

■ 2024 EDITION



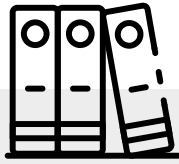
LEGISLATION AND CASE LAW HIGHLIGHTS

Legal Developments of Interest for K-12 School Districts



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LEGISLATION AND CASE LAW HIGHLIGHTS

2024 EDITION



DANNIS WOLIVER KELLEY

Attorneys at Law

Website: DWKesq.com

Facebook: [DWKesq](#) | LinkedIn: [@DWKesq](#)

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LET QUALITY PREVAIL!

BY GREGORY J. DANNIS DANNIS WOLIVER KELLEY PRESIDENT

Each year as I ponder on this poem anew
I do so with fear and as well, trepidation
What will those lawmakers now try to do?
Surely not dozens of new legislation!

But Senate bills numbered six hundred nineteen
And ABs were one thousand 505 more
Now add it together to see what it means:
They introduced two thousand one twenty-four!

One thousand two hundred and six would survive
And proceeded to land on the Governor's desk
One thousand one seven he signed into life
And he mercifully, thankfully, vetoed the rest.

Some new laws are notable, perhaps even weighty
And, as usual, students and schools reaped a bounty
In these pages we've summarized six over eighty
New statutes for districts and charters and counties.

Prohibit or limit those phones that are smart
When kids are on campus or on a field trip
The media social might play the same part
And soon we might teach of sex video clips.

Trustees can attend via Zoom for just cause
But now there's a limit to how many times

Review and update those closed session bylaws
For now you can meet to confront cybercrimes

There's more reference checking for those in HR
To see if egregious charges were filed
Do not hire those subs if there's no CPR
J-90s for classified now must you compile.

For students, the shooter drills can't be intense
No guns or explosions or firing of blanks
Anti-opioid drugs twelve year olds can dispense
New employees can transfer their old sick leave banks

There's ten billion dollars in new G.O. bonds!
But districts must have a five-year master plan
A new system of points for "the match" to turn on
For small districts, more money to make schools look grand.

Charters were supposed to be free of most laws
A concept that first seemed inventive and nifty
I'm not sure it's true anymore just because
They're in some new statutes that might exceed fifty.

More time to respond to PRA requests
When a state of emergency has been declared
Don't vote on that contract if your child's been blessed
To be CBO or owns ten percent shares.

Now just send an email for emergency meetings
And FCMAT will settle those child abuse claims
The music and arts grant will not just be fleeting
Those illegal traits go beyond harmful names.

Religion or politics? Can't mandate that meeting
Don't post a new job with a license to drive
No dyes in the meals that our students are eating
Teach dangers of lacing to keep kids alive.

Use alternate schedules to meet P.E. minutes
But do not require them if students are fasting
For the youngest, one oral exam is the limit
For teens – you must learn of financial forecasting.

Accurate instruction about the first natives
No team names or mascots unless they agree
Purple Star Schools, a new program created
And legal protections for gender I.D.

Can't mandate a school day for truancy parents
Or bully or hassle the neurodivergent
A quarter mile distance in case spraying is errant
An absence excused when applying for sergeant.

New rules must define when the weather's extreme
And the state will prescribe Fahrenheit that's okay
When schools are shut down by a snowy jet stream
They won't lose the dollars for no ADA.

And now there's the "Healthy Homework Act"
To encourage new policies for all of the grades
The volume of study should be dialed back
Instead, quality should be often displayed.

It's such a great goal to have content prevail
Over numbers of papers that come home from school
I have an idea, but I know it would fail:
I wish Sacramento could have the same rule!

Enjoy the summaries!



BOARD ETHICS, TRANSPARENCY AND ACCOUNTABILITY (BETA)



AB No. 176

Amends Existing Law to Implement Provisions of the 2024-25 State Budget

Assembly Bill No. 176 (Committee on Budget and Fiscal Review) is an Education Omnibus Budget Trailer Bill implementing various aspects of the 2024-25 State Budget.

Enacted on an urgency basis, AB 176 implements the following noteworthy changes in the law:

- Revises, until July 1, 2027, the priority order for enrolling 2-year-old children in State preschools and requires the Superintendent, in consultation with the State Department of Social Services, to include guidance for safe, age-appropriate diapering and toilet training, as specified.
- Beginning July 1, 2027, authorizes a provider operating a State preschool program within the attendance boundary of certain public schools where at least 80% of enrolled pupils are eligible for free or reduced-price meals to enroll 3-year-old and 4-year-old children in accordance with specified need-based enrollment priorities.
- Makes only existing grantees under the California Universal Preschool Planning Grant Program eligible to apply for a renewal grant, to the extent funds are available under the Budget Act of 2023. To the extent funds are available under the Budget Act of 2024, makes existing grantees, newly formed consortia, and individual counties who participated in a former consortium for this grant eligible to apply for a grant under the program.
- Authorizes an instructional continuity plan to include support to pupils to enroll in or be temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides.
- Changes the average daily attendance calculations to exclude attendance generated through an attendance recovery program.
- Authorizes a school, between base year eligibility determinations for purposes of the local control funding formula, to include any current or newly enrolled pupils who are determined to be eligible for free or reduced-price meals.
- Revises the list of appropriations that the State Controller is required to transfer from the Public School System Stabilization Account to the State School Fund.
- Extends the requirement for third parties operating child daycare under the Expanded Learning Opportunities Program (ELOP) to maintain a license or permit capacity by one year to June 30, 2025. Requires any local educational agency that receives specified funds under the program to report final expenditures to CDE and requires an LEA that does not submit the final expenditure report to forfeit program funds for that fiscal year.
- Makes changes to requirements of attendance recovery programs including application of credit, maximum number of days credited and pupil-to-teacher ratio requirements.
- Requires the Student Aid Commission, commencing July 1, 2024, to prioritize awards under the Golden State Teacher Grant Program for eligible applicants with the lowest income and asset levels at the time of application, and specifies a methodology for calculating those income and asset levels.
- Requires, until January 1, 2027, state and local fire marshals assigning occupancy classifications and issuing fire clearance approvals for day care centers on or after January 1, 2023, to use certain provisions of the California Building Standards Code as they read on December 31, 2022. Also requires the Office of the State Fire Marshal, in consultation with the State Department of Social Services, to promulgate regulations pertaining to occupancy standards for day care centers no later than January 1, 2027.
- Makes changes to procedures for active shooter drills, precludes use of high intensity drills and imposes certain notice requirements.
- Commencing with the 2026–27 fiscal year, requires procedures to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notification of the operational area having jurisdiction within the school's boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire.
- Commencing with the 2026–27 fiscal year, requires the development by each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high

or very high fire hazard severity zone, of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allows enough time to evacuate all pupils and staff. (Stats. 2024, ch. 998, effective September 30, 2024.)

AB No. 2302

Amends Limits on Remote Attendance by Board Members

Assembly Bill No. 2302 (Addis, Laird) amends the teleconferencing rules to limit the number of times in one year a board member may participate remotely for “just cause” or “emergency circumstances.” The limit ranges from two to seven times per year depending on the number of times per month that the governing board meets. (Stats. 2024, ch. 389, effective January 1, 2025.)



AB No. 2350

Allows Notification by Email for Emergency Meetings

Assembly Bill No. 2350 (Hoover) allows a governing board holding an emergency meeting to fulfill notification requirements by email instead of telephone. A district must notify the media one hour before the emergency meeting or near the time that board members are notified. If internet and telephone services are not functioning, this requirement is waived, and the district must provide notification after the meeting. (Stats. 2024, ch. 565, effective January 1, 2025.)

AB No. 2715

Permits Closed Session Discussion of Cybersecurity

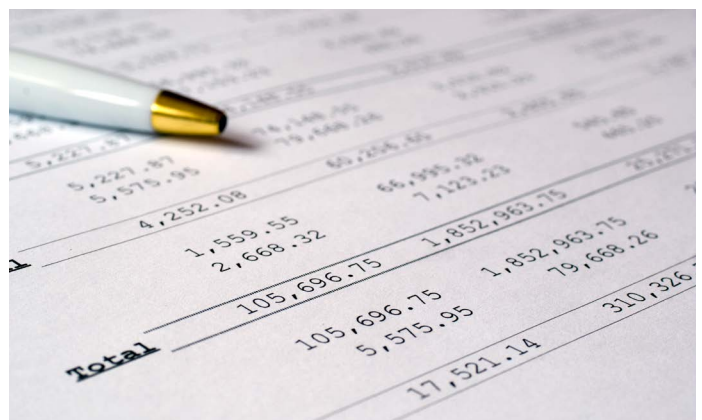
Assembly Bill No. 2715 (Boerner) permits closed session meetings with law enforcement or security personnel on matters pertaining to a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity. This includes discussions regarding networks and systems as well as actual or threatened attacks on critical infrastructure controls by either physical or computer-based conduct. (Stats. 2024, ch. 243, effective January 1, 2025.)

SB No. 153

Implements 2024-25 State Budget with Financial and Policy Changes to Education Law

Senate Bill No. 153 (Committee on Budget and Fiscal Review) is an Education Omnibus Budget Trailer Bill that makes the following key changes in the law in furtherance of implementing the fiscal year 2024-25 State Budget:

- Prohibits a school district, a COE or a charter school from implementing instructional materials if use would subject pupils to unlawful discrimination and provides for reporting and financial penalties to an LEA found in violation.
- Directs the County Office Fiscal Crisis and Management Assistance Team (FCMAT) to study and provide recommendations by February 2025 on funding mechanisms to finance childhood sexual abuse judgments or settlements.
- Makes LEAs pay for FCMAT personnel costs, where FCMAT is engaged to assist an LEA, whether FCMAT’s personnel is onsite or not.
- Requires all LEA school safety plans beginning July 1, 2025 to include an instructional continuity plan providing access to instruction for pupils and establishing communication with pupils and their families during emergency disruption of in-person learning.
- Exempts persons with a 4-year baccalaureate degree from basic reading/writing proficiency exam in connection with teacher credentialing.
- Allows LEAs, beginning July 1, 2025, to operate an attendance recovery program to generate recovery of the LEA’s average daily attendance (ADA), allowing students to make up 10 days or the actual days absent, whichever is less.
- Changes the 30-minute minimum recess rule applicable to 6th grade classes to exempt schools that have 6th grade as part of a middle school (or a school with grades including 6 through 12) and where physical education is also provided.
- Requires LEAs to conduct monthly direct certification matching on CALPADS in connection with providing free meals.



- Requires LEAs to provide additional supports to students in connection with the Free Application for Federal Student Aid (FAFSA) and Dream Act applications and requires LEAs to maintain an “administrator account” on the California colleges platform to support their Grade 11 students in completing financial aid readiness lessons.
- Changes the requirements for independent study contracts to require all contracts for a pupil’s independent study curriculum of 16 days or more be signed before commencement of independent study. Independent Study contracts for 15 days or less can be signed any time during the school year.
- Requires a Superintendent’s report on the annual LCAP to be presented as an action item, and not as a consent calendar item, to the governing board; also requires all learning recovery emergency funds to be included in the LCAP.
- Extends the \$20 million grant program for educator professional learning through fiscal year 2025-26.
- Extends the \$3.36 million arts/music block grant expenditure period through June 30, 2026.

(Stats. 2024, ch. 38, effective June 29, 2024.)

SB No. 1034

Extends California Public Records Act Timeline during Emergency

Senate Bill No. 1034 (Seyarto) extends the timeline for local agencies to respond to requests for public records during a state of emergency. During a state of emergency, agencies may extend by 14 days the time to provide a determination as to whether they possess disclosable records. (Stats. 2024, ch. 161, effective January 1, 2025.)

SB No. 1111

Modifies Conflict of Interest Rules for Contracts Involving Family Members

Senate Bill No. 1111 (Min) modifies the rules limiting public officials from entering into contracts in which they have a financial interest. Beginning on January 1, 2026, an official may not participate in a decision regarding a contract with an entity where the official’s child is an officer or director of, or has an ownership interest of 10% or more in, the entity. The governing board may still approve the contract if the official recuses themselves. (Stats. 2024, ch. 324, effective January 1, 2025.)

SB No. 1181/SB No. 1243

Changes Recent Conflict of Interest Rules for Campaign Contributions

Senate Bill Nos. 1181 and 1143 (Glazer and Dodd) make changes to the recent expansion of rules regarding solicitation and acceptance of campaign contributions and conflicts of interest. (See our [recent alert](#) for more

information on the rules.) Going forward, the threshold for contributions subject to the rules will be raised from \$250 to \$500 and the rules will no longer apply to contracts under \$50,000 and contracts without financial compensation. (Stats 2024, chs. 785 & 1017, effective January 1, 2025.)

Community Gathering with City Council Constituted Meeting (Attorney General Opinion No. 23-102)

This year, the California Attorney General addressed Brown Act implications of the attendance by the majority of a city council at an event hosted by a chamber of commerce at which the mayor gave a “state of the city” address. The Attorney General opined that attendance of a majority would constitute a meeting, as the councilmembers would “hear” or “discuss” city business among themselves. Moreover, the Brown Act exceptions for attendance at conferences, community meetings, and social or ceremonial occasions were not applicable as the event (a) did not resemble a conference; (b) it required paid attendance; and (c) it was related to pursuit of the public’s business. (107 Ops.Cal.Atty.Gen. 47 (2024).)

Remote Participation May Be Reasonable Accommodation for Board Member (Attorney General Opinion No. 23-1002)

The California Attorney General revisited a 2001 analysis by its office that concluded that the Brown Act did not allow a board member to remotely attend a governing body meeting as a reasonable accommodation for a disability. This new opinion finds that recent modifications to the Brown Act suggest in-person attendance is not an essential function of serving as a governing body member and therefore remote attendance by a board member with the disability may be a reasonable accommodation if it meets certain requirements depending on the circumstances. See our alert for more details. (107 Ops.Cal.Atty.Gen. 107 (2024).)

Claims for Childhood Sexual Assault May Proceed against School Districts

In *West Contra Coast Unified School District v. Superior Court* (2024) 103 Cal.App.5th 1243 the Court of Appeal ruled that AB 218, which modified the statute of limitations and removed the Government Claims Act requirement for claims involving childhood sexual assault, did not violate the California Constitution. This ruling confirmed that, for the time being, claims for childhood sexual assault that fall under AB 218 may proceed against school districts regardless of when they occurred. See [our alert](#) for more detail.



LABOR, EMPLOYMENT AND PERSONNEL

AB No. 938

Requires Form J-90 to Include Salary Data for Certain Classified Staff

Assembly Bill No. 938 (Muratsuchi) requires Form J-90, which previously only required certificated salary and benefits information, to now include salary and benefits data for secretaries and administrative assistants, custodians, bus drivers, school food service workers, and instructional aides. Form J-90 will be renamed as the "Salary and Benefit Schedule for the Bargaining Units." Beginning January 31, 2026, school districts, COEs, and direct-funded charter schools must complete and submit the updated Form J-90 annually to the CDE. (Stats. 2024, ch. 345, effective January 1, 2025.)

AB No. 1815

Strengthens Protections Against Race Discrimination to Include Prohibited Discrimination on Traits Associated with Race, such as Hair Texture and Hairstyles

Assembly Bill No. 1815 (Weber) strengthens protections against discrimination by amending the definition of "race" in the anti-discrimination provisions of the California Government Code (the CROWN Act and the California Fair Employment and Housing Act) and the Education Code to eliminate the vague requirement that a trait must be "historically" associated with race in order to constitute prohibited racial discrimination. This bill now provides that under these anti-discrimination laws, prohibited race discrimination includes prohibited discrimination against traits associated with a race, which include but are not limited to hair texture and protective hairstyles. This bill is a declaration of existing law. (Stats. 2024, ch. 619, effective January 1, 2025.)

AB No. 1913

Requires LEAs to Include Child Abuse Prevention Training Within its Existing Annual Mandated Reporter Training Beginning July 1, 2025

Assembly Bill No. 1913 (Addis) enhances the current training provided to mandated reporters to give them tools to help recognize the signs of potential abuse of children, specifically identifying grooming and potential abuse by school personnel or in school-sponsored programs before it occurs. This bill requires CDE to develop online training modules regarding the child abuse prevention content and provide them to LEAs to utilize within their annual mandated reporter training for current employees and new employees hired during the course of the school year. This bill does not extend the duration of the mandated reporter training requirements, but rather, it only alters the content of those training requirements. These training requirements are effective on July 1, 2025. (Stats. 2024, ch. 814, effective January 1, 2025.)



AB No. 1930

Removes Permit Renewal Limit for Child Development Associate Teachers

Assembly Bill No. 1930 (Reyes) requires the Commission on Teacher Credentialing ("CTC") to adopt a rule by April 30, 2025, that will allow a holder of a Child Development Associate Teacher Permit to renew their permit, without any limits on the number of renewals, if they complete the requisite number of hours of professional development to be determined by the CTC. Currently, the permit can be renewed only once and can be held for a maximum of ten years. (Stats. 2024, ch. 687, effective January 1, 2025.)

AB No. 2134

Requires Transfer of Sick Leave Days for Certificated and Classified Employees

Assembly Bill No. 2134 (Muratsuchi) requires school districts, COEs, community college districts, and state special schools to honor a request to transfer an employee's total number of days of accumulated illness or injury leave from their previous public educational employer. This bill requires the transfer request to be honored at any time during the employee's employment with their new agency, which removes the current requirement for the employee to accept their new position within a specified period of time to be eligible to transfer their leave. This bill also identifies the specific information that the former employing agency must provide in response to a transfer request. Notably, this bill requires unused sick leave to be transferred between employers in days rather than hours. (Stats. 2024, ch. 381, effective January 1, 2025.)

AB No. 2245

Requires Service at Regional Occupational Centers or Programs to Count Towards Permanent Status

Assembly Bill No. 2134 (Carrillo) requires service by instructors in Regional Occupational Centers or Programs ("ROCP") classes operated by a single school district to be included in calculating permanent status, beginning July 1, 2025. Thus, ROCP instructors may attain permanent status and afforded the rights of permanent employees. (Stats. 2024, ch. 956, effective January 1, 2025.)



AB No. 2345

Requires CPR Certification to Obtain Career Technical Education Credentials, Short-Term Staff Permits, Provisional Internship Permits, and Teaching Permits for Statutory Leave

Assembly Bill No. 2345 (Patterson) adds cardiopulmonary resuscitation (“CPR”) training as a requirement to receive a 3-year preliminary designated subjects or a 5-year clear designated subjects career technical education teaching credential. Additionally, school districts, COEs, charter schools, and state special schools are prohibited from hiring an applicant for a short-term staff permit, provisional internship permit, or a teaching permit for statutory leave unless they hold appropriate CPR training. These requirements take effect beginning July 1, 2025. (Stats. 2024, ch. 65, effective January 1, 2025.)

AB No. 2499

Expands the Employee Leave Provisions for Survivors of Violence and Family Members of Victims and Moves the Enforcement of Such Leave Provisions to the California Civil Rights Department

Assembly Bill No. 2499 (Schiavo) expands the list of crimes for which employees may take time off for certain reasons if they or their family members are victims of such crimes, and such crimes are defined under the term “qualifying act of violence.” Under existing law pursuant to the Labor Code, employees are provided with protected time off for certain reasons if they or their family members are victims of domestic violence, sexual assault, or stalking crimes. This bill moves these leave provisions and protections from the Labor Code to the Government Code under the Fair Employment and Housing Act, to be enforced by the California Civil Rights Department (“CRD”). The bill also requires employers to expand the current obligation to provide reasonable accommodations for an employee who is a victim of a qualifying act of violence to also provide reasonable accommodations for an employee whose family member is a victim of a qualifying act of violence and the employee requests an accommodation for the safety of the employee while at work. This bill also clarifies that (a) an employee may use their available sick leave during this leave; (b) the employer may limit the total leave taken to 12 weeks; and (c) this leave

must run concurrently with leave taken under the federal Family and Medical Leave Act if the employee is eligible for that leave. This bill requires the employer to provide notice to employees of their rights to leave under this law and requires the CRD to develop a template notice that employers may use. (Stats. 2024, ch. 967, effective January 1, 2025.)

AB No. 2534

Requires LEAs to Ask Former School Employers about a Certificated Applicant’s Prior Egregious Misconduct and to Share Egregious Misconduct Records with Prospective School Employers

Assembly Bill No. 2534 (Flora) implements procedures to increase transparency and access to records pertaining to egregious misconduct of certificated applicants. First, the bill requires every applicant to a certificated position of an LEA (school district, COE, charter school or state special school) to provide a list of every LEA where they previously worked. Second, the prospective LEA must then contact each LEA on that list to inquire whether the applicant was the subject of any credible complaints, substantiated investigations, or discipline for “egregious misconduct” (which are certain sex, controlled substance, and child abuse and neglect offenses as defined) that were required to be reported to the CTC. Third, upon inquiry, if the former LEA previously reported any egregious misconduct by their former employee to the CTC, then it must provide the prospective LEA with all relevant records that were reported. (Stats. 2024, ch. 570, effective January 1, 2025.)

SB No. 399

Prohibits Employers from Disciplining Employees for Not Attending Mandatory Workplace Meetings Regarding Employer’s Opinion on Religious or Political Matters

Senate Bill No. 399 (Wahab) enacts the “California Worker Freedom from Employer Intimidation Act,” which prohibits employers, including school districts, from disciplining or threatening to discipline employees for declining to attend mandatory workplace meetings regarding the employer’s opinion about religious or political matters. A “political matter” is defined as matters relating to elections, political parties, legislation, regulation, and joining or supporting any political party or labor organization. An employee who is working at the time of such mandatory workplace meeting and declines to attend the meeting must continue to be paid during the time the meeting is held.

This bill does not prohibit a school district from communicating any information to its employees that is required by law, necessary for those employees to perform their job duties, or related to a board policy, administrative regulation, or law that it is responsible for implementing. This bill does not apply when a school district requires a student or instructor to attend lectures on political or religious matters that are part of their regular coursework, requires employees to undergo mandatory workplace training as required by law, or holds a new employee orientation under Government Code § 3555.5. (Stats. 2024, ch. 670, effective January 1, 2025.)

**SB No. 1100****Prohibits Driver's License Requirement in Employment Postings and Materials**

Senate Bill No. 1100 (Portantino) amends the Fair Employment and Housing Act to prohibit employers from including in their job applications, postings, or other materials that an applicant must have a driver's license, unless (1) driving is a reasonably expected job function for the position, and (2) using an alternative form of transportation (e.g., taxis, ride-hailing services, carpooling, bicycling, walking) would not be comparable in travel time or cost to the employer. (Stats. 2024, ch. 877, effective January 1, 2025.)

STUDENTS AND SPECIAL EDUCATION**AB No. 51****Strengthens the California State Preschool Program**

Assembly Bill No. 51 (Bonta) establishes new guidelines to ensure that state preschool programs meet high standards of care and education. Specifically, the bill requires CDE and the State Superintendent to support a

mixed delivery pre-kindergarten system by providing prospective program providers an equitable opportunity to establish a trained workforce and administrative systems and technical assistance on how to meet regulatory requirements; developing early learning resources; and implementing a 3-year outreach, capacity building, training, and technical assistance plan that targets prospective and new contractors. (Stats. 2024, ch. 618, effective January 1, 2025.)

AB No. 438**Requires IEP Team to Consider Whether Postsecondary Goals Would be Appropriate When a Student Enters High School**

Assembly Bill No. 438 (Rubio) revises timelines and requirements for when an IEP team must develop postsecondary goals. Under existing law, postsecondary goals and transition services are required for the IEP in effect when a student turns 16, and IEP teams are required to consider whether postsecondary goals and transition services are appropriate at an earlier age. This bill now requires IEP teams to consider whether postsecondary goals and transition services are appropriate for students beginning when the student starts their high school experience. (Stats. 2024, ch. 901, effective July 1, 2025.)

AB No. 960**Encourages Use of Web or App-Based School Safety Programs**

Assembly Bill No. 960 (Mathis) encourages public schools with 100 or more students, including charter schools, to implement a web-based or app-based school safety program by July 2030. The program should feature detailed school site information and mapping, the ability to alert nearby first responders and allow them to access the school's surveillance system, and the ability to use the program for emergency practice drills. Schools that implement this program should take steps to protect student and staff security and data privacy. (Stats. 2024, ch. 528, effective January 1, 2025.)

AB No. 1113**Requires Data on Students Enrolled in Expanded Learning Opportunities Programs**

Assembly Bill No. 1113 (McCarty) requires CDE, beginning in the 2025-26 school year, to collect data for students enrolled in Expanded Learning Opportunities Programs as part of its California Longitudinal Pupil Achievement Data System. The data will be integrated with existing data reporting requirements. (Stats. 2024, ch. 1003, effective January 1, 2025.)

AB No. 1283**Allows Governing Boards to Limit Student Use of Social Media**

Assembly Bill No. 1283 (Stern) authorizes LEAs, including COEs and charter schools, to adopt policies limiting or prohibiting student use of social media while at school or otherwise supervised by school staff. (Stats. 2024, ch. 891, effective January 1, 2025.)

AB No. 1796**Requires Notice of the Availability of AP, IB, Dual Enrollment, and CTE Courses**

Assembly Bill No. 1796 (Alanis) requires LEAs that serve students in grades 9-12, including charter schools, advise parents at the beginning of the first semester or quarter of the regular school term of the availability of Advanced Placement, International Baccalaureate, dual enrollment, or career technical education courses at their child's school. (Stats. 2024, ch. 143, effective January 1, 2025.)

AB No. 1821 and AB No. 1871**Enhances Social Sciences Curriculum on Native American History**

Assembly Bill No. 1821 (Ramos) mandates that California's social sciences curriculum include a comprehensive examination of the treatment of Native Americans throughout history. The bill requires that instructional materials and courses reflect the contributions, perspectives, and experiences of Native American communities. This initiative aims to provide students with a more accurate and inclusive understanding of history, fostering awareness and respect for Native American cultures and histories by requiring social sciences curriculum for grades 1-12 include the treatment and perspectives of Native Americans during Spanish colonization of California and the Gold Rush Era. (Stats. 2024, ch. 658, effective January 1, 2025.)

Assembly Bill No. 1871 (Alanis) updates the topics to be included in the social science curriculum for courses offered in grades 7 to 12 to include personal financial literacy, and, to the extent instruction is provided on the Spanish colonization of California or the Gold Rush Era, the treatment and perspectives of Native Americans during those periods. (Stats. 2024, ch. 810, effective January 1, 2025.)

AB No. 1858**Clarifies Procedures for Active Shooter and Armed Assailant Drills**

Assembly Bill No. 1858 (Ward) provides specific procedures that must be included in a comprehensive school safety plan to prepare for active shooters or other armed assailants. Where an active shooter or other armed assailant drill is included in the plan, the school must ensure the drill (1) is not a high intensity drill, (2) does not include the use of real weapons, gunfire blanks, or explosions; and (3) is a trauma-informed approach that is age appropriate, provides notice to all parents and guardians with an opportunity to opt out, provides an announcement immediately before and after the drill, provides notice to parents and guardians when the drill has concluded, and provides contact information for community-based resources. (Stats. 2024, ch. 530, effective January 1, 2025.)

AB No. 1939**Requires School Attendance Review Boards to Take Input from Students Annually on Appropriate Interventions**

Assembly Bill No. 1939 (Maienschein) requires school attendance review boards to consult at least annually with students who reflect the diversity of the schools they serve to get a better understanding of pupil attendance and behavioral challenges, and to solicit input regarding proposed interventions. (Stats. 2024, ch. 13, effective January 1, 2025.)

AB No. 1955**Expands Protections for LGBTQ Pupils**

Assembly Bill No. 1955 (Ward), commonly referred to as the SAFETY Act, prohibits LEAs, including charter schools, from enacting or implementing policies that require employees to disclose a pupil's sexual orientation, gender identity, or gender expression to their parent without the pupil's consent, unless otherwise required by law. This bill also protects LEA employees and contractors from retaliation or an adverse employment action, including being placed on administrative leave, for creating a safe and inclusive school environment for LGBTQ pupils or refusing to "out" a pupil to their parent. Additionally, the CDE website must include resources and trainings to support LGBTQ students and their families. Note: As of the date of this publication, a legal challenge to this bill remains pending. (Stat. 2024, ch. 95, effective January 1, 2025.)

AB No. 1984**Requires LEAs to Report Data on Student Transfers for Disciplinary Reasons**

Assembly Bill No. 1984 (Weber) requires LEAs, including COEs and charter schools, to submit data to CDE on pupil transfers due to disciplinary reasons, including where the student transferred to an alternative school based on a school staff referral. This data reporting will be required beginning with the 2026-27 school year. CDE is also to advise LEAs against the use of transfers to avoid reporting suspensions and expulsions. (Stats. 2024, ch. 368, effective January 1, 2025.)

AB No. 2053**Updates Topics Required in Sexual Health Education**

Assembly Bill No. 2053 (Mathis) requires school districts, charter schools, county superintendents and boards of education and other education agencies to ensure that the comprehensive sexual health and HIV prevention education they provide to pupils in grades 7 to 12 includes information about adolescent relationship abuse and intimate partner violence, including the early warning signs, and the resources available to address these issues. (Stats. 2024, ch. 695, effective January 1, 2025.)

**AB No. 2073****Allows Alternate Schedules for Physical Education Courses**

Assembly Bill No. 2073 (Quirk-Silva) permits school districts to offer PE courses on alternate term schedules, such as 4x4 or A/B block schedules, providing LEAs with flexibility in how physical education is delivered. Specifically, requirements for PE may be met for pupils in grade 6 if the pupil receives no less than 400 minutes of instruction every 10 days for a semester of not fewer than 18 weeks, for a total of 3,600 instructional minutes for the school year. For grades 7 to 12, the requirements can be met if the pupil receives no less than 800 minutes of instruction every 10 days for a semester of not fewer than 18 weeks, for a total of 7,200 instructional minutes for the school year. (Stats. 2024, ch. 375, effective January 1, 2025.)

AB No. 2137 and AB No. 3223**Improves Services and Expands Eligibility for Homeless and Foster Youth**

Assembly Bill No. 2137 (Quirk-Silva) establishes a framework to enhance the support services available to homeless and foster youth in California. The bill authorizes a COE Foster Youth Services Coordinating Program ("FYSCP") to provide tutoring, mentoring, and counseling services to a foster youth, if a foster youth educational services coordinator determines, as specified, that the coordinator is unable to secure those services by the student's school district. (Stats. 2024, ch. 382, effective January 1, 2025.)

Assembly Bill No. 3223 (Wilson) expands eligibility for the FYSCP to students who are subject to a juvenile court petition and who have been identified as being at imminent risk of removal and placement into foster care. (Stats. 2024, ch. 850, effective January 1, 2025.)

AB No. 2165**Updates Notice Requirements Regarding Student Exemption from FAFSA, Dream Act, or Opt-Out Forms**

Assembly Bill No. 2165 (Reyes) requires LEAs to provide certain information, including the benefits of the Free Application for Federal Student Aid

("FAFSA") and the consequences of not completing the FAFSA, to a student and the student's parent prior to exempting the student from the requirement to complete either the FAFSA, the California Dream Act application, or a form opting out of either. If the LEA determines the student is unable to complete the forms, it can exempt the student, but must provide notice to the parent. (Stats. 2024, ch. 702, effective January 1, 2025.)

AB No. 2173**Changes Terminology for "Emotional Disturbance"**

Assembly Bill No. 2173 (Addis) says that for special education purposes, "emotional disturbance" may now also be called "emotional disability." (Stats. 2024, ch. 149, effective January 1, 2025.)

AB No. 2176**Requires Annual Report on Chronic Absenteeism Rates in Juvenile Court Schools**

Assembly Bill No. 2176 (Berman) requires the California Office of Youth and Community Restoration to develop an annual report on chronic absenteeism and its causes in juvenile court schools. Subject to available funding, it must also investigate and provide technical assistance to ameliorate the identified causes of chronic absenteeism at schools where the rate is 15% or higher. (Stats. 2024, ch. 385, effective January 1, 2025.)

AB No. 2179**Updates Annual Parent Notice to Include Information on Apprenticeship Programs**

Assembly Bill No. 2179 (Davies) updates the requirements for annual parental notices to include information related to local apprenticeship and pre-apprenticeship programs, including information from the Department of Industrial Relations' Division of Apprenticeship Standards website. (Stats. 2024, ch. 62, effective January 1, 2025.)



**AB No. 2181****Exempts Juvenile Court School Students from Local Graduation Requirements Once the Student Meets State Graduation Requirements**

Assembly Bill No. 2181 (Gipson) exempts from local graduation requirements students attending juvenile court school in their third or fourth year of high school, once the student has met statewide coursework graduation requirements. This exemption does not apply to a student who can reasonably complete the local requirements in time to graduate from high school by the end of the pupil's fourth year. The COE must notify students, their parents or guardians, social worker, and probation officer, of their eligibility for an exemption within 30 days of enrollment into juvenile court school and advise them of the consequences of waiving local graduation requirements on the student's postsecondary educational or vocational plans as well as alternative options including credit recovery. The COE may not require students meeting statewide requirements to graduate before completing their fourth year of high school. (Stats. 2024, ch. 703, effective January 1, 2025.)

AB No. 2229**Expands Topics Covered in Sexual Health Education**

Assembly Bill No. 2229 (Wilson) requires districts and charter schools to integrate the topic of menstrual health into the current sexual health education curriculum. The bill seeks to address this gap in the current curriculum, break down stigmas and taboos, and increase awareness about menstrual health. (Stat. 2024, ch. 706, effective January 1, 2025.)

AB No. 2251**Clarifies that Boards May Exempt Students from Local Graduation Requirements**

Assembly Bill No. 2251 (Connolly) addresses local course requirements that school districts may require for graduation in addition to state mandated graduation requirements. If a school district adopts additional local course requirements, the district also has the discretion to adopt a policy exempting

individual students from those course requirements. (Stats. 2024, ch. 560, effective January 1, 2025.)

AB No. 2268**Excludes TK Students from ELPAC Testing and EL Identification**

Assembly Bill No. 2268 (Muratsuchi) excludes students in TK from being assessed in English listening and speaking using the English Language Proficiency Assessments for California ("ELPAC"), as this assessment has not been validated for younger four-year-olds. This bill was enacted as an urgency measure and was effective immediately. CDE has provided guidance on how to provisionally identify and serve English Learner students in TK. For additional guidance, visit <https://www.cde.ca.gov/sp/ml/tkguidanceletter.asp>. (Stats. 2024, ch. 15, effective June 14, 2024.)

**AB No. 2316****Bans Synthetic Dyes in School Meals**

Assembly Bill No. 2316 (Gabriel), also known as the California School Food Safety Act, prohibits foods containing red dye 40, yellow dye 5, blue dye 1, green dye 3, blue dye 2, and yellow dye 6 from being served on school campuses as of December 31, 2027. This ban on synthetic dyes includes food sold as part of school fundraising events unless the sale takes place off campus and/or at least a half hour after the school day has concluded. (Stats. 2024, ch. 914, effective January 1, 2025.)

AB No. 2317**Requires Establishment of an Anaphylactic Policy for Childcare Facilities**

Assembly Bill No. 2317 (Nguyen) requires the Department of Social Services, in consultation with the Emergency Medical Services Authority and CDE, to establish by July 1, 2027 an anaphylactic policy with procedures recommended for daycare personnel to prevent a child from suffering from anaphylaxis and to be used during a medical emergency resulting from anaphylaxis. The bill requires a daycare facility that adopts an anaphylactic policy to notify parents or guardians of the policy upon enrollment. The bill

also provides for training standards on the administration of epinephrine auto-injectors and on the prevention and treatment of anaphylaxis. (Stats. 2024, ch. 563, effective January 1, 2025.)



AB No. 2377

Exempts Students from Physical Activity in PE Class for Religious Fasting

Assembly Bill No. 2377 (Luz Rivas) requires districts to grant K-12 students an accommodation in connection with any physical activity in a PE course when the student is participating in religious fasting, upon written notice from the parent or guardian to the principal. Students excused from physical activity may still be credited with completing the required number of instructional minutes for PE if they have completed alternative assignments or activities. (Stats. 2024, ch. 960, effective January 1, 2025.)

AB No. 2429

Expands Topics Covered in Health Education

AB No. 2429 (Carrillo) mandates that districts and charter schools with a health education course graduation requirement incorporate instruction on the dangers of fentanyl use into the curriculum starting in 2026-27. The instruction must comprehensively educate pupils on the risks of using fentanyl, the practice of "lacing" (mixing fentanyl with other drugs), the detection of fentanyl in drugs, and the prevention of overdose. (Stat. 2024, ch. 67, effective January 1, 2025.)

AB No. 2473

Exempts Additional Immigrant Students Transferring During the 3rd and 4th Year of High School from Locally Adopted Graduation Requirements

Assembly Bill No. 2473 (Committee on Education) entitles additional groups of immigrant students who transfer into an LEA in their 3rd or 4th year of high school to be exempted from all locally adopted graduation requirements that are in addition to state-mandated graduation requirements. Such students must also receive full or partial credit on their transcript for coursework satisfactorily completed at their prior school. Under existing law, immigrant students entitled to the exemption were limited to those who met federal

definitions of immigrant children and youth. The act also expands the number of students covered by the law to include students who participate in a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency. Students meeting this broader definition who were enrolled before January 1, 2024 are grandfathered into these requirements. (Stats. 2024, ch. 831, effective September 28, 2024.)



AB No. 2630

Clarifies that Oral Health Assessment is only Mandated Once for Both Transitional Kindergarten and Kindergarten

Assembly Bill No. 2630 (Bonta) defines "kindergarten" as including the two-year program of both TK and kindergarten for the purposes of requiring proof that a child has received an oral health assessment by a licensed dentist or other dental health professional. In other words, a child is only required to provide proof that they received an oral health assessment once during the two years of TK and kindergarten. (Stats. 2024, ch. 838, effective January 1, 2025.)

AB No. 2690

Updates Annual Notice to Warn Parents of Fentanyl Sales on Social Media

The annual notice to parents requires information about the dangers associated with using synthetic drugs not prescribed by a doctor, such as fentanyl. Under Assembly Bill No. 2690 (Patterson), the notice must now also advise parents of the risk that social media platforms may be used to market and sell such synthetic drugs. (Stats. 2024, ch. 241, effective January 1, 2025.)

AB No. 2711

Prohibits Suspension for Use of Controlled Substance When Student Voluntarily Discloses in Order to Seek Support

Assembly Bill No. 2711 (Ramos) prohibits students from being suspended or expelled based solely on their voluntary disclosure of use of controlled substances, alcohol, intoxicants, or tobacco or nicotine products when their voluntary disclosure was made to seek help through services or supports. (Stats. 2024, ch. 840, effective January 1, 2025.)

AB No. 2771**Requires CDE to Post Methods of Reducing Chronic Absenteeism**

Assembly Bill No. 2771 (Maienchein) requires CDE, as of the 2026-27 school year, to post on its website methods to reduce chronic absenteeism, including the use of school site absentee intervention teams. (Stats. 2024, ch. 154, effective January 1, 2025.)

AB No. 2865**Expands Instruction on the Effects of Alcohol and Drug Use**

AB No. 2865 (Carrillo) requires instruction on drug and alcohol use to include information about the short-term and long-term effects of alcohol abuse. Instruction must cover how excessive alcohol use can increase the risk of health conditions and lead to chronic diseases and mental health issues. (Stat. 2024, ch. 314, effective January 1, 2025.)

AB No. 2887**Expands Scope of School Safety Plans**

Assembly Bill No. 2887 (Maienschein) requires LEAs to add to their comprehensive school safety plan, on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds. Additionally, this bill authorizes chartering authorities to deny a charter school petition that does not include in its proposed development of a school safety plan the same provisions. (Stats. 2024, ch. 419, effective January 1, 2025.)

**AB No. 2927****Adds Personal Finance Course Requirement for Graduation**

Assembly Bill No. 2927 (McCarty) requires students to take a separate, stand-alone one-semester course in personal finance to graduate from high school. The requirement begins for students graduating in the 2030–31 school year. AB No. 2927 also requires the SBE to adopt a curriculum guide and resources for such a course in consultation with the Instructional Quality Commission by May 31, 2026. (Stats. 2024, ch. 37, effective June 29, 2024.)

AB No. 2932**Supports Inclusion of Sextortion Content in the Health Curriculum Framework**

Assembly Bill No. 2932 (Patterson) provides legislative direction that when the health curriculum framework is next revised, the Instructional Quality Commission must consider including content on sextortion in that curriculum. "Sextortion" is defined as a threat to use sexual or intimate images or videos, however obtained, to compel another person to produce sexual or intimate images or videos, engage in sexual acts, or provide anything of value. (Stats. 2024, ch. 118, effective January 1, 2025.)

AB No. 2998**Permits Students to Carry and Administer Opioid Reversal Medications**

Assembly Bill No. 2998 (McKinnor) permits a student who is at least 12 years old to carry and administer over-the-counter and federally approved opioid reversal medication for emergency treatment during an apparent opioid overdose, while the student is on school grounds or participating in a school activity. The bill provides immunity to the student who administers the medication in good faith and not for compensation, unless the student is grossly negligent or engages in willful and wanton misconduct. Similarly, LEAs and their employees are also immune from criminal or civil liability or professional review for the student's actions, unless the student engaged in gross negligence or willful and wanton misconduct. (Stats. 2024, ch. 974, effective January 1, 2025.)

AB No. 2999**Encourages Adoption of a Healthy Homework Policy for K-12 Students**

Assembly Bill No. 2999 (Schiavo), known as the "Healthy Homework Act," encourages each school district, COE, and charter school, to develop a homework policy for all grades by the start of the 2027-28 school year, to be updated every 5 years. LEAs are urged to post the adopted homework policy on their websites and disseminate it to certificated staff, administrators, pupils and parents. The homework policy should be consistent with CDE guidelines and research establishing that the quality of homework assignments is more important to a child's learning than the quantity of homework assigned. (Stats. 2024, ch. 751, effective January 1, 2025.)

AB No. 3074**Expands Prohibition on Use of Derogatory Native American Terms as Mascots or Nicknames**

Assembly Bill No. 3074 (Schiavo) prohibits public schools from using any derogatory Native American term for school or athletic team names, mascots, or nicknames, effective July 1, 2026, but exempts schools operated by Indian tribes or tribal organizations from the prohibition. The bill provides guidance

for when a public school may continue using uniforms or other materials bearing a derogatory Native American term that were purchased before July 1, 2026. Notably, public schools that are not owned or operated by an Indian tribe may also be exempt from the prohibition if they obtain written consent from a local federally recognized tribe to use a derogatory Native American term for the school or athletic team's name, mascot, or nickname. Complaints regarding school or athletic team names, mascots, or nicknames are subject to the Uniform Complaint Procedures. (Stats. 2024, ch. 665, effective January 1, 2025.)

**AB No. 3216****Requires Governing Boards to Develop Policies Limiting Student Smartphone Use**

Assembly Bill No. 3216 (Hoover) requires the governing body of a school district, COE, or charter school to develop and adopt a policy that limits or prohibits the use of smartphones by students while at a school site or while under the supervision and control of an employee of the LEA. The policy must be developed by July 1, 2026 and be updated every five years. (Stats. 2024, ch. 500, effective January 1, 2025.)

SB No. 445**Requires CDE to Translate IEP Templates into Languages Other than English**

Senate Bill No. 445 (Portantino) requires that the digital IEP template currently being developed by the California Collaborative for Educational Excellence be translated into the top 10 most commonly spoken languages other than English. The deadline is January 1, 2027, or 18 months after the final draft of the IEP template is developed and converted to a digital platform. (Stats. 2024, ch. 906, effective January 1, 2025.)

SB No. 483**Prohibits the Use of Prone Restraints**

Senate Bill No. 483 (Portantino), known as Max Benon's Law, prohibits nonpublic schools and LEAs, including charter schools, from using prone restraints, defined as the application of a behavioral restraint on a pupil in a facedown position for any period of time. Prone restraints were previously permitted as an emergency intervention only under specific conditions and only when the student was being monitored by another staff member for signs of distress. (Stats. 2024, ch. 857, effective January 1, 2025.)

SB No. 691**Alters the Notice to Parents Regarding Student Truancy**

Senate Bill No. 691 (Portantino) removes the requirement that schools notify a parent of a truant student that the parent may be subject to prosecution and that the parent should accompany the student to school for one day. Instead, the notice must include, among other information, that mental health and supportive services may be available to parents and that school personnel are available to meet with them to develop strategies to support the student's attendance. (Stats. 2024, ch. 863, effective January 1, 2025.)

**SB No. 897****Modifies Interdistrict Attendance Policies for School Districts of Choice**

Senate Bill No. 897 (Newman) updates the interdistrict attendance policies for a school district of choice ("DOC"). The bill allows these districts greater flexibility in establishing their own criteria for student enrollment from other districts, facilitating a smoother transfer process. However, the bill also requires that DOC program requirements be subject to annual audit. Additionally, the law requires a DOC to accept transfers for foster and homeless youth and prevents them from discriminating based on various

student characteristics in their communications and their admission processes. Finally, the law allows districts with a qualified or negative budget status to limit student transfers to DOCs. (Stats. 2024, ch. 865, effective January 1, 2025.)

SB No. 920

Establishes California Purple Star School Designation Program

Senate Bill No. 920 (Seyarto) requires CDE to establish a California Purple Star School Designation Program to publicly recognize and designate public schools that meet certain criteria related to supporting military-connected pupils and their families. (Stats. 2024, ch. 923, effective January 1, 2025.)

SB No. 939

Strengthens Support for Neurodivergent Pupils

Senate Bill No. 939 (Umberg) requires CDE to post and annually update a list of statewide resources for pupils who have been subjected to discrimination, harassment, or bullying for being neurodivergent. Additionally, CDE must develop an online training module for school staff, administrators, parents, students, and community members on how to support neurodivergent students. (Stats. 2024, ch. 907, effective January 1, 2025.)

SB No. 997

Allows Pupils to Carry Fentanyl Test Strips and Opioid Antagonist for Emergency Treatment of an Opioid Overdose

Senate Bill No. 997 (Portantino) requires that school districts, COEs, and charter schools not prohibit students in middle school, junior high school, high school and adult school from carrying federally approved over-the-counter opioid antagonists, including fentanyl test strips, for the emergency treatment of an opioid overdose. (Stats. 2024, ch. 872, effective January 1, 2025.)

SB No. 1063

Updates Information Required on Pupil Identification Cards

Senate Bill No. 1063 (Grove) updates the information that LEAs serving students in grades 7 through 12 are required to include on pupil identification cards. All pupil identification cards must include the telephone number for the 988 Suicide Crisis Lifeline and may include a QR code that links to mental health resources on the local county’s website. (Stats. 2024, ch. 642, effective July 1, 2025.)

SB No. 1138

Adds Participation in Military Entrance Processing as an Excused Absence

Senate Bill No. 1138 (Newman) adds a student’s participation in military entrance processing to the existing list of excused absences from compulsory

education requirements in Education Code §48205. (Stats. 2024, ch. 925, effective January 1, 2025.)

SB No. 1248

Requires LEAs to Develop Protocols for Extreme Weather Conditions

Senate Bill No. 1248 (Hurtado) requires LEAs to develop guidelines for weather-related risks, such as extreme heat or cold, that ensure students remain safe while participating in outdoor activities. It also requires CDE to compile guidelines specifying temperature thresholds or index ratings that trigger modifications to physical activity. (Stats. 2024, ch. 463, effective January 1, 2025.)

SB No. 1318

Requires Development of Mental Health Crisis Intervention Protocols

Senate Bill No. 1318 (Wahab) requires LEAs to develop crisis intervention protocols for pupils experiencing a mental health crisis. The protocols must deploy school and -- if necessary - external mental health professionals, limit the involvement of law enforcement to when a pupil’s life is in imminent danger and the situation cannot be addressed by a mental health professional, and provide notice to the parent of the crisis. (Stat. 2024, ch. 645, effective January 1, 2025.)

SB No. 1410

Directs Instructional Quality Commission to Consider Requiring Districts to Offer Algebra I or Mathematics I Courses to 8th Graders

Senate Bill No. 1410 (Ochoa Bogh) directs the Instructional Quality Commission to consider recommending to the SBE that districts be required to offer 8th grade students the opportunity to take Algebra I or Mathematics I when the Commission next revises the mathematics curriculum framework. (Stats. 2024, ch. 476, effective January 1, 2025.)

SB No. 1971

Prohibits National Assessment Providers from Selling Student Information

Senate Bill No. 1971 (Addis) expands the provisions of the Student Online Personal Information Protection Act to prohibit national assessment providers that distribute standardized tests from selling or disclosing personal information provided by a student or their parent or guardian, with certain exceptions. “Standardized tests” mean tests administered in California at the expense of the test subjects and does not include tests administered for K-12 purposes. (Stats. 2024, ch. 508, effective January 1, 2025.)

CHARTER SCHOOLS



AB No. 2887

Requires Charter Petitions to Contain New Components of School Safety Plans

Assembly Bill No. 2887 (Maienschein) requires LEAs to add to their comprehensive school safety plan, on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds. Additionally, this act amends the Charter Schools Act to require that such provisions be included in a charter petition's school health and safety plans. (Stats. 2024, ch. 419, effective January 1, 2025.)

Other New Laws Applicable to Charter Schools

One of the challenges that charter authorizers face is determining which legal code sections do and do not apply to charter schools, in light of the Education Code waiver. This legislative session, many new laws were enacted outside of the Charter Schools Act that apply to charter schools as well as to districts and other LEAs. Please see summaries elsewhere in this bulletin for a complete description of the following bills that apply in whole or in part to charter schools:

Assembly Bill Nos. [176](#), [2302](#), [2350](#), [2715](#), [938](#), [1815](#), [1913](#), [2345](#), [2499](#), [2534](#), [438](#), [960](#), [1113](#), [1283](#), [1796](#), [1858](#), [1955](#), [1984](#), [2053](#), [2165](#), [2173](#), [2229](#), [2268](#), [2316](#), [2429](#), [2473](#), [2690](#), [2711](#), [2887](#), [2927](#), [2998](#), [2999](#), [3216](#), [247](#), [1864](#), [2192](#), and [2565](#);

Senate Bill Nos. [153](#), [1034](#), [1111](#), [399](#), [445](#), [483](#), [939](#), [997](#), [1063](#), [1248](#), [1318](#), [1091](#), and [1429](#).



BUSINESS, PROPERTY AND CONSTRUCTION

AB No. 247

Authorizes \$10 Billion in State General Obligation Bonds Providing Matching Funds to TK-14 Education; Revamps School Facilities Program

Assembly Bill No. 247 (Muratsuchi) is an urgency statute that, effective upon adoption of "Proposition 2" by voters at the November 5, 2024 General Election, provides authority to the State for issuance of up to \$10 billion in general obligation bonds to fund the construction and modernization of education facilities, including \$8.5 billion in funding for elementary and secondary education (including charter schools) and \$1.5 billion for community colleges.

