, and independent institutions of higher education, as defined. **(Please note the funding and some of the bill's provisions are in the 2016-17 State Budget and education trailer bill.)**

**SB 933 (Allen) Teachers: California Teacher Corps Act of 2016. Teacher Residency Programs. Amended June 14, 2016. Status: Assembly Appropriations Committee.**

This bill would establish the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. From funds appropriated for that purpose, the Commission on

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

Teacher Credentialing would be required to provide a multiyear grant to a local educational agency through a competitive grant process to establish and administer the center with the concurrence, as defined, of representatives of the Commission on Teacher Credentialing, the University of California, the California State University, the Chancellor's Office of the California Community Colleges, and independent institutions of higher education, as defined. **(Please note funding and some of the bill's provisions are in the 2016-17 State Budget and education trailer bill.)**

**SB 1145 (Hueso) Language Arts: Reading Assessments and Plans. Amended April 5, 2016. Status: Assembly Appropriations Committee.**

The bill would require the State Board of Education, on or before December 31, 2017, to identify formative reading diagnostic tools that can be used by the public schools to assess pupils' developmental levels of reading proficiency in grades 1 to 3, inclusive, in their ability to read proficiently by the end of grade 3 and to post a list of those diagnostic tools on the department's Internet Web site.

**SB 1225 (Mendoza) Teacher Bill of Rights. Amended May 31, 2016. Status: Assembly Appropriations Committee.**

Current law specifies numerous rights and protections for teachers employed by school districts. This bill would require the principal of each school in a school district to ensure that a conspicuous notice, which describes certain teacher rights and protections, that is accessible to all teachers is posted in a common area of the administrative offices. By imposing additional duties on school district officials, the bill would impose a state-mandated local program.

**SB 1381 (Mendoza) Teachers: Grants. Amended April 4, 2016. Status: Senate Education Committee.**

Current law establishes the State Department of Education, under the administration of the Superintendent of Public Instruction, and assigns to the department numerous duties relating to the financing, governance, and guidance of the public elementary and secondary schools in this state. This bill would establish a grant program under the administration of the department for full-time, credentialed teachers, as defined. This bill contains other related provisions.

### **III. Other Education Bills On the Governor's Desk**

**AB 1567 (Campos) Before and After School Programs: Enrollment Fees: Homeless and Foster Youth: Snack or Meals. Amended August 17, 2016.**

The After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. This bill, beginning July 1, 2017, would give first priority enrollment to pupils who are identified by the program as homeless youth, as defined, and pupils who are identified by the

# Zaragoza-Diaz & Associates

Martha Zaragoza-Diaz

program as being in foster care, and 2nd priority enrollment, for programs serving middle and junior high school pupils, to pupils who attend the program daily.

## **AB 1719 (Rodriguez) Pupil Instruction: Cardiopulmonary Resuscitation. Amended August 16, 2016.**

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

## **AB 2016 (Alejo) Pupil Instruction: Ethnic Studies. Amended August 16, 2016.**

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

## **AB 2246 (O'Donnell) Pupil Suicide Prevention Policies. Amended June 9, 2016.**

This bill would require the governing board or body of a local educational agency, as defined, that serves pupils in grades 7 to 12, inclusive, to, before the beginning of the 2017-18 school year, adopt a policy on pupil suicide prevention, as specified, that specifically addresses the needs of high-risk groups. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would require the State Department of Education to develop and maintain a model policy to serve as a guide for local educational agencies.

## **AB 2656 (O'Donnell) Pupils: Diploma Alternatives: Fee Waiver: Foster Youth. Amended June 9, 2016.**

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

# **Zaragoza-Diaz & Associates**

**Martha Zaragoza-Diaz**

## **SB 1072 (Mendoza) School Bus Safety. Amended August 19, 2016**

Current law requires the county superintendent of schools, the superintendent of a school district, or the owner or operator of a private school that provides transportation to or from a school or school activity to prepare a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of pupils, as prescribed. This bill would require that plan to include procedures to ensure that a pupil is not left unattended on a school bus, school pupil activity bus, or youth bus, and procedures and standards for designating an adult chaperone, other than the driver, to accompany pupils on a school pupil activity bus. The bill would additionally require a charter school to prepare this plan.

## **SB 1413 (Leno) School Districts: Employee Housing. Amended June 16, 2016.**

Current law establishes various housing and home loan programs throughout the state to help low-income families and other specified groups. Existing law authorizes the governing board of any school district, when leasing a building for housing of school district employees, to lease the building for any period they deem necessary. This bill would authorize a school district to establish and implement programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing.