



governmental relations  
association of california school administrators

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# 2019 LEGISLATIVE YEAR-END REPORT

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October 16, 2019

Greetings ACSA Members,

The first year of the 2019-20 legislative session has concluded and the Governmental Relations team has been hard at work representing your interests in Sacramento. In this first year, the California Legislature introduced more than 3,000 pieces of legislation, with our team tracking more than 800 legislative measures that could impact school administrators. Of those bills, 1,328 were sent to Gov. Gavin Newsom for his signature or veto. Some of the notable legislative actions from this year included:

ACSA was disappointed that the governor and Legislature failed to respect local control by signing SB 328 (Portantino), which mandates a later school start time in middle and high school. Our organization was part of a broad coalition of education groups that opposed the one-size fits all mandate. Unfortunately, Gov. Newsom signed the bill as one of his final actions of the legislative year.

ACSA played an integral role in the advocacy that led to the most significant changes to the charter school law since its inception. ACSA was represented on the task force called for by Gov. Newsom and facilitated by Superintendent of Public Instruction Tony Thurmond to recommend legislative changes. The discussions culminated in the passage and enactment of AB 1505 (O'Donnell) and AB 1507 (Smith).

Our association was one of the lead proponents of AB 48 (O'Donnell) which will place a \$15 billion school bond on the March 2020 ballot. The passage of AB 48 was the result of a compromise proposal for funding for Preschool-Higher Education facilities, with \$9 billion dedicated for K-12.

Sponsored SB 478 (Rubio) which replaces one public member of the Commission on Teacher Credentialing with one human resource administrator. ACSA's HR Council was the catalyst for the idea, which will result in a better understanding of how the decisions made by the CTC will impact schools and their respective districts. AB 478 was signed by the governor and will become law in 2020.

On behalf of the entire Governmental Relations team, I can say it is a privilege to represent the voice of our school leaders in the policy making process. Please do not hesitate to contact our team if there is any way we can assist you. We always enjoy hearing from our members.

Sincerely,



Edgar Zazueta, Ed.D.  
Senior Director of Policy & Governmental Relations  
Association of California School Administrators

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## NOTABLE LEGISLATION SIGNED

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*The following section summarizes notable legislation impacting schools that was signed by Gov. Newsom in 2019.*

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### ADULT EDUCATION

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#### **SB 554 (Roth D) Public schools: adult school students: Advanced Scholastic and Vocational Training Program.**

**Status:** 9/12/2019 - Signed by the governor.

**Summary:** This bill authorizes the governing board of a school district overseeing an adult education program or the governing board of a community college district overseeing a noncredit program to authorize a student pursuing a high school diploma or a high school equivalency certificate to enroll as a special part-time student at a community college.

**ACSA Position:** Support

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### ALTERNATIVE EDUCATION

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#### **AB 413 (Jones-Sawyer D) Education: at-promise youth.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill deletes the term “at-risk” and replaces it with the term “at-promise”. The bill, for purposes of the Education Code, defines “at-promise” to have the same meaning as “at-risk.”

**ACSA Position:** No position

#### **AB 1354 (Gipson D) Juvenile court school pupils: joint transition planning policy: individualized transition plan.**

**Status:** 10/11/2019 - Signed by the governor.

**Summary:** This bill requires, as part of the joint transition planning policy, the county office of education to assign transition oversight responsibilities to existing county office of education personnel who will work in collaboration with the county probation department and relevant local educational agencies to ensure that specified transition activities are completed for the pupil, and to facilitate the transfer of complete and accurate education records and the pupil’s individualized education plan, when a pupil enters the juvenile court school.

**ACSA Position:** Support

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### ALTERNATIVES TO DISCIPLINE

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#### **SB 419 (Skinner D) Pupil discipline: suspensions: willful defiance.**

**Status:** 9/9/2019 - Signed by the governor.

**Summary:** This bill expands the permanent elimination of suspensions for “willful defiance” from K-3 to K-5 and eliminates 6-8th grade willful defiance suspensions until July 1, 2025.

**ACSA Position:** Support

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## ARTS EDUCATION

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### **SB 748 (Stern D) California Youth Poet Laureate.**

**Status:** 7/30/2019 - Signed by the governor.

**Summary:** This bill authorizes the governor to appoint an individual from among 3 nominees 13 to 19 years of age garnered by the Arts Council. The California Youth Poet Laureate must provide a minimum of 6 public readings during their two-year term endeavoring to ensure that people in all geographic regions of the state have reasonable access to at least one reading during the course of the term. An annual stipend of \$10,000 must be provided to the California Youth Poet Laureate, plus pay travel expenses incurred in the course of attending readings and meetings.

**ACSA Position:** No position

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## ATTENDANCE | TRUANCY

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### **AB 1127 (Rivas, Luz D) Interdistrict attendance: prohibition on transfers by a school district of residence.**

**Status:** 9/27/2019 - Signed by the governor.

**Summary:** This bill requires a school district of residence to approve an intradistrict transfer request for a victim of bullying. It also prohibits a school district of residence, regardless of whether there is an agreement or permit, from prohibiting the interdistrict transfer of a victim of an act of bullying if there is no available school for an intradistrict transfer and the school district of proposed enrollment approves the application for transfer.

**ACSA Position:** No position

### **SB 328 (Portantino D) Pupil attendance: school start time.**

**Status:** 10/13/2019 - Signed by the governor.

**Summary:** This bill requires by July 1, 2022, all middle schools, including charter schools to begin their school day at or after 8:30 a.m.

**ACSA Position:** Oppose

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## CHARTER SCHOOLS

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### **AB 1505 (O'Donnell D) Charter schools: petitions and renewals.**

**Status:** 10/3/2019 - Signed by the governor.

**Summary:** This bill makes various changes relating to charter school authorizations, appeals, and renewals, and places a two-year moratorium on nonclassroom based charter schools. AB 1505 is the biggest charter reform since the inception of the Charter School Act.

**ACSA Position:** Support

### **AB 1507 (Smith D) Charter schools: location and resource center.**

**Status:** 10/3/2019 - Signed by the governor.

**Summary:** This bill removes the authority of a charter school to locate outside of the geographic boundaries of the chartering school district, either temporarily or by stating that a lack of facilities is available.

**ACSA Position:** Support

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## CHILD HEALTH | NUTRITION

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### **AB 743 (Garcia, Eduardo D) Pupil health: self-administration of prescribed asthma medication.**

**Status:** 7/12/2019 - Signed by the governor.

**Summary:** This bill requires a school district to accept a written statement provided by a physician or surgeon relating to a pupil carrying and self-administering inhaled asthma medication, from a physician or surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in this state. A written statement must be provided in both English and Spanish and to include the name and contact information for the physician or surgeon. This bill specifies that a school district shall not be subject to civil liability if a pupil self-administering inhaled asthma medication in accordance with a written statement from a physician or surgeon suffers an adverse reaction.

**ACSA Position:** Support

### **AB 1336 (Smith D) School-based health programs.**

**Status:** 7/1/2019 - Signed by the governor.

**Summary:** Existing law establishes the “Have a Heart, Be a Star, Help Our Kids” specialized license plate program. Existing law establishes fees for those specialized license plates and requires those and other fees, less specified expenses, to be deposited in the Child Health and Safety Fund. A specified amount of moneys in the fund are available, upon appropriation, for programs that address specified child health and safety concerns, including vehicular safety and drowning prevention. This bill includes in that list of specified child health and safety concerns pedestrian safety, sleep suffocation, and sports-related concussions.

**ACSA Position:** No position

### **SB 265 (Hertzberg D) Pupil meals: Child Hunger Prevention and Fair Treatment Act of 2017.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill requires Local Educational Agencies to ensure that a pupil whose parent or guardian has unpaid school meal fees is not denied a reimbursable meal of the pupil’s choice because of the fact that the pupil’s parent or guardian has unpaid meal fees and ensure that the pupil is not shamed or treated differently from other pupils. The bill imposes a higher level of service on school districts, charter schools, and county offices of education and imposes a state-mandated local program.

**ACSA Position:** No position

### **SB 276 (Pan D) Immunizations: medical exemptions.**

**Status:** 9/9/2019 - Signed by the governor.

**Summary:** This bill requires the State Department of Public Health, by January 1, 2021, to develop and make available for use by licensed physicians and surgeons an electronic, standardized, statewide medical exemption request that would be transmitted using the California Immunization Registry, and which, commencing January 1, 2021, would be the only documentation of a medical exemption that a governing authority may accept. The bill also specifies that the information to be included in the medical exemption form, including a certification under penalty of perjury that the statements and information contained in the form are true, accurate, and complete.

**ACSA Position:** No position

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## CTC | CREDENTIALING | INDUCTION

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### **AB 493 (Gloria D) Teachers: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources and training.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill encourages each school operated by a school district or county office of education and each charter school to use resources developed by the State Department of Education to provide training at least once every 2 years to teachers and other certificated employees at that school that serve pupils in grades 7 to 12, on school site and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning pupils, and strategies to increase support for LGBTQ pupils and thereby improve overall school climate, as specified.

**ACSA Position:** No position

### **AB 988 (Berman D) Teacher credentialing: out-of-state prepared teachers: education specialist credential.**

**Status:** 7/12/2019 - Signed by the governor.

**Summary:** This bill authorizes the Commission on Teacher Credentialing to allow an applicant for an education specialist credential to demonstrate the area of concentration based on 2 years of experience in California, while the candidate holds the preliminary credential.

**ACSA Position:** Support

### **AB 1219 (Jones-Sawyer D) Teacher credentialing: certificated employee assignment monitoring.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill repeals the provisions of requiring county superintendents of schools to submit an annual report to the assignment monitoring and reviews and submitting biennial reports to the Legislature concerning teacher assignments and misassignments based, in part, on those annual reports. Instead, it requires the commission to administer a State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring.

**ACSA Position:** No position

### **SB 478 (Rubio D) Commission on Teacher Credentialing: membership.**

**Status:** 7/30/2019 - Signed by the governor.

**Summary:** This bill replaces one public member of the Commission on Teacher Credentialing with one human resource administrator. ACSA's Human Resource Council was behind the idea for the bill introduction and supports having a human resource administrator on the CTC.

**ACSA Position:** Sponsor

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## CURRICULUM & INSTRUCTION

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### **AB 947 (Quirk-Silva D) Visually impaired pupils: expanded core curriculum.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill expresses legislative findings and declarations relating to the need for blind or visually impaired pupils to receive instruction in the expanded core curriculum. It also authorizes school districts, county offices of education, and charter schools to consider elements of the expanded core curriculum when developing individualized education programs for a pupil who is blind, has low vision, or is visually impaired.

**ACSA Position:** No position

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## **ELECTIONS | POLITICAL REFORM ACT**

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### **AB 1666 (Reyes D) The California Complete Count: local educational agencies.**

**Status:** 10/8/19 - Signed by the governor.

**Summary:** This bill requires the California Complete Count - Census 2020 Office to partner with local contracted educational agencies to make specified information about the 2020 federal decennial census available to students and their parents or guardians at schools.

**ACSA Position:** No position

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## **EMPLOYEE/EMPLOYER RELATIONS | EVALUATIONS | DISMISSALS**

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### **AB 218 (Gonzalez D) Damages: childhood sexual assault: statute of limitations.**

**Status:** 10/13/2019 - Signed by the governor

**Summary:** This bill extends the statute of limitations for childhood sexual abuse claims against public and private entities, including school districts. Furthermore, it creates a three year window for claims to be filed indefinitely, and changes the standard for an entity to “know about the allegation and failed to respond,” to now the entity “knew about the allegation or failed to respond.”

**ACSA Position:** No position

### **AB 1353 (Wicks D) Classified employees: probationary period.**

**Status:** 10/7/2019 - Signed by the governor.

**Summary:** This bill shortens the period of classified employee probation from not exceeding one year to not exceeding six months or 130 days of paid service, whichever is longer. To the extent these provisions conflict with any provision of a collective bargaining agreement entered into before January 1, 2020, by a public school employer and an exclusive bargaining representative, the provisions shall not apply to the school district until the expiration or renewal of that collective bargaining agreement.

**ACSA Position:** Oppose

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## **FACILITIES**

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### **AB 48 (O'Donnell D) Education finance: school facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2020.**

**Status:** 10/07/2019 - Signed by the governor.

**Summary:** AB 48 places a \$15 billion Preschool-Higher Ed facilities general obligation bond to be placed on the March 2020 ballot, with \$9 billion allocated for K-12.

**ACSA Position:** Support

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## **GOVERNANCE**

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### **AB 272 (Muratsuchi D) Pupils: use of smartphones.**

**Status:** 7/1/2019 - Signed by the governor.

**Summary:** This bill authorizes the governing body of a school district, a county office of education, or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a schoolsite or while the pupils are under the supervision and control of an employee or employees of that school district, county office of education, or charter school.

**ACSA Position:** Neutral

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## IMMIGRATION

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### **AB 1319 (Arambula D) Migrant education: pupil residency.**

**Status:** 10/2/2019 - Signed by the governor.

**Summary:** This bill requires Local Educational Agencies to allow a pupil who is a migratory child to continue attending their school of origin or a school within the school district of origin regardless of any change of residence of the pupil. By requiring LEA's to allow pupils who are migratory children who no longer satisfy the residency requirement to attend their schools of origin or a school within the school district of origin, the bill would impose a state-mandated local program.

**ACSA Position:** Support

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## OTHER

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### **SB 223 (Hill D) Pupil health: administration of medicinal cannabis: schoolsites.**

**Status:** 10/9/2019 - Signed by the governor.

**Summary:** This bill enacts Jojo's Act, which authorizes the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive to adopt, at a regularly scheduled meeting of the governing board or body, a policy as provided, that allows a parent or guardian of a pupil to possess and administer medicinal cannabis, as defined, at a schoolsite to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996, excluding cannabis, as defined, in a smokeable or vapeable form.

**ACSA Position:** Neutral

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## PUPIL SERVICES

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### **AB 5 (Gonzalez D) Worker status: employees and independent contractors.**

**Status:** 9/18/2019 – Signed by the governor.

**Summary:** This bill provides that for purposes of the provisions of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration shall be considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This bill also exempts specified occupations from the application of Dynamex, and would instead provide that these occupations are governed by Borello.

**ACSA Position:** No position

### **AB 34 (Ramos D) Pupils: bullying and harassment prevention information.**

**Status:** 9/12/2019 – Signed by the governor.

**Summary:** Commencing with the 2020–21 academic year, this bill requires each LEA, as defined, to ensure that specified information on bullying and harassment prevention is readily accessible in a prominent location on the local educational agency’s existing internet website in a manner that is easily accessible to parents or guardians and pupils. It also requires local educational agencies to include specified State Department of Education policies and the policies adopted by a local educational agency relating to hate violence, bullying, harassment, discrimination, and suicide prevention and resources relating to these topics.

**ACSA Position:** No position

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## **ROC/P’s | WORKFORCE PREPARATION | CAREER TECHNICAL EDUCATION**

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### **AB 1303 (O'Donnell D) School facilities: Civic Center Act: direct costs.**

**Status:** 10/7/2019 - Signed by the governor.

**Summary:** This bill extends until January 1, 2025, the authorization or requirement for the governing board of a school district to charge an entity under the Civic Center Act, a fee for the use of the school’s facilities or grounds that includes the costs described above.

**ACSA Position:** Support

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## **SCHOOL SAFETY**

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### **SB 541 (Bates R) School safety: lockdown drills and multi-option response drills: report.**

**Status:** 10/12/2019 - Signed by the governor.

**Summary:** This bill requires the State Department of Education to collect, and Local Educational Agencies to provide, data pertaining to lockdown or multi-option response drills conducted at schoolsites within school districts, county offices of education, and charter schools. To this extent, the bill will impose additional duties on a LEA, the bill would impose a state-mandated local program. Additionally, this bill requires the department to conduct, or contract to conduct, a study that identifies, among other things, best practices for age-appropriate drills.

**ACSA Position:** Support

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## **SPECIAL EDUCATION**

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### **AB 605 (Maienschein R) Special education: assistive technology devices.**

**Status:** 9/5/2019 - Signed by the governor.

**Summary:** This bill requires a Local Educational Agency, including a charter school, to provide on a case-by-case basis pursuant to federal law, the use of school-purchased assistive technology devices in a child’s home or in other settings if the child’s Individualized Education Program team determines that the child needs access to those devices in order to receive a free appropriate public education. The bill also requires an LEA to be responsible for providing an individual with exceptional needs who requires the use of an assistive technology device with continued access to that device, or to a comparable device when that individual, due to enrollment in another local educational agency, ceases to be enrolled in that LEA.

**ACSA Position:** Oppose

## **AB 1172 (Frazier D) Special education: assistive technology devices.**

**Status:** 10/2/2019 - Signed by the governor.

**Summary:** This bill requires a contracting local educational agency to pay the full amount of the tuition or fee for individuals with exceptional needs who are enrolled in programs or receiving services provided pursuant to a contract. Commencing with the 2020–21 school year, the bill will require a Local Educational Agency that enters into a master contract with a nonpublic, nonsectarian school to conduct onsite visits to the nonpublic, nonsectarian school, as specified, and requires the State Department of Education, on or before June 30, 2020, to create and publish criteria for reporting the findings of a monitoring visit to the department.

**ACSA Position:** No position

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## **STRs | PERs | PENSIONS**

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## **AB 1320 (Nazarian D) Public employee retirement systems: prohibited investments: Turkey.**

**Status:** 10/2/2019 - Signed by the governor.

**Summary:** This bill, upon the passage of a federal law that imposes sanctions on the government of Turkey for failure to officially acknowledge its responsibility for the Armenian Genocide, would prohibit the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in the government of Turkey that is issued by the government of Turkey or that is owned by the government of Turkey. This bill requires the boards to liquidate existing investments in the government of Turkey within 18 months of the passage of the above-described federal law.

**ACSA Position:** Oppose

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## **TAX CREDIT | TAX POLICY**

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## **AB 263 (Burke D) Taxation: tax expenditures: information.**

**Status:** 10/11/2019 - Signed by the governor

**Summary:** Existing law requires any bill that would authorize a personal income or corporation tax credit to contain specified goals, purposes, and objectives that a tax credit will achieve and detailed performance indicators, to measure whether the tax credit is meeting those goals, purposes, and objectives and provides that taxpayer information collected pursuant to these new requirements is subject to the limitation on the collection and use of that information. This bill extends the information requirement described above to any bill, introduced on or after January 1, 2020, that authorizes a personal income or corporation tax expenditure and sales and use tax exemptions. The bill also provides that any unauthorized use of any taxpayer information collected is punishable as a misdemeanor.

**ACSA Position:** Support

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## NOTABLE LEGISLATION NOT SIGNED

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The following section summarizes notable legislation impacting schools that was passed by the legislature but vetoed by Gov. Newsom in 2019.

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### ASSESSMENT | TESTING

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#### **AB 751 (O'Donnell D) Pupil assessments: Pathways to College Act.**

**Status:** 10/12/2019 - Vetoed by the governor

**Summary:** This bill would require the Superintendent of Public Instruction to approve a nationally recognized high school assessment like the SAT or ACT for which schools could administer in lieu of the 11<sup>th</sup> grade Smarter Balanced Summative Assessment Consortium test.

**Governor's Message:** *To the Members of the California Assembly: I am returning Assembly Bill 751 without my signature. This bill would establish the Pathways to College Act and require the Superintendent of Public Instruction to approve nationally recognized high school assessments that a local education agency may administer in place of the state-sponsored high school summative assessment, Smarter Balanced, beginning with the 2020-21 school year. Encouraging student access to college and reducing the student testing burden in high school are laudable goals. However, I am concerned that replacing the state's high school assessment with the Scholastic Aptitude Test (SAT) or American College Test (ACT) will have the opposite effect. Specifically, their use exacerbates the inequities for underrepresented students, given that performance on these tests is highly correlated with race and parental income, and is not the best predictor for college success. It is important to remember that over the last several years California has made great strides towards establishing a coherent accountability system. Measuring how students throughout the state perform on our state's assessments, including the grade 11 assessment, provides critical information to students, families, educators, and our state. Finally, our K-12 system and public universities continue to discuss the potential for using of California's grade 11 state assessment for college admissions or eligibility purposes in the future. This would be a better approach to improving access to college for underrepresented students and reducing 'testing fatigue.'*  
Sincerely, Gavin Newsom.

**ACSA Position:** Co-Sponsor

#### **AB 967 (Smith D) Local control and accountability plans.**

**Status:** 10/7/2019 - Vetoed by the governor.

**Summary:** This bill would require the development, adoption, and transparency requirements for Local Control and Accountability Plans and their updates to also apply to the governing bodies of charter schools, administrators of charter schools, and chartering authorities. By imposing additional duties on Local Educational Agencies, the bill would impose a state-mandated local program. The bill also would make nonsubstantive and conforming changes to these and other provisions that reference charter school local control and accountability plans.

**Governor's Message:** *To Members of the California State Assembly: I am returning Assembly Bill 967 without my signature. This bill would require charter schools to follow the same stakeholder input requirements for developing Local Control and Accountability Plans (LCAPs) as school districts and require that charter authorizers review and approve charter school LCAPs. This year's education budget trailer bill included several provisions that increase transparency around charter school LCAPs. These reforms will be in effect for the first time as charter schools develop their LCAPs this spring. This bill imposes additional requirements on charter schools beyond what was reflected in the final 2019-2020 budget and other measures signed into law this year. I believe the recently enacted changes should be given a chance to work before these additional requirements should be considered.*  
Sincerely, Gavin Newsom.

**ACSA Position:** No position

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## CHILD HEALTH | NUTRITION

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### **AB 258 (Jones-Sawyer D) Pupil health: School-Based Pupil Support Services Program Act.**

**Status:** 9/20/2019 - Vetoed by the governor.

**Summary:** The Healthy Start Support Services for Children Act requires the Superintendent of Public Instruction to award grants to Local Educational Agencies or consortia to fund programs in qualifying schools that provide support services, which include case-managed health, mental health, social, and academic support services, to eligible pupils and their families. This bill would state the intent of the Legislature to enact legislation that would increase in-school support services to pupils in order to break down barriers to academic success.

**Governor's Message:** *I am returning Assembly Bill 258 without my signature. This bill would authorize the Department of Health Care Services (DHCS) to redirect cannabis tax funds generated under Proposition 64 to in-school support services grant for local educational agencies, administered by the California Department of Education. I support increased access to mental health prevention, early intervention, and support programs in schools, which is why I worked with the Legislature to provide an additional \$50 million for those programs. While well intentioned, this bill, however, attempts to change the fund allocation process specified by Proposition 64. DHCS has already directed these funds toward expanding access to child care, which is one of our shared priorities and a commitment reflected in this year's budget deal. Additionally, Proposition 64 does not authorize the Legislature to modify the fund allocation process by July 1, 2028.*

**Position:** Support

### **AB 1322 (Berman D) School-based health programs.**

**Status:** 10/11/2019 - Vetoed by the governor.

**Summary:** This bill would require the State Department of Education to, no later than July 1, 2020, establish a school-based Health Unit for the purpose of administering current health-related programs under the purview of the State Department of Education and advising it on issues related to the delivery of school-based Medi-Cal services in the state. The bill would require the unit to, among other things, provide technical assistance, outreach, and informational materials to LEAs on allowable services and on the submission of claims. The bill would authorize the unit to form advisory groups, as specified, and, to the extent necessary, would require the State Department of Health Care Services to make available to the unit any information on other school-based dental, health, and mental health programs, and school-based health centers, that may receive Medi-Cal funding. The bill would require the unit to be supported through an interagency agreement with the State Department of Health Care Services, and would authorize the unit to receive additional funds from grants and other sources.

**Governor's Message:** *I am returning Assembly Bill 1322 without my signature. This bill would establish a school-based health unit within the California Department of Education (CDE) to administer and support school-based health programs operated by local educational agencies. In recognition that all state agencies must work together to better support our youth, the 2019 Budget Act included \$500,000 in one-time funding to support the creation of an interagency collaborative between the Department of Education, the Department of Health Care Services, and other regional and state agencies to improve the coordination and accessibility of services and supports to our students. While this bill is well-intentioned, the creation of a school-based health unit at the CDE would be premature given this recent investment.*

**ACSA Position:** Support

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## CTC | CREDENTIALING | INDUCTION

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### **AB 1214 (Melendez D) School employees: training: cardiopulmonary resuscitation.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** This bill would require a school district, county office of education, or charter school to offer a course in Cardiopulmonary Resuscitation for purposes of allowing school staff and teachers to participate in CPR training that includes certain instruction. By requiring Local Educational Agencies to offer a course in CPR, the bill would impose a state-mandated local program.

**Governor's Message:** *To Members of the California State Assembly: I am returning Assembly Bill 1214 without my signature. This bill requires Local Educational Agencies (LEAs) that offer an interscholastic athletic program to have staff with a valid cardiopulmonary resuscitation (CPR) certification to be present for the athletic program's on-campus activities and events at all times. This bill also requires LEAs to make a course in CPR available to all school staff. While I support efforts to ensure the safety of students involved in local activities, the requirements of this bill exceed that goal and create new, potentially significant costs for LEAs by requiring them to make CPR training available to all school staff rather than only the staff involved with the interscholastic athletic programs. For this reason, I am unable to sign this bill. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

### **AB 1658 (Carrillo D) Teacher credentialing: adult education: workgroup.**

**Status:** 9/27/2019 - Vetoed by governor.

**Summary:** Existing law requires the Commission on Teacher Credentialing to award a credential to applicants to teach adult education classes. Existing law establishes the minimum requirements for the 3-year preliminary designated subjects adult education teaching credential and the 5-year clear designated subjects adult education teaching credential. This bill would require the commission to convene a workgroup to study issues relating to adult education teacher credentialing. The bill would require the workgroup to submit a report on its findings and recommendations to the Legislature.

**Governor's Message:** *To Members of the California Assembly: I am returning Assembly Bill 1658 without my signature. This bill requires the Commission on Teacher Credentialing (CTC) to study issues related to adult education teacher credentialing. Both the CTC and the Legislative Analyst's Office (LAO) have separately convened workgroups over the past four years that reviewed the current requirements and have already made recommendations to the Legislature. The CTC's report suggested that it consider waiving some or all of the requirements for adult education instructors, and the LAO's report recommended that the Legislature amend the statute so that individuals no longer need a teaching credential to serve as instructors at adult schools. However, no changes have been made. Rather than convening a third workgroup to study these same issues, the Legislature should consider the recommendations made by the workgroups convened by the Commission and the LAO. Sincerely, Gavin Newsom.*

**ACSA Position:** Support

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## CURRICULUM & INSTRUCTION

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### **AB 852 (Burke D) Pupil instruction: academic content standards: update of adopted standards.**

**Status:** 10/12/2019 - Vetoed by the governor.

**Summary:** Current law requires the Superintendent of Public Instruction to recommend to the state board revisions to the visual and performing arts content standards in the subjects of dance, theater, music, and visual arts, and to recommend visual and performing arts standards in the subject of media arts, and requires the state board to adopt, reject, or modify the recommendations. Commencing January 1, 2021, this bill would require the superintendent, in consultation with the Instructional Quality Commission and based on

certain considerations, to make a recommendation to the state board regarding the need, or lack of need, to revise the academic content standards in the subject of the curriculum framework that will be revised, and to notify the governor and the Legislature of this recommendation.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 852 without my signature. This bill creates a new process to routinely evaluate and revise academic content standards. AB 852 shifts the responsibility from the State Board of Education to the State Superintendent of Public to review and recommend updates to academic content standards. I do not support shifting this responsibility away from the State Board of Education or further complicating the current process. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

### **AB 1393 (Weber D) Pupil instruction: model curriculum: Laotian history and cultural studies.**

**Status:** 10/12/2019 - Vetoed by the governor.

**Summary:** This bill would require that model curriculum to additionally cover Laotian history and cultural studies. The bill would delay by one year the deadlines for the Commission on Teacher Credentialing to submit the model curriculum to the State Board of Education, and for the state board to adopt, modify, or reject the model curriculum, and would set those deadlines at December 31, 2023, and March 31, 2024, respectively. The bill would delete the provisions requiring the state board to provide written reasons for modifying the model curriculum submitted by the commission.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1393 without my signature. This bill requires the State Board of Education (SBE) to add Laotian history and cultural studies to the Hmong model curriculum that the Instructional Quality Commission developed and the SBE was required to adopt, by Senate Bill 895 (Chapter 686, Statutes of 2018). While I appreciate the interest in addressing a gap in prior legislation, I remain concerned that the current process is piecemeal and fragmented, as the adoption of the ethnic studies model has displayed. Before we move forward with additional model curricula, I believe a review of the existing process is necessary to support reforms needed so that our schools can provide instruction in a manner that reflects and honors the experiences of all Californians. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

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## **EARLY EDUCATION | PRESCHOOL**

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### **AB 197 (Weber D) Full-day kindergarten.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** This bill would require, commencing with the 2022–23 school year, schools in school districts offering kindergarten and charter schools serving pupils in early primary grades to implement, except as provided, at least one full-day kindergarten program, thereby imposing a state-mandated local program. The bill would provide that a minimum schoolday for full-day kindergarten is the same number of minutes per schoolday that is offered to pupils in 1st grade, except as provided.

**Governor's Message:** *To the members of the California State assembly: I am returning Assembly Bill 197 without my signature. This bill requires all elementary schools, as well as all charter schools that offer kindergarten, to offer at least one full-day kindergarten program, commencing with the 2022-23 school year. Enrollment in full-day kindergarten has grown for more than a decade. Some school districts opt for part-day programs due to facilities constraints in order to address this limitation, the 2019 Budget Act includes \$300 million one-time non-Proposition 98 General Fund specifically for facilities construction designed to expand full-day kindergarten offerings. While I support increased access to full-day kindergarten, I cannot sign this bill as it would impose new costs outside the budget. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

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## EMPLOYEE/EMPLOYER RELATIONS | EVALUATIONS | DISMISSAL

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### **AB 314 (Bonta D) Public employment: labor relations: release time.**

**Status:** 10/12/2019 - Vetoed by the governor.

**Summary:** This bill would prescribe requirements relating to release time that would apply to all of the public employers and employees subject to the acts described above and would generally repeal the provisions relating to release time in those acts. Additionally, it would require these public employers to grant a reasonable number of employee representatives of the exclusive representative reasonable time off without loss of compensation or other benefits for specified activities. It would also prohibit the Public Employment Relations Board from enforcing these provisions with regard to public transit workers that are not otherwise subject to the board's jurisdiction.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 314 without my signature. This bill would require all public employers in the state to grant a reasonable number of public employees "release time" to serve as representatives of their unions for a range of purposes. Release time is certainly an important element in collective bargaining agreements, and I believe that employers and employees benefit when workers participate in labor relations. Yet, this bill is a one-size-fits-all approach. This issue is best left to the collective bargaining process so that governing authorities and public employee unions can best determine their priorities and needs at the bargaining table. Sincerely, Gavin Newsom.*

**ACSA Position:** Oppose

### **AB 500 (Gonzalez D) School and community college employees: paid maternity leave.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** This bill would require the governing board of a school district, the governing body of a charter school, and the governing board of a community college district to provide at least six weeks of a leave of absence with full pay for a certificated employee, or an academic employee, of the district or charter school who is required to be absent from duty because of pregnancy, miscarriage, childbirth, and recovery from those conditions. The bill would authorize the paid leave to begin before and continue after childbirth if the employee is actually disabled by pregnancy, childbirth, or a related condition.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 500 without my signature. This bill requires K-12 schools, charter schools and community college districts to provide certificated, classified, and academic employees at least six weeks of leave with full pay for pregnancy or a related condition in addition to any and all other available leaves of absence. Providing every California worker with paid family leave is a noble goal and a priority for my administration. However, this bill will likely result in annual costs of tens of millions of dollars that should be considered as part of the annual budget process and as part of local collective bargaining. Moreover, this proposal should be considered within the broader context of the Paid Family Leave Task Force, which is assessing increased paid family leave for all of California's workers. Sincerely, Gavin Newsom.*

**ACSA Position:** Oppose

### **SB 5 (Beall D) Affordable Housing and Community Development Investment Program.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** This bill would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria. The bill would also authorize certain local agencies to establish an affordable housing and community development investment agency and

authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 5 without my signature. This bill would establish the Affordable Housing and Community Development Investment Program through which local agencies may redirect property tax revenue for schools to fund affordable housing and related infrastructure. California is in a housing crisis, and I have consistently maintained we need to use all the tools in our toolbox to address it. However, this bill would increase costs by \$2 billion annually once fully implemented. Legislation with such a significant fiscal impact needs to be part of budget deliberations so that it can be considered in light of other priorities. I will continue to work collaboratively with the Legislature next year to continue to support increased housing production at all income levels across our state. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

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## HOMELESS & FOSTER YOUTH

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### **AB 16 (Rivas D) Homeless children and youths: reporting.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified, and a local educational agency liaison for homeless children and youths is required to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison's Local Educational Agency that provide services pursuant to the act. This bill would require an LEA and to ensure that each school within the LEA identifies all homeless children and youths enrolled at the school, and would also require the local educational agency to annually report to the State Department of Education the number of homeless children and youths enrolled.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 16 without my signature. This bill would require local educational agencies (LEA) to post the name and contact information of their homeless liaison, and establish three technical service providers to assist LEAs in serving their homeless students contingent on appropriation. I support the effort to help our homeless students succeed in school. This is why I supported increased funding in the 2019 Budget to the California Department of Education to improve the support for homeless students throughout the state. However, this bill adds additional costs which are better considered ductin the annual budget process. Sincerely, Gavin Newsom.*

**ACSA Position:** Support

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## GOVERNANCE

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### **AB 1184 (Gloria D) Public records: writing transmitted by electronic mail: retention.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** The California Public Records Act requires a public agency, to make public records available for inspection, subject to certain exceptions. Existing law specifies that public records include any writing containing information relating to the conduct of the public's business, including writing transmitted by electronic mail. This bill requires a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record and that is transmitted by electronic mail.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1184 without my signature. This bill would require state and local public agencies to retain every public record transmitted by e-mail for at least two years. This bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention*

requirements, including associated personnel and data-management costs to taxpayer. Therefore, I am unable to sign this bill. Sincerely, Gavin Newsom.