AB 247 requires school districts to submit a comprehensive 5-year school facilities master plan and community college districts to submit a 5-year capital outlay plan, as a condition of participating in receipt of State bond funds. AB 247 heightens transparency and accountability requirements by ensuring that funding participants have (i) provided for a public hearing to solicit input on State-funded projects prior to project approval, and (ii) publicly posted a performance audit on such State-funded projects.

AB 247 also makes several key changes to the State's School Facilities Program (SFP), which administers the grant funding to K-12 education from the proceeds of State general obligation bonds, including:

- Establishing a new point system to determine a school district's requirement for "local match" funding, ranging from a 45-50% local match for new construction and 35-60% local match for modernization
- Creating a supplemental grant program for (i) expanding gyms, multipurpose rooms, libraries or kitchens, if undersized, or constructing new facilities if they are lacking, and (ii) retrofitting existing facilities for TK housing or constructing new TK classrooms;
- Adding health and safety funding for facilities that meet certain criteria and pose unacceptable risk of injury in a seismic event and funding for testing and remediation of lead levels in water at school sites;
- Creating a project and construction management grant (5% of the State

share of the preliminary apportionment) given to "small school districts" with enrollment of fewer than 2,501 pupils, to assist with planning, site acquisition, preconstruction, construction, and closeout of a project; and

- Increasing eligibility for school districts to access hardship funding by increasing the bonding capacity limit to \$15 million, with an annual increase indexed to inflation starting in fiscal year 2026-27.

(Stats. 2024, ch. 81, urgency statute, effective upon adoption by voters at the November 5, 2024 General Election.)

AB No. 1820

Allows Residential Developers to Make Early Requests for School Impact Fee Schedules and Fee Estimates

Assembly Bill No. 1820 (Schiavo) authorizes a developer to request a school impact fee schedule from a school district following the developer's submission of a preliminary application for development to a city or county under the Housing Crisis Act of 2019. Then, upon final approval of the project, the bill permits the developer to request a more specific "good faith estimate of the total sum amount of all fees and exactions" that will apply to the developer's project. The school district must provide the fee schedule "without delay" and the good faith estimate within 30 days. However, the bill specifies that both the fee schedule and good faith estimate are merely informational, not legally binding and shall not be construed to "affect the scope, amount, or time of payment of any fee or exaction" that may be applicable to the project under other provisions of law. (Stats. 2024, ch. 358, effective January 1, 2025.)

AB No. 1864

Adds Reporting Criteria for Pesticide Use Near School Sites

Assembly Bill No. 1864 (Connolly) imposes additional pesticide reporting requirements for properties within one-quarter mile of a school site. Portions of agricultural fields within one-quarter mile of a school site must be designated a separate site identification number, allowing more accurate regulation and identification of pesticide use. Currently, pesticide users within one-quarter mile of a school site must provide notice before

pesticide application and issue an annual disclosure detailing their use of pesticides. Now, operators must also report and issue a notice on the specific anticipated method of applying pesticides designated as a restricted material, including the dates and times of application, product names, and active ingredients, among others. These additional reporting criteria, along with the existing regulations on pesticide use within one-quarter mile of a school site, continue to provide management and oversight of pesticide use near school sites. (Stats. 2024, ch. 552, effective January 1, 2025.)



AB No. 2192

Increases CUPCCAA Bid Thresholds

Assembly Bill No. 2192 (Juan Carrillo) increases the bidding thresholds for school districts and community college districts that have adopted the California Uniform Public Construction Cost Accounting Act ("CUPCCAA"). Beginning January 1, 2025, CUPCCAA participants are subject to the following bid thresholds for construction services contracts: public projects of \$75,000 or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order without bidding; public projects of \$220,000 or less may be awarded by informal bidding procedures; and public projects of more than \$220,000 must be awarded by formal bidding procedures. In the event that all informal bids received are in excess of \$220,000, a governing board may award the contract at \$235,000 or less to the lowest responsible bidder by 4/5th vote if it determines the cost estimate was reasonable. Finally, the CUPCCAA Commission's enforcement



authority is expanded to also review whether work undertaken by a public agency violates (1) the bid splitting prohibition or (2) has exceeded the limits or otherwise does not comply with bidding procedures including publication or posed and electronic transmission of notice inviting bids. (Stats. 2024, ch. 953, effective January 1, 2025.)

**AB No. 2565****Expands Interior Lock Installation Requirements**

Assembly Bill No. 2565 (McCarty) expands current interior lock installation requirements for school districts, COEs, and charter schools. Existing law required that all new construction projects submitted to the Division of the State Architect (“DSA”) include interior locks in doors to classrooms or any room with an occupancy of five or more persons. The bill extends this interior lock requirement to alteration, reconstruction, rehabilitation, or retrofitting of such facilities. The bill exempts from its interior lock requirement: (1) doors that are locked from the outside at all times and pupil restrooms; (2) maintenance projects under \$20,000; or (3) certain projects applying for State modernization funding that were submitted to the DSA for approval before January 1, 2025. Also, interior lock installation projects now qualify for financing under the State’s Gun Violence Prevention and School Safety Fund. (Stats. 2024, ch. 531, effective January 1, 2025.)

AB No. 2967**Expands Teacher Housing Act to Now Include Specified Nonprofit Employees**

Assembly Bill No. 2967 (Ting) adds nonprofit organization employees operating early childhood, prekindergarten, or school age childcare, classrooms, programs, or expanded learning classrooms and programs on school district property receiving certain types of local, state, and federal funding to benefit from and be eligible for affordable rental housing under the Teacher Housing Act of 2016 (“Act”). AB 2967 also requires teachers and school district employees to continue to be prioritized before nonprofit organization employees under housing programs established under the Act. (Stats. 2024, ch. 748, effective January 1, 2025.)

AB No. 3012**Mandates Online Posting of Impact Fee Schedule**

Assembly Bill No. 3012 (Grayson) provides additional transparency for builders regarding applicable fees for their projects. The act requires a city or county to make an impact fee estimate tool available on its website for the public to use to calculate an estimate of fees and exactions, including those described in the Mitigation Fee Act – which includes school impact fees. On or before July 1, 2028, the Department of Housing and Community Development (“HCD”) must create a fee schedule template that may be used by cities and counties and a list of best practices regarding presenting information for fees and exactions levied by local jurisdictions. The template must include a list of the fees along with the approximate cost per square foot. Although the city or county is not liable for what they post, in order for developers and property owners to fully realize the benefits of this new tool, it is critical for school districts to provide updated information to cities and counties regarding impact fees to reduce protests at the time of payment. (Stats. 2024, ch. 752, effective January 1, 2025.)

SB No. 937**Delays Collection of Impact Fees for Certain Residential Projects**

Senate Bill No. 937 (Wiener) prohibits local agencies, including school districts, from collecting impact fees for designated residential development projects before the date the first certificate of occupancy or first temporary certificate of occupancy is issued, whichever occurs first. “Designated residential development projects” are defined as residential development projects that consist of 10 or fewer units or meet specified statutory conditions including, for example, certain affordable housing projects. The amount of the fees is required to be the same amount as would have been paid had the fees been paid prior to building permit issuance. Certain exemptions may be available to school districts. For more information, [see our bulletin here](#). (Stats. 2024, ch. 290, effective January 1, 2025.)

**SB No. 956****Removes Sunset Date for Traditional Design-Build