



association of california  
school administrators

## 2011 LEGISLATIVE HIGHLIGHTS THE YEAR IN REVIEW

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The 2011 legislative year provided another interesting year for legislative policy. ACSA tracked more than 600 education related bills. A new governor took office and the state's fiscal condition again dominated the legislative session. However, the Legislature continued to pass hundreds of laws in an attempt to reform various segments of public education. While ACSA did not take a formal position on all the bills introduced during this legislative session, we are providing an end of year report on these measures that are of greatest interest during the recently completed session. In addition to following legislation, the ACSA Governmental Relations team stayed active in the state budget negotiation and state level appointments to boards and commissions.

This session ACSA sponsored several pieces of legislation. This included **Assembly Bill 47 (Huffman)** that would have made changes to the methodology for identifying what are considered "low performing schools" for the purpose of the new Open Enrollment Act. This bill addressed the lowest performing schools and eliminated the artificial "floor" that 1,000 schools must be found to be failing by creating a revised formula that "up to" 1,000 schools may be identified. AB 47 also ensured that charter schools are held to the same standards of choice and notification of parents as traditional public schools. **Final Outcome:** *Vetoed by governor.*

**Assembly Bill 124 (Fuentes)** was co-sponsored by ACSA and requires the Superintendent of Public Instruction, in consultation with the State Board of Education, to update, revise, and align the English Language Development standards to the new State Common Core Standards in English language arts. AB 124 also convenes a group of experts in English language instruction, curriculum and assessment to assist the SPI. **Final Outcome:** *Signed by the governor.*

**Assembly Bill 1049 (Brownley) Schools: low-achieving schools** was also sponsored by ACSA and requires the Legislative Analyst's Office to convene a working group to identify a single formula that defines, to the greatest extent possible, persistently lowest performing schools and that can be used in both state and federal accountability programs. The bill requires the working group to develop and report its recommendations to the state board and the education policy committees of the Legislature by July 1, 2012. **Final Outcome:** *Held on Assembly Appropriations Committee Suspense File.*

ACSA also sponsored **Senate Bill 140 (Lowenthal)**. SB 140 enables schools and school districts to obtain supplemental instructional materials that meet California's new K-12 Common Core Standards in English language arts and mathematics. Supplemental materials will be available to create a "bridge" with currently adopted math and ELA programs as well as the creation of stand-alone supplements. **Final Outcome:** *Signed by the governor.*

ACSA opposed several pieces of important legislation. These included **Assembly Bill 501 (Campos) Public School Employment** which expanded the definition of "public school employer" or "employer" to include specified auxiliary organizations established by the California Community Colleges, and joint powers agencies created as an entity separate from the parties to the joint powers agreement with separate employees that meet certain additional criteria. **Final Outcome:** *Signed by the governor.*

ACSA also opposed **Senate Bill 27 (Simitian)** that provides that any salary enhancement for the principal purpose of increasing a member's retirement benefit will not be included in the calculation of a member's final compensation for determining that benefit, requires the boards of each state public retirement system to establish regulations that include an ongoing audit process, and prohibits a retiree from returning to work as a retired annuitant or contract employee for a period of 180 days after retirement. **Final Outcome:** *Held on the Assembly Appropriations Committee Suspense File.*

Also opposed was **Senate Bill 931 (Vargas)** which prohibited public funds from being used to pay outside consultants or legal counsel for the purpose of deterring or minimizing the rights of union members. Due to the letter writing efforts of our membership, this bill was killed and later amended to something completely different but ultimately vetoed by the governor. **Final Outcome:** *Killed, then gutted and amended to non-related subject.*

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## ACCOUNTABILITY – ASSESSMENT

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### **AB 203 (Brownley) Public schools: parent empowerment: school intervention**

This bill requires interventions to be implemented for a school that is identified as persistently lowest-achieving but does not receive school improvement grant funding. The bill would require a governing board of a local educational agency to allow parents and legal guardians to provide testimony at the regularly scheduled public hearing.

**ACSA Position:** *Support*

**Final Outcome:** *Vetoed by the governor*

### **AB 224 (Bonilla) School accountability: Academic Performance Index**

This bill requires the Superintendent, in consultation with the State Board of Education, to incorporate various indicators into the API, including high school graduation rates, rates by which pupils complete a course of study at an achievement level that fulfills the requirements and prerequisites for admission to California public institutions of postsecondary education, and rates by which pupils complete a course of study that provides the skills and knowledge necessary to attain entry-level employment in business or industry when they graduate from high school.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **AB 409 (Alejo) Pupil assessment: dual language immersion programs**

This bill authorizes the State Department of Education to make primary language assessments available to school districts and charter schools to assess their non-limited English-proficient and redesignated fluent-English-proficient pupils who are enrolled in a dual language immersion program and would require a school district or charter school that chooses to administer a primary language assessment pursuant to this authority to do so at its own expense and to enter into an agreement for that purpose with the state testing contractor, subject to the approval of the department.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **AB 532 (V. Manuel Perez) Pupil assessments**

This bill requires California's assessments to be valid, reliable, and comparable for pupils who are limited English proficient and for pupils with developmental disabilities. The bill also requires any primary language assessment developed by the State Department of Education and administered to limited-English-proficient pupils, as identified pursuant to current law, to be considered for inclusion in the state's assessment system, or in any successor system, and in any measure or index developed or used for the state's federal and state accountability system and any successor system. The bill requires any successor system to the state's assessment system adopted on or after the effective date of this act to include accommodations and variations for limited-English-proficient pupils, as determined by the Superintendent of Public Instruction.

**ACSA Position:** *Support*

**Final Outcome:** *Vetoed by the governor*

### **SB 547 (Steinberg) Public school performance accountability**

This bill sunsets the Academic Performance Index, the states accountability system for schools and districts, on July 1, 2014, and replaces it with the Education Quality Index (EQI), which is comprised of multiple newly established indices to reflect the overall performance of the state's public schools, districts, and pupils. Further requires the State Board of Education to adopt the EQI not later than August 1, 2014.

**ACSA Position:** *Support*

**Final Outcome:** *Vetoed by the governor*

### **SB 740 (Hancock) Pupil assessment**

This bill repeals the requirement for the state to assess second graders in English language arts (ELA) and mathematics as part of the Standardized Testing and Reporting (STAR) Program. This bill requires the State Department of Education (SDE), by November 1, 2012, to identify and make available to school districts information regarding existing assessments in ELA and mathematics that are appropriate for pupils in second grade for diagnostic use by classroom teachers. Further requires SDE to utilize the savings from repealing second grade testing to conduct this work.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Assembly Appropriations Committee Suspense File*

### **SB 753 (Padilla) Pupils: English learners: assessment**

This bill makes changes related to the timing and administration of the required English language development assessments.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 754 (Padilla) Pupil assessment: California English Language Development Test**

This bill prohibits a pupil in any of grades 3 to 12, inclusive, to the extent permitted by federal law, from being required to retake portions of the English language development test (ELDT) for which he or she has previously achieved the early advanced or advanced proficiency level within each appropriate grade span determined by the California Department of Education (CDE) in accordance with current law requirements that the test be age and developmentally appropriate for pupils.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **SB 789 (Price) Public School Performance Accountability Program: Creative and Innovative Education Index**

This bill require the Academic Performance Index (API) advisory committee to consult with experts in specified fields to develop a voluntary "Creative and Innovative Education Index", as specified. This bill requires the committee to make recommendations to the superintendent concerning the index by June 1, 2013.

**ACSA Position:** *Disapprove*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **SB 885 (Simitian) Public education accountability: longitudinal education data system**

This bill states the intent of the Legislature to design a statewide data system. The bill also authorize the State Board of Education to enter into a joint powers agreement to facilitate the implementation of the comprehensive longitudinal preschool through higher education (P-20) statewide data system referenced by the bill.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Assembly Inactive File*

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## **AFTERSCHOOL PROGRAMS**

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### **SB 429 (DeSaulnier) Before and after school programs: After School Education and Safety Program: supplemental grants**

This bill allows after school programs to offer a six-hour program using existing supplemental grant funds.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

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## **CAREER TECHNICAL EDUCATION**

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### **AB 790 (Furutani) Career technical education: Linked Learning pilot program**

This bill establishes the Linked Learning Methodology Pilot Program to be administered by the State Department of Education according to specified requirements for the purpose of implementing district wide linked learning methodologies. The bill authorizes a school district that maintains any of grades 9 to 12, inclusive, to apply to the Superintendent to operate a pilot program. The bill would require the department to review these applications and would authorize the Superintendent to initially approve no more than 20 applications.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 1304 (Block) Linked learning**

This bill defines "linked learning programs," and authorizes the Commission on Teacher Credentialing to convene a workgroup to develop program standards for the issuance of recognition of study in linked learning. The bill authorizes the commission to work with the Superintendent of Public Instruction to gather and post, on an appropriate Internet Web site, best practices from school districts and schools on curriculum development and professional development relating to implementing and sustaining multiple pathway programs.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **AB 1310 (Furutani) Career technical education and workforce development**

This bill requires the Secretary of Labor and Workforce Development, in conjunction with the California Workforce Investment Board, the Office of the Chancellor of the California Community Colleges, the State Department of Education, and the California Postsecondary Education Commission, to develop a strategic plan for connecting the delivery of education and workforce development.

**ACSA Position:** *Approve*

**Final Outcome:** *Vetoed by the governor*

### **AB 1315 (Furutani) Education: Gateway Centers**

This bill establishes Gateway Centers (GC) to be operated by local adult schools and community colleges (CCs) to leverage multiple education and workforce investment funding and improve the transition of adult learners into entry-level degree or certificate training programs that are linked to employment.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Assembly Appropriations Committee Suspense File*

### **AB 1330 (Furutani) Graduation requirements: career technical education**

This bill adds career technical education (CTE) as an option for pupils to fulfill the existing high school graduation requirement to complete a course in visual or performing arts (VPA) or foreign language.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 275 (Hancock) Career technical education: funding**

This bill creates a career technical education block grant program that contains funding dedicated for Regional Occupational Centers and Programs, partnership academies, specialized secondary programs, and agricultural career technical education incentive programs. This bill allows for limited flexibility for 10 percent between programs, allows the Superintendent of Public Instruction to allow up to 25 percent flexibility under specified conditions, provides for a regional process for administrative collaboration, and requires the California Department of Education to develop program quality accountability measures, as specified.

**ACSA Position:** *Support if Amended*

**Final Outcome:** *Held in Assembly Education Committee*

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## **CHARTER SCHOOLS – SCHOOLS OF CHOICE**

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### **AB 86 (Mendoza) Charter schools: authorization: petition**

This bill requires a petition be signed by a number of nonsupervisory certificated staff and classified employees that combined is equivalent to at least 1/2 of the total number of non-supervisory certificated staff and classified employees that the charter school estimates will be employed at the school during its first year of operation.

**ACSA Position:** *Support*

**Final Outcome:** *Vetoed by the governor*

### **AB 360 (Brownley) Charter schools**

This bill states that a charter school is subject to the Ralph M. Brown Act, unless it is operated by an entity governed by the Bagley-Keene Open Meeting Act, in which case the school would be subject to the Bagley-Keene Open Meeting Act.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Assembly Inactive File*

### **AB 401 (Ammiano) Charter Schools**

This bill limits until the maximum total number of charter schools authorized to operate in the state to 1,450. The bill would prohibit charter schools operated by a private entity from employing relatives of charter school personnel, as specified.

**ACSA Position:** *Support If Amended*

**Final Outcome:** *Held in Senate Education Committee*

### **AB 440 (Brownley) Charter schools**

This bill requires a charter school operating as, or operated by, a for-profit corporation to notify the Superintendent of Public Instruction of that fact in writing when the petition is first approved, upon renewal of the petition, and if there is a change in the for-profit status of the school.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Senate Inactive File*

### **SB 645 (Simitian) Charter schools: charter renewal**

This bill authorizes the Charter School Financing Authority (CSFA) to refinance working capital for charter schools. This bill establishes new accountability measures for charter school renewal and expands eligibility of the Charter School Facility Grant Program (CSFGP).

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Assembly Appropriations Suspense File*

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## **CURRICULUM AND INSTRUCTION**

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### **AB 199 (Ma) School curriculum: social sciences: Filipinos in World War II**

This bill encourages instruction in social sciences for grades 7 to 12, inclusive, to include instruction on World War II and the role of Filipinos in that war, and would encourage that instruction to include a component drawn from personal testimony, as provided.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 200 (Hayashi) Physical education; Health and Fitness Award Program**

This bill requires the state board to establish the Health and Fitness Award Program to recognize schools that conduct their physical education courses pursuant to the model content standards and demonstrate that increasing numbers of pupils enrolled in those schools meet minimum standards on the physical performance test designated by the state board. The bill requires that private funds be used to pay for all of the costs of implementing the program, including the administrative costs of the State Department of Education, and would authorize the Superintendent to receive donations of private funds for purposes of implementing the program. The bill requires the state board to establish the program once the Department of Finance certifies to the Superintendent that private donations received by the state are sufficient to implement the program. The bill also requires the state board to suspend the program if the private donations received are insufficient to complete or continue program implementation.

**ACSA Position:** *Approve*

**Final Outcome:** *Vetoed by the governor*

### **AB 580 (Davis) Pupil instruction: content**

This bill requires instruction to include a study of the role and contributions of people of all races, colors, genders, sexual orientations, national origins, religions, and marital statuses, including, but not limited to, those specified categories of persons, but with updated references, and additionally including European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other cultural groups, to the economic, political, and social development of California and the United States.

**ACSA Position:** *Watch*

**Final Outcome:** *Held in Senate Rules Committee*

### **AB 1033 (Feuer) Academic content standards: standards review commission**

This bill authorizes the review of certain of the standards described above by a 25-member standards review commission, appointed as specified and convened for that purpose, if the Superintendent and the state board jointly find that there is a need to revise or modify the standards. The bill restricts a finding to 2 subject areas at a time and would authorize the Superintendent and the state board to make additional findings after each time a standards review commission submits its recommendations to the state board. The bill requires the state board, upon receiving recommendations from a standards review commission, to either adopt or reject the standards as proposed by the commission and to notify the governor, the Senate Committee on Rules, and the Speaker of the Assembly that it has acted.

**ACSA Position:** *Support If Amended*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **SB 48 (Leno) Pupil Instruction: prohibition of discriminatory content**

This bill adds lesbian, gay, bisexual and transgender (LGBT) Americans, persons with disabilities and others to the list of groups of people whose role and contributions shall be accurately portrayed in instructional materials and included in social science instruction, and adds sexual orientation and religion to the list of characteristics that shall not be reflected adversely in adopted instructional materials.

**ACSA Position:** *Seek to Amend*

**Final Outcome:** *Signed by Governor*

### **SB 461 (Blakeslee) High school equivalency certificates**

This bill expands the criteria for the Superintendent of Public Instruction to issue a California high school equivalency certificate to a person who meets existing eligibility and who is at least 17 years old, has accumulated fewer than 100 units of high school credit, and has successfully completed the instructional program offered by a dropout recovery high school, where that program is aligned to state standards.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 532 (Hernandez) Pupil instruction: high school curriculum: advanced placement courses: International Baccalaureate Diploma Program.**

This bill requires the Superintendent of Public Instruction (SPI) to annually update the information on advanced placement and the International Baccalaureate Diploma Program available on the California Department of Education's (CDE's) Internet Web site, inform specified high schools of the various options for making advanced placement courses and other rigorous courses available to pupils who may benefit from them. This bill also requires the SPI to provide support to high schools that offer International Baccalaureate courses, and encourages the Academic Senates for the California Community Colleges, the California State University, and University of California to continue their efforts to adopt consistent systemwide guidelines for the acceptance and granting of credit for International Baccalaureate Diploma Program courses taken by students while they are in high school.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 699 (Runner) Pupil instruction: graduation requirements: pupil in foster care.**

This bill makes an exemption from local graduation requirements applicable only to a pupil who transfers between schools during or after the pupil's third year of high school and who is currently in foster care or, at the time of transfer, was in foster care, as specified. This bill requires the school district to notify a pupil who may qualify for the exemption and the person holding the right to make educational decisions for the pupil and inform them of whether or not the pupil qualifies for the exemption, within 30 days of the pupil's transfer. This bill prohibits the school district from exempting the pupil from local graduation requirements if the pupil or the adult holding the right to make educational decisions for the pupil decide it is not in the best interests of the pupil to be exempted.

**ACSA Position:** *Support If Amended*

**Final Outcome:** *Held on Senate Appropriations Suspense File*

### **SB 779 (Lieu) Pupil instruction: economics: personal finances**

This bill authorizes a school district, in providing instruction in economics, to include instruction related to the understanding of personal finances, including, but not limited to, budgeting, savings, credit, and identity theft. The bill requires the State Department of Education to consider a personal finances curriculum in the next cycle in which the history-social science curriculum framework is adopted.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Assembly Appropriations Suspense File*

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## **EDUCATION FINANCE**

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### **AB 18 (Brownley) Education finance: school-based financial reporting system: Targeted Pupil Equity funding: Quality Instruction funding**

This bill enacts the Education Finance Reform Act. This bill restructures California's system for allocating state funding for public schools. The bill requires the Superintendent of Public Instruction, on or before December 1, 2012, to make recommendations to the Legislature and the governor regarding prescribed topics relating to the statutory and regulatory changes that would be necessary to support the development, implementation, and use of comprehensive school-level financial data.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Senate Education Committee*

### **AB 169 (Torres) Education finance**

This bill defines school districts for purposes of these provisions to include school districts, county offices of education, and other educational agencies or entities deemed eligible pursuant to state and federal law.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 189 (Eng) Education funding**

This bill requires that public hearing to be held prior to and independent of a meeting where the governing board of a school district or county office of education adopts a budget. The bill also requires the governing board to identify the program or programs to be closed before the public hearing, as specified.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 202 (Brownley) Local educational agencies: reimbursable state mandates**

This bill expresses the intent of the Legislature that statutes creating a reimbursable state mandate on local educational agencies be periodically reviewed, and that the Legislature consider recommendations on whether those statutes should be amended, repealed, or remain unchanged. The bill specifies that the information to be provided in the review and report, and would require that the review and report be provided to the chairpersons of the Assembly Committee on Education, the Senate Committee on Education, and the fiscal committees of the Assembly and the Senate, on or before the January 1 following the adjournment of the regular session of the Legislature for which the review was made.

**ACSA Position:** *Support*

**Final Outcome:** *Vetoed by the governor*

### **AB 363 (Hayashi) California State Lottery**

This bill (1) changes the reporting date for the California State Controller (Controller) to make specific reports to the Legislature from December 31 to April 1, for each of the next five years regarding the State Lottery's efforts to boost income for public education, and (2) extends the operation of the change described above until April 1 of the year following notification of the Legislature and the governor by the Controller that specified events relating to the total net revenues allocated to the benefit of public education have occurred, and the prior law will be restored at that time.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 1075 Education Finance: revenue limits**

This bill defers until the 2013-14 fiscal year that portion of the 2011-12 fiscal year adjustment related to funding for Meals for Needy Pupils programs.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **SB 64 (Liu) State mandates: school district test claims: procedure**

This bill revises the mandate test claim process for school districts and establishes a seven-member school district test claim advisory committee to provide the Commission on State Mandates with recommendations on school district test claims and incorrect reduction claims.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Senate Appropriations Suspense File*

### **SB 112 (Liu) State Mandates: claiming instructions**

This bill amends claims processing procedures for reimbursement for state mandated local programs.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 821 (Fuller) School district reorganization: fiscal actions affecting newly organized or reorganized school districts**

This bill provides that a county superintendent of schools, during the transition period of a school district unification, merger, or formation may stop an action of an outgoing governing board if that action will have a material fiscal impact on the newly formed school district.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

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## **EMPLOYER/EMPLOYEE RELATIONS**

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### **AB 5 (Fuentes) Teachers: best practices teacher evaluations**

This bill requires school districts to implement a best practices teacher evaluation system, as specified, by July 1 of the first fiscal year following the fiscal year in which the deficit factor is reduced to zero.

**ACSA Position:** *Seek to amend*

**Final Outcome:** *Held in the Senate Appropriations Committee*

### **AB 36 (Perea) Income and employment taxes: federal conformity: Health Care and Education Reconciliation Act of 2010**

This bill provides additional conformity with federal income tax laws by adopting specified provisions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 relating to gross income exclusions for reimbursements for medical care expenses under specified plans for dependents, as specified.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 59 (Swanson) Family and medical leave**

This bill increases the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 101 (John Perez) Child care: family child care providers: bargaining representative**

This bill authorizes family child care providers, as defined, to choose whether to be represented by a single provider organization, as defined, that would be designated pursuant to a specified petition and election process overseen by the Public Employment Relations Board or a neutral 3rd party designated by the board.

**ACSA Position:** *Watch*

**Final Outcome:** *Vetoed by the governor*

### **AB 267 (Swanson) Employment contracts**

This bill makes void and unenforceable as against public policy any provision in an employment contract that requires an employee, as a condition of obtaining or continuing employment, to use a forum other than California, or to agree to a choice of law other than California law, to resolve any dispute with an employer regarding employment-related issues that arise in California, and would make related changes.

**ACSA Position:** *Watch*

**Final Outcome:** *Vetoed by the governor*

### **AB 274 (Garrick) Unemployment insurance benefits: claims: right to respond**

This bill requires the Employment Development Department, when notifying an employing unit that an unemployment claim has been filed, to provide a direct link to its Internet Web site to the page that describes what circumstances establish good cause for an extension of the 10-day period during which the employer may submit facts on the claim, in accordance with specified procedures.

**ACSA Position:** *Approve*

**Final Outcome:** *Vetoed by the governor*

### **AB 325 (Lowenthal) Employee's right to bereavement leave**

This bill prohibits an employer from refusing to grant a request by any employee to take up to 3 days of bereavement leave or to interfere with or restrain an employee from doing so. This bill authorizes an employee who has been discharged, disciplined, or discriminated against for exercising his or her right to bereavement leave to bring a civil action against his or her employer for reinstatement, specified damages, and attorney's fees. The provisions of the bill would not apply to an employee who is covered by a valid collective bargaining agreement that provides for bereavement leave and other specified working conditions.

**ACSA Position:** *Watch*

**Final Outcome:** *Vetoed by the governor*

### **AB 335 (Solorio) Workers' compensation: notices**

This bill requires the Administrative Director of the Division of Workers' Compensation, in consultation with the Commission on Health and Safety and Workers' Compensation to prescribe reasonable rules and regulations for serving certain notices on an employee. This bill requires the administrative director, in consultation with the commission, to develop, make fully accessible on the department's Internet Web site, and make available at district offices informational material written in plain language that describes the overall workers' compensation claims process.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 400 (Ma) Employment: paid sick leave**

This bill provides that an employee who works in California for 7 or more days in a calendar year is entitled to paid sick days, as defined, which shall be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th calendar day of employment. The bill requires employers to provide paid sick days, upon the request of the employee, for diagnosis, care, or treatment of health conditions of the employee or an employee's family member, or for leave related to domestic violence or sexual assault.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 451 (Hall) Schools: district employees**

This bill requires the personnel commission, consistent with the commission rules applicable to all classified employees, to determine the compensation for, evaluate, and supervise the personnel director. The bill requires the personnel commission to make an annual performance evaluation of the personnel director. The bill authorizes the exclusive representatives of classified employees of the applicable school or community college district and the district administration to participate in the annual performance evaluation of the director of the personnel commission by completing an evaluation or comment form distributed by the commission.

**ACSA Position:** *Seek to Amend*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 587 (Gordon) Public works; volunteers**

This bill requires that proposed compensation increases of more than 5% for specified employees be publicly noticed, as prescribed.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 1155 (Alejo) Workers' compensation**

This bill states the intent of the Legislature to prohibit the use of risk factors and specified characteristics to deny an injured worker his or her rightful benefit when disabled in the workplace. The bill also state the intent of the Legislature to prohibit the apportionment of risk factors and characteristics without prohibiting the apportionment of documentable precurent nonindustrial causes of disability or holding an employer liable for any percentage of permanent disability not directly caused by an injury arising out of and occurring in the course of employment.

**ACSA Position:** *Oppose*

**Final Outcome:** *Vetoed by the governor*

### **AB 1203 (Mendoza) Public employee organizations: members: paid leaves of absence**

This bill expands these provisions to additionally require a school district or a community college district to provide a paid leave of absence to a member of any school district public employee organization or community college district public employee organization for activities the member is authorized by the organization to attend, and would require the employee organization to reimburse the school district or community college district on behalf of a member who receives a paid leave of absence.

**ACSA Position:** *Seek to Amend*

**Final Outcome:** *Held on Senate Floor*

**AB 1236 (Fong) Employment: hiring practices: electronics employment verification**

This bill prohibits the state, or a city, county, city and county, or special district, from requiring an employer other than one of those government entities to use an electronic employment verification system except when required by federal law or as a condition of receiving federal funds.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

**SB 129 (Leno) Medical marijuana: qualified patents and primary caregivers: employment discrimination**

This bill prohibits employment discrimination on the basis of a person's status as a qualified patient (medical marijuana user) or on the basis of the person's positive drug test for marijuana, provided the person is a qualified patient and the medical use of marijuana does not occur at the place of employment or during hours of employment. This bill creates, for a person who has suffered discrimination as described above, a civil action for damages, injunctive relief, attorney's fees and costs, and any other appropriate equitable relief to protect the peaceable exercise of the right or rights secured. This bill contains a clause that states nothing in the section shall prohibit the employer from terminating the employment, or taking other corrective action against a person who is impaired on the property or premises of the place of employment or during hours of employment because of the medical use of marijuana.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Senate Inactive File*

**SB 257 (Liu) Certificated school employees: evaluation and assessment**

This bill encourages a school district to include in its evaluation and assessment guidelines specific information relating to the current best teaching practices in all subject areas, prescribes certain criteria to use and authorizes a school district to include additional criteria into the evaluation and assessment of certificated employees.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held in Assembly Education Committee*

**SB 266 (Dutton) Education employment; termination, reappointment, and opportunity for substitute service**

This bill temporarily suspends, from January 1, 2012, to June 30, 2015, the requirement that laid-off teachers who substitute for at least 21 days be compensated at their old rate of pay and prohibits local educational agencies from creating vacancies and filling them with a substitute employee, as defined.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Senate Education Committee*

**SB 272 (DeSaulnier) Leave of absence: organ donation**

This bill clarifies the Michelle Maykin Memorial Donation Protection Act to assist employer compliance with a leave of absence for an organ donation.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

**SB 459 (Corbett) Employment: independent contractors**

This bill deals with independent contractors and their potential misclassification in order to avoid civil damages.

**ACSA Position:** *Disapprove*

**Final Outcome:** *Signed by the governor*

**SB 857 (Lieu) Public employee: unlawful strike damages**

This bill specifies that the Public Employment Relations Board (PERB) has no authority to award damages for strike-preparation expenses or for costs, expenses, or revenue losses incurred during an unlawful strike.

**ACSA Position:** *Oppose*

**Final Outcome:** *Signed by the governor*

**SB 922 (Steinberg) Public contracts: public entities: project labor agreements**

This bill authorizes a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project, if the agreement includes specified taxpayer protection provisions.

**ACSA Position:** *Disapprove*

**Final Outcome:** *Signed by the governor*

## EDUCATION TECHNOLOGY

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### **AB 227 (Hall) Education Technology Planning**

This bill expands the list of topics to include the prevention of, and legal consequences for, cyber bullying, the active use of content control software, and the responsible use by pupils of mobile communication technology. The bill requires that the additional topics of the prevention of, and legal consequences for, cyber bullying, the active use of content control software, and the responsible use by pupils of mobile communication technology, be implemented only to the extent that state or federal funds are appropriated for those topics.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **AB 802 (Blumenfield) Online education; school attendance**

This bill provides that school districts, county offices of education, and charter schools that offer online education courses may claim attendance toward average daily attendance on the basis of a pupil's attendance in an online course or courses that satisfy prescribed criteria.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Assembly Appropriations Committee Suspense File*

## INSTRUCTIONAL MATERIALS

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### **AB 250 (Brownley) Instructional materials: pupil assessment**

This bill would ensure the mathematics and English language arts curriculum frameworks are updated to reflect new State California Common Core standards. AB 250 also outlines the process for recommendations for the reauthorization of the STAR testing program as well as the development of training modules to support educators to implement common core. AB 250 also states legislative intent to develop a process in which local school districts can recommend instructional materials for adoption by the state.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 339 (Bonilla) Instructional materials: social content reviews: fees**

This bill requires the State Board of Education to adopt regulations to govern the social content reviews conducted at the request of a publisher or manufacturer of instructional materials outside the primary instructional material adoption process.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 815 (Brownley) Instructional programs: State Seal of Biliteracy**

This bill establishes the State Seal of Biliteracy to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. Participating school districts would be required to maintain records in order to identify pupils who have earned a State Seal of Biliteracy and to affix an appropriate insignia to the diploma or transcript of pupils who earn a State Seal of Biliteracy. This bill contains other related provisions.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 300 (Hancock) Pupil instruction: instructional materials: content standards**

This bill allows for the revision of academic content standards in science by authorizing the SPI to convene a group of science experts and make recommendations to the SBE on a set of revised science content standards.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 509 (Price) Instructional materials**

This bill modifies a provision of the Williams settlement to authorize school districts to purchase the newest instructional materials for pupils in all of the neediest schools, without incurring a duty to purchase these materials for pupils in the remaining schools in the district.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 613 (Alquist) Instructional Materials**

This bill requires at least one-half of the basic instructional materials adopted by the State Board of Education (SBE) for use in grades K-8, and by high school governing boards for use in grades 9-12, to be open-source instructional materials, except in specified instances. The bill defines open-source instructional materials as available in a digital format, free to view online, meeting the same requirements imposed on other printed instructional materials, and developed in a specified manner.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held in Senate Appropriations Committee*

## PUPIL SERVICES

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### **AB 1362 (Nestande) Pupil attendance: electronic attendance accounting systems**

This bill authorizes local education agencies (LEAs) to use electronic attendance accounting (EAA) systems approved by the State Department of Education (SDE) for the purpose of satisfying minimum instructional requirements and calculating average daily attendance (ADA).

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **SB 107 (Price) Physical education: California Interscholastic Federation**

This bill extends the sunset on statutes relative to the California Interscholastic Federation to January 1, 2017 and requires the California Interscholastic Federation to report to the Legislature on or before January 1, 2016.

**ACSA Position:** *Co-Sponsor*

**Final Outcome:** *Signed by the governor*

### **SB 161 (Huff) Schools: emergency medical assistance: administration of epilepsy medication**

This bill allows school districts, county offices of education (COE), or charter schools to participate in a program to train nonmedical school employees who volunteer to administer emergency anti-seizure medication to students with epilepsy.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 240 (Rubio) Truancy: collective action**

This bill provides that a pupil's absence due to a collective action, as defined and specified, is an excused absence, prohibits any absence due to a collective action from being counted in determining whether a pupil is a truant.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **SB 268 (Wright) School attendance: interdistrict attendance**

This bill specifies the scope of review by a county board of education (CBE) when an appeal of interdistrict pupil attendance occurs, and requires that a hearing be held within 30 calendar days after the appeal is filed, as specified.

**ACSA Position:** *Watch*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **SB 381 (Pavley) School attendance: residency requirements**

This bill extends authorization for a pupil to enroll in school where the parent or guardian of that pupil is employed within the boundaries of that school district for a minimum of 10 hours during the school week, rather than where the pupil resides. The inoperative date will be extended from July 1, 2012 to July 1, 2017.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 578 (Negrete McLeod) Schools: pupils in foster care: course credit**

This bill requires a school district or county office of education to accept coursework satisfactorily completed by a pupil in foster care while attending another school and to award full or partial credit for such coursework, as specified.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 614 (Kehoe) Childhood immunization**

This bill allows a pupil in grades 7 through 12, to conditionally attend school for up to 30 calendar days beyond the pupil's first day of attendance for the 2011-12 school year, if that pupil has not been fully immunized with all pertussis boosters appropriate for the pupil's age if specified conditions are met.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

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## **RETIREMENT**

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### **AB 17 (Davis) Retirement: pension fund management**

This bill requires the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to submit a report to the Legislature, on or before August 1, 2012, and annually each August 1 thereafter, on the ethnicity and gender of the investment managers with whom they have contracted in the immediately preceding fiscal year, and who participate in managing their portfolios of external fund management contracts, as specified.

**ACSA Position:** *Watch*

**Final Outcome:** *Held in Senate Appropriations Committee*

### **AB 89 (Hill) County employees' retirement**

This bill would authorize a resolution adopted pursuant to the provisions described in the bill requiring safety members hired on and after the effective date of this measure to pay all or part of the contributions by a member or employer, or both. This bill requires in this instance that payment by a safety member would become part of the accumulated contributions of the safety member.

**ACSA Position:** *Oppose*

**Final Outcome:** *Signed by the governor*

### **AB 344 (Furutani) Public employees' retirement.**

This bill (1) prohibits the California Public Employees Retirement System (CalPERS) from granting exceptions, for small groups or individuals, to increases in "compensation earnable" that are not consistent with compensation increases reported for all individuals in the same retirement membership classification, and (2) eliminates the ability of a CalPERS employer to request that a retired worker be allowed to work beyond the 960 hour annual limit without being subject to reinstatement and cessation of the retiree's allowance.

**ACSA Position:** *Watch*

**Final Outcome:** *Held on Senate Inactive File*

### **AB 1247 (Fletcher) Public retirement systems: reporting**

This bill modifies the pension reform transparency reporting requirements that were enacted last year as part of the 2010-11 budget package that required the California Public Employees' Retirement System (CalPERS) to report its investment returns, amortization period, and discount rate using specific analytical guidelines every time contribution rates are adopted.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 1248 (Hueso) Local public employee' retirement**

This bill requires a local public employer to provide coverage under the federal social security system to all employees who are not covered under a defined benefit plan, except as specified.

**ACSA Position:** *Watch*

**Final Outcome:** *Held on Senate Inactive File*

### **AB 1320 (Allen) Public employees' retirement: employer contribution rates**

This bill establishes, for each employer within the California Public Employees' Retirement System (CalPERS) and the twenty retirement systems established under the County Employees Retirement Act of 1937 ('37 Act) a Rate Stabilization Account (RSA) in the Employer Rate Stabilization Fund (also established by this bill), for the purpose of stabilizing employer retirement contributions.

**ACSA Position:** *Watch*

**Final Outcome:** *Held on Assembly Inactive File*

### **SB 46 (Correa) Public officials: compensation disclosure**

This bill requires, beginning January 1, 2013, until January 1, 2019 every person who is required to file a statement of economic interests and designated employees who file statements under a conflict of interest code to also file a compensation disclosure form, and require each agency to post compensation information on its website. This bill also requires reimbursement of expenses to be considered compensation for purposes of disclosure.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held on Assembly Floor*

### **SB 294 (Price) Public employee's retirement: emerging investment managers**

This bill requires the Board of Administration of the California Public Employees' Retirement System (CalPERS) and Teachers Retirement Board to provide a five-year strategic plan for emerging investment manager participation and to report to the Legislature annually on the progress of the plan, as specified.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 322 (Negrete McLeod) Retirement**

This bill clarifies that the federal Internal Revenue Code (IRC) Section 415 (b) limit applies to the total benefit paid to a member of the California Public Employees' Retirement System (CalPERS) regardless of the number of CalPERS-covered employers that member worked for.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 349 (Negrete Mcleod) State Teachers' Retirement Plan**

This bill makes technical, clarifying and non-controversial changes to various sections of the Education Code administered by the California State Teachers' Retirement System (CalSTRS) to improve, and continue effective administration of CalSTRS.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 398 (Hernandez) Retirement: placement agents**

This bill revises the definition of placement agent and external manager, makes conforming changes to the definition of placement agent and external manager in the Political Reform Act of 1974 (PRA), and exempts placement agents, as specified, from local government reporting and registration requirements. States that this bill is in furtherance of the PRA, an initiative statute, and will take effect immediately as an urgency statute.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **SB 827 (Simitian) Public employees' retirement**

This bill declares the intent of the Legislature to convene a conference committee to craft responsible, comprehensive legislation to reform state and local pension systems in a manner that reflects both the legitimate needs of public employees and the fiscal circumstances of state and local governments.

**ACSA Position:** *Watch*

**Final Outcome:** *Sent to Conference Committee*

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## **SCHOOL FACILITIES**

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### **AB 85 (Mendoza) School Facilities: security locks**

This bill requires modernization projects for school facilities submitted under the Greene Act to the Division of the State Architect that include rehabilitation in a classroom to include the installation of locks that allow doors to be locked from the inside, except as specified.

**ACSA Position:** *Neutral*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 184 (Swanson) Contractual assessment programs: seismic safety improvements**

This bill enacts the Seismic Safety Finance Act, which would expand the provisions of the Improvement Act of 1911 to authorize contractual assessments to finance the installation of seismic strengthening improvements that are permanently fixed to real property.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 512 (Gordon) Local government renewable energy self-generation program**

This bill expands the definition of an eligible renewable generating facility for the purposes of the Local Government Renewable Energy Self-Generation Program to include a facility that has a generating capacity of no more than 5 megawatts. This bill prohibits an electrical corporation from being required to compensate a local government for electricity generated from a facility in excess of the bill credits applied to the designated benefiting account.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 822 (Block) Public postsecondary education facilities; Kindergarten-University Public Education Facilities Bond Act of 2012**

This bill enacts the Kindergarten-University Public Education Facilities Bond Act of 2012 to authorize an unspecified sum of state general obligation bonds to provide aid to the California Community Colleges, the University of California, the Hastings College of the Law, and the California State University to construct and modernize education facilities.

**ACSA Position:** *Co-sponsor*

**Final Outcome:** *Set for hearing in Assembly Higher Ed Committee*

### **AB 900 (Buchanan) Jobs and Economic Improvement through Environmental Leadership Act of 2011**

This bill enacts the Jobs and Economic Improvement through Environmental Leadership Act of 2011 and establishes specified judicial review procedures for the judicial review of the EIR and approvals granted for a leadership project related to the development of a residential, retail, commercial, sports, cultural, entertainment, or recreational use project, or clean renewable energy or clean energy manufacturing project.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **SB 128 (Lowenthal) School facilities funding: high-performance schools**

This bill expands the authorized uses of state education bond funds for modernization projects to include the costs associated with high-performance schools and authorizes a career technical education (CTE) project to be eligible for a High Performance Incentive (HPI) grant.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **SB 293 (Padilla) Payment bonds: laborers**

This bill establishes a four-year limit on retention in public works projects, with specified exceptions, and modifies provisions regarding payments to subcontractors and provisions regarding subcontractor claims.

**ACSA Position:** *Oppose unless amended*

**Final Outcome:** *Signed by the governor*

### **SB 474 (Evans) Commercial construction contracts: indemnity**

This bill regulates indemnification agreements in specified private commercial and public works construction contracts.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **SB 600 (Rubio) Public contracts: school districts: bidding requirements**

This bill requires large school districts to prequalify prospective bidders on certain school construction projects using a specified process.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held on Assembly Appropriations Suspense File*

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## **SCHOOL SAFETY (BULLYING/CYBER-BULLYING)**

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### **AB 9 (Ammiano) Pupil rights: bullying**

This bill requires the policy adopted by the local educational agencies to prohibit discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics, as specified. This bill requires the process for receiving and investigating complaints to include complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics and to include a requirement that school personnel who witness such acts take immediate steps to intervene when safe to do so, a timeline to investigate and resolve complaints, and an appeal process, as specified.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 13 (Knight) Public school volunteers**

This bill authorizes a school district, county office of education, or charter school to request a local law enforcement agency to conduct an automated records check of a prospective nonteaching volunteer aide in order to ascertain whether that person has been convicted of a felony controlled substance offense that involves a minor or a violent or serious felony. This bill additionally prohibits persons who have been convicted of violent or serious felonies, specified sex offenses, or felony controlled substance offenses from serving as nonteaching volunteer aides, but would provide that a person would not be prohibited from serving as a nonteaching volunteer aide solely because of a conviction of a controlled substance offense that involves a minor or a violent or serious felony 5 years after the date of that conviction.

**ACSA Position:** *Neutral*

**Final Outcome:** *Died in Senate Education Committee*

### **AB 123 (Mendoza) School safety: disruption threatening pupil's immediate physical safety**

This bill expands the provision to apply to any person who comes into any school building or upon any school ground, or adjacent street, sidewalk, or public way, and willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any pupil in preschool, kindergarten, or any of grades 1 to 8, inclusive, arriving at, attending, or leaving from school.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 496 (Alejo) School safety: comprehensive school safety plans**

This bill requires disaster procedures of the comprehensive school safety plan also to include a protocol for ensuring that all school personnel have access to classrooms and other school facilities during a disaster or other emergency if a school restricts that access during regular hours of school operation.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 680 (Block) Pupil safety: comprehensive school safety plans**

This bill authorizes school districts and county offices of education, in consultation with law enforcement officials, to elect not to have their school site councils develop and write those portions of their comprehensive school safety plans that include tactical responses to criminal incidents that may result in death or serious bodily injury at the school site. The bill authorizes school district and county office of education administrators to develop those portions of a comprehensive school safety plan that include tactical responses to criminal incidents, in consultation with law enforcement officials and representatives of exclusive bargaining units of employees of that school district or county office of education, and to elect not to disclose these portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

**ACSA Position:** *Co-Sponsor*

**Final Outcome:** *Signed by the governor*

### **AB 746 (Campos) Pupils: cyber bullying**

This bill specifies that bullying by means of an electronic act includes a post on a social network Internet Website.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **AB 1156 (Eng) Pupils: bullying**

This bill makes several proposals related to bullying, including requiring training in the prevention of bullying, giving priority for interdistrict transfers to victims of bullying, and revising the definition of bullying, beginning on July 1, 2012.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **SB 453 (Correa) Pupil rights: bullying: school safety plans: suspension and expulsion**

This bill expands the definition of bullying to include acts motivated by specified actual or perceived characteristics of the victim. This bill adds bullying, as specified, to the list of acts for which expulsion may be recommended; this bill adds “persistent bullying” to the list of acts for which expulsion shall be recommended by a principal. This bill requires school safety plans to include policies and procedures relating to bullying, as specified.

**ACSA Position:** *Support if Amended*

**Final Outcome:** *Held on Senate Appropriations Suspense File*

### **SB 755 (Lieu) School safety plans**

This bill makes numerous changes to the requirement that each school have a school safety plan, and how those plans should be updated. This bill imposes new penalties for schools and districts that fail to meet these requirements, as determined by an audit.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held on Senate Appropriations Committee Suspense File*

### **SB 919 (Lieu) School Safety: sexting**

This bill adds sexting, as defined in this measure, as an offense for which a pupil can be suspended from school or recommended for expulsion.

**ACSA Position:** *Approve*

**Final Outcome:** *Held on Assembly Appropriations Suspense File*

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## **SPECIAL EDUCATION**

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### **AB 154 (Beall) Health care coverage: mental health services**

This bill requires health plans and health insurers to provide coverage for mental health and substance abuse treatment at parity with other medical conditions. This bill exempts CalPERS and Medi-Cal from requirements established by the bill. Additionally, the bill specifies that it shall not be deemed to require that a health plan participating in the California Health Benefits Exchange provide any greater coverage than is required pursuant to the minimum essential benefits package as defined by the federal government.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee Suspense File*

### **AB 171 (Beall) Autism spectrum disorder**

This bill requires health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders. The bill would, however, provide that no benefits are required to be provided by a health benefit plan offered through the California Health Benefit Exchange that exceed the essential health benefits required under federal law. The bill would prohibit coverage from being denied for specified reasons.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee Suspense File*

**AB 519 (Hernandez, Roger) Pupil discipline: restraint and seclusion**

This bill prohibits an educational provider from using chemical restraint, as defined, mechanical restraint, as defined, physical restraint, as defined, or seclusion, as defined, for the purpose of coercion, discipline, convenience, or retaliation by staff. This bill limits the use of physical restraint, and would specify conditions under which an educational provider would be authorized to use physical restraint. The bill would allow, until January 1, 2014, nonpublic, nonsectarian schools, and certain district-designated alternative programs, to use seclusion if specified conditions are met.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Assembly Education Committee*

**AB 719 (Block) Special education: funding**

This bill repeals the sunset for the distribution of special education funding under the Special Disability Adjustment (SDA) and instead, establishes a new SDA formula that gradually phases out the existing distribution formula for each year beginning with the 2011-12 fiscal year (FY), as specified.

**ACSA Position:** *Neutral*

**Final Outcome:** *Held on Assembly Appropriations Suspense File*

**SB 121 (Liu) Pupils: foster children: special education**

This bill specifies the process that must be followed before a foster youth may be placed in a non-public school, and places new requirements on those institutions, the Superintendent of Public Instruction (SPI), and education rights holders.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Health and Human Services Committee*

**SB 462 (Blakeslee) Special education: special education advocates: certification**

This bill requires special education local plan areas (SELPA), in collaboration with the California Department of Education (CDE) and in consultation with the Office of Administrative Hearings (OAH), to develop a voluntary special education advocate certification program and charge fees, as specified. This bill also requires OAH to administer a certification test and charge fees, as specified.

**ACSA Position:** *Oppose*

**Final Outcome:** *Held in Senate Appropriations Committee*

### **AB 709 (Brownley) Foster children: school placement: immunization records**

This bill clarifies that children in foster care who change schools have the right to be enrolled in their new school immediately even if they are unable to produce medical records, including, but not limited to, immunization records, at the time of enrollment. This bill adds a section to the Health and Safety Code (HSC) to conform to Education Code provisions requiring school districts to enroll a foster child in school even if he or she is missing immunization records.

**ACSA Position:** *Support if amended*

**Final Outcome:** *Signed by the governor*

### **AB 727 (Mitchell) Public contracts: healthy and sustainable food**

This bill requires at least 50% of food and beverages offered by a vendor in a vending machine on state property, as defined, to meet accepted nutritional guidelines. The bill also would revise the definition of accepted nutritional guidelines for this purpose.

**ACSA Position:** *Watch*

**Final Outcome:** *Held on Senate Appropriations Suspense File*

### **AB 839 (Brownley) Pupil nutrition: federal School Breakfast Program participation**

This bill requires school districts that elect to apply for funding through the consolidated application process to, while in the process of approving the consolidated application, assess and discuss and consider specified issues concerning School Breakfast Program participation. This bill makes legislative findings and declarations regarding the importance of breakfast to the achievement of pupils.

**ACSA Position:** *Disapprove*

**Final Outcome:** *Held on Senate Appropriations Suspense File*

### **AB 959 (Jones) CalWORKs and CalFresh: reporting**

This bill requires a county to restore a recipient's benefits, on a prorated basis, if the recipient submits a complete report form within the month following the discontinuance for nonsubmission of a prescribed report form, as specified. This bill would impose a state-mandated local program by requiring the county to restore the recipient's benefits, on a prorated basis, if the recipient submits a completed report within that designated time.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

## **SB 394 (DeSaulnier) Healthy Schools Act of 2011**

This bill mandates that schools send at least one person, at least once every three years, to integrated pest management training conducted by the Department of Pesticide Regulation.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held on Senate Appropriation Suspense File*

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## **TRANSPARENCY**

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### **AB 23 (Smyth) Local agency meetings: simultaneous Meetings: compensation disclosure**

This bill authorizes a convened legislative body whose membership constitutes a quorum of any legislative body to convene a meeting of the subsequent legislative body, simultaneously or in serial order, only if a clerk or member of the convened legislative body verbally announces the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body, and that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **AB 1344 (Feuer) Local governance**

This bill prohibits, on or after January 2, 2012, any contract executed or renewed between a local agency and an excluded employee from including an automatic renewal of the contract if the contract provides for an automatic increase in compensation that exceeds a cost-of-living adjustment and a maximum cash settlement that exceeds the amounts provided for in statutory provisions governing employment contracts.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

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## **TRANSPORTATION**

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### **AB 462 (Lowenthal, Bonnie) Air pollution districts: fees: school buses**

This bill authorizes an air pollution control district or a regional air quality management district (district), until January 1, 2015, to use motor vehicle registration fee revenues to replace natural gas fuel tanks or fueling infrastructure.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 470 (Halderman) Air pollution districts: fees: school bus retrofits**

This bill authorizes a district based on that determination to use the \$2 to retrofit emissions control equipment for current school buses pursuant to the State Air Resources Board's Lower-Emission School Bus Program. This bill contains other related provisions.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **AB 516 (V. Manuel Perez) Safe routes to school**

This bill modifies the state "Safe Routes to School" program to help ensure increased participation from low-income communities.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **SB 771 (Kehoe) California Alternative Energy and Advanced Transportation Financing Authority.**

This bill expands the definition of "renewable energy" to include energy generation based on thermal energy systems such as landfill gas turbines, engines, and microturbines; and digester gas turbines, engines, and microturbines.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

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## **OTHER/MISCELLANEOUS**

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### **AB 6 (Fuentes) CalWORKs and CalFresh**

This bill would remove the requirement that applicants for, and recipients of, CalFresh benefits, as a condition of eligibility, be fingerprint imaged and would make related conforming changes. This bill contains other related provisions and other current laws.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 25 (Hayashi) School districts: athletics: concussions and head injuries**

This bill requires a school district that elects to offer athletic programs to immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. This bill prohibits the return of the athlete to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider, as specified. This bill requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 143 (Fuentes) Pupil records: privacy rights**

This bill redefines directory information to no longer include a pupil's place of birth and to also include a pupil's e-mail address.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **AB 160 (Portantino) Concurrent enrollment in secondary school and community college**

This bill authorizes the governing board of a school district to authorize a pupil, upon the recommendation from a community college dean of a career technical education department or other appropriate community college career technical education administrator, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of career technical education offered at the community college.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Senate Appropriation Committee Suspense File*

### **AB 165 (Lara) Pupil fees**

This bill prohibits a pupil enrolled in a public school from being required to pay a pupil fee for participation in an educational activity. The bill would provide that this prohibition is not to be interpreted to prohibit solicitation of voluntary donations, voluntary participation in fundraising activities, or school districts, schools, and other entities from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. This bill specifies that these provisions apply to all public schools, including, but not limited to, charter schools and alternative schools, are declarative of current law, and should not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

**ACSA Position:** *Disapprove*

**Final Outcome:** *Vetoed by the governor*

### **AB 207 (Ammiano) School attendance: residency requirements**

This bill requires a school district to accept a wide range of documents and representations from the parent or legal guardian of a pupil living with his or her parent or legal guardian as reasonable evidence that the pupil meets those residency requirements, including, but not limited to, property tax payment receipts, rental property contract, lease, or payment receipts, utility service contract, statement, or payment receipts, pay stubs, voter registration, correspondence from a government agency, or a declaration of residency executed by the parent or legal guardian of a pupil. This bill, if an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, authorizes the school district to make reasonable efforts to determine that the pupil actually meets the residency requirements.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 212 (Beall) California Fostering Connections to Success Act**

This bill authorizes certain Kin-GAP recipients to continue to receive Kin-GAP aid after 18 years of age, if they are attending high school or vocational or technical training, as specified. This bill requires county child welfare services agencies to submit to the Department of Justice fingerprint images and related information of all THP-Plus Foster Care providers before issuing a certificate of approval to a THP-Plus Foster Care provider applicant. By increasing county responsibilities in administering the Kin-GAP program, this bill would impose a state-mandated local program. This bill removes the authority for payment directly to a nonminor.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 230 (Carter) Joint educational programs: middle college high school students: enrollment priority**

This bill provides that the low enrollment priority provisions do not apply to a student attending a middle college high school, if the student is seeking to enroll in a community college course that is required for the student's middle college high school program.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 387 (Bonilla) Pupils: excused absences: military deployment activities**

This bill includes spending time with an immediate family member, who is an active duty member of the uniformed services, as defined, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position, as another type of excused absence. This bill requires that absences granted pursuant to these provisions be granted for a period of time to be determined at the discretion of the superintendent of the school district.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 402 (Skinner) CalFresh program: school lunch program: information**

This bill authorizes a school district or county office of education to enter into a memorandum of understanding with the local agency that determines CalFresh program eligibility, or its designee, to share information provided on the School Lunch Program application to determine an applicant's CalFresh program eligibility. This bill provides that the School Lunch Program application is confidential and would prohibit the information used in the application from being disclosed to any governmental agency, including the federal Immigration and Naturalization Service and the Social Security Administration, or used for any purpose other than enrollment in the CalFresh program.

**ACSA Position:** *Watch*

**Final Outcome:** *Signed by the governor*

### **AB 414 (Carter) Pupils: homework assignments for suspended pupils**

This bill requires, upon the request of a parent, legal guardian, or other person holding the right to make educational decisions for the pupil, or the affected pupil, a teacher to provide appropriate homework and missed assignments to a pupil in any of grades 4 to 8, inclusive, who has been suspended from school for 3 schooldays or less.

**ACSA Position:** *Support*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 614 (Bonilla) School attendance review boards; member composition**

This bill requires a representative of school, county, or community mental health personnel to be appointed to a county school attendance review board. This bill authorizes a representative of school, county, or community mental health personnel to be appointed to a local school attendance review board.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 733 (Ma) Pupil records: privacy rights**

Current law prohibits a school district from permitting access to pupil records to any person without written parental consent or judicial order, except as provided. This bill would make various changes to these pupil record provisions to conform them to federal law.

**ACSA Position:** *Approve*

**Final Outcome:** *Held on Senate Floor*

### **AB 1065 (Bradford) Pupil transfers: records**

This bill requires the former school district or private school to perform the transfer no later than 5 business days following the date of the request. By imposing a new requirement on school districts and other local educational entities to transfer records within 5 business days, this bill would impose a state-mandated local program.

**ACSA Position:** *Oppose Unless Amended*

**Final Outcome:** *Held in Assembly Appropriations Committee*

### **AB 1072 (Fuentes) Community development: California Promise Neighborhoods**

This bill establishes the California Promise Neighborhoods Initiative in the Office of Economic Development. It would require the office to establish 40 promise neighborhoods throughout the state, according to specified criteria, to maximize collective efforts within a community to improve the health, safety, education, and economic development of each neighborhood. It would require the office to use current state resources and federal funds to implement these provisions, and authorize the office to accept financial support from other public or private sources for these purposes. It would require cities, counties, and school districts electing to participate in the initiative to provide the office with specified information.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 1085 (Davis) School attendance: interdistrict attendance**

This bill states the intent of the Legislature that school districts and county boards of education use their best efforts to expeditiously process interdistrict attendance appeals. The bill also would require, until July 1, 2015, that, in a class 1 county, which is defined in current law as a county with 1994-95 average daily attendance of more than 500,000, or a class 2 county, which is defined in current law as a county with 1994-95 average daily attendance of at least 180,000 but less than 500,000, the county board of education determine whether the pupil should be permitted to attend the school district in which the pupil desires to attend and the applicable period of time within 40 schooldays after the appeal is filed rather than 30 calendar days after the appeal is filed.

**ACSA Position:** *Neutral*

**Final Outcome:** *Signed by the governor*

### **AB 1147 (Yamada) Dependent children: status reports**

Current law sets forth ways in which families of dependent minor parents may be preserved, by assisting these parents in raising their children as well as participating in school and extracurricular activities. This bill would additionally require, if the dependent child in foster care is also a parent, the supplemental report to specifically set forth the age and developmentally appropriate services that were provided to the minor parent to allow him or her to provide a permanent and safe home for the child, as specified. By imposing this additional reporting requirement on county welfare departments, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

**ACSA Position:** *Watch*

**Final Outcome:** *Vetoed by the governor*

### **SB 368 (Liu) Developmental services: decision making**

This bill gives juvenile courts the authority to limit a parent or guardian's right to make decisions about the regional center and other developmental services for a child with developmental disabilities, and to appoint a developmental services decision maker.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

### **SB 420 (Hernandez) Synthetic cannabinoid compounds**

This bill provides that every person who sells, dispenses, distributes, furnishes, administers, or gives, or offers to sell, dispense, distribute, furnish, administer, or give, or possesses for sale any synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, is guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding \$1,000, or by both that fine and imprisonment.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

### **SB 514 (Simitian) Dextromethorphan: sale to minors prohibited**

This bill prohibits any person, corporation, or retail distributor from knowingly supplying, delivering, or giving possession of a drug, material, compound, mixture, preparation or substance containing any quantity of dextromethorphan to a person under the age of 18 without a prescription.

**ACSA Position:** *Approve*

**Final Outcome:** *Signed by the governor*

**SB 612 (Steinberg) Postsecondary education: instructional strategies**

This bill authorizes the establishment of three additional California Subject Matter Projects (CSMP), extends the sunset date on existing projects, adds new areas of emphasis for subject matter projects, and makes various changes to the concurrence committee and project advisory boards.

**ACSA Position:** *Support*

**Final Outcome:** *Signed by the governor*

**SB 653 (Steinberg) Local taxation: counties: school districts: community college districts: county offices of education: general authorization**

This bill authorizes counties, cities, any school district, county offices of education and community college districts to impose a local personal income tax, vehicle license fee, transactions and use tax, extractive business activities tax, oil severance tax, and excise tax, with voter approval.

**ACSA Position:** *Support*

**Final Outcome:** *Held on Senate Inactive File*