**ACSA Position:** No position

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## **PUPIL SERVICES**

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### **SB 10 (Beall D) Mental health services: peer support specialist certification.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** This bill would require the State Department of Health Care Services to establish, no later than July 1, 2020, a statewide peer support specialist certification program, as a part of the state's comprehensive mental health and substance use disorder delivery system and the Medi-Cal program. The certification program's components would include defining responsibilities, practice guidelines, and supervision standards, determining curriculum and core competencies, specifying training and continuing education requirements, establishing a code of ethics, and determining a certification revocation process. The bill would require an applicant for certification as a peer support specialist to meet specified requirements, including successful completion of the curriculum and training requirements.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 10 without my signature. This bill would require the Department of Health Care Services (DHCS) to establish a new state certification program for mental health and substance use disorder peer support specialists. Peer support services can play an important role in meeting individuals' behavioral health care needs by pairing those individuals with trained "peers" who offer assistance with navigating local community behavioral health systems and provide needed support. Currently, counties may opt to use peer support services for the delivery of Medicaid specialty mental health services. As the Administration, in partnership with the Legislature and counties, works to transform the state's behavioral health care delivery system, we have an opportunity to more comprehensively include peer support services in these transformation plans. I look forward to working with you on these transformations efforts in the budget process and future legislation, as improving the state of the state's behavioral health system is a critical priority for me. This proposal comes with significant costs that should be considered in the budget process. Sincerely, Gavin Newsom.*

**ACSA Position:** No position

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## **ROC/Ps | WORKFORCE PREP | CAREER TECH ED**

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### **AB 1558 (Ramos D) Apprenticeship programs: career fairs.**

**Status:** 10/9/2019 - Vetoed by the governor.

**Summary:** Current law provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards within the Department of Industrial Relations in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment. This bill would require a school district or school to notify each apprenticeship program in the same county as the school district or school of a career or college fair it is planning to hold, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1558 without my signature. This bill requires local school districts or schools that are planning college or career fairs to notify each apprenticeship program in their county, utilizing information from the database of approved apprenticeship programs published by the Division of Apprenticeship Standards. Many schools and school districts already include apprenticeship programs as part of their career fair outreach. While the intentions of this bill are commendable, this bill could result in additional costs to schools, which are already under significant financial stress. Sincerely, Gavin Newsom.*

**ACSA Position:** Support

### **AB 211 (Calderon D) Personal income taxes: deduction: California qualified tuition program.**

**Status:** 10/13/2019 - Vetoed by the governor.

**Summary:** The Personal Income Tax Law, in modified conformity with federal income tax law, excludes from the gross income of a beneficiary of, or contributor to, a qualified tuition program, which includes a Golden State Scholarshare College Savings Trust, distributions or earnings under that program, as specified. This bill, for taxable years beginning on or after January 1, 2020, and before January 1, 2025, would allow under that law a deduction against gross income in the amount equal to the monetary contribution made by a qualified taxpayer, as defined, to the California qualified tuition program established pursuant to the Golden State Scholarshare Trust Act not to exceed either \$5,000 or \$10,000, as provided.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bills 211 without my signature. This bill would allow an income tax deduction for contributions to qualified tuitions savings programs, known as 529 plans, for qualified taxpayers. My Administration is supportive of the underlying goals of increasing affordability and access to higher education for all Californians. In partnership with the Legislature, the 2019 Budget Act made significant investments and expansions in the Cal Grant program. Additionally, the 2019 Budget Act increased provided \$50 million to spur the creation of child savings accounts for every child in kindergarten through establishing a state-level program in conjunction with the ScholarShare program and through the provision of grants to local governments and nonprofit organizations that sponsor or create local or regional child savings account programs. While I appreciate the Legislature's intent, a careful balancing of the benefits of the proposed tax deduction in relation to the revenue losses, approximately \$13 million, would be better addressed through the annual budget process. Sincerely, Gavin Newsom.*

**ACSA Position:** Oppose

### **SB 468 (Jackson D) Taxation: tax expenditures: California Tax Expenditure Review Board.**

**Status:** 10/11/2019 - Vetoed by the governor.

**Summary:** This bill would establish in state government the California Tax Expenditure Review Board as an independent advisory body to comprehensively assess major tax expenditures and make recommendations to the Legislature. The bill would require the board to be composed of five members who would serve without compensation.

**Governor's Message:** *I am returning Senate Bill 468 without my signature. The bill creates the California Tax Expenditure Review Board to comprehensively assess specified major tax expenditures and make recommendations to the Legislature. I support greater transparency with respect to tax credits, exemptions, and other expenditures and believe these items should be scrutinized periodically to justify their overall cost to the state's revenue base. However, creating a new board to accomplish that goal is unnecessary. The Department of Finance is currently required to publish tax expenditure reports and existing law requires new income tax expenditures to specify goals, performance indicators, and data collection requirements.*

**ACSA Position:** Support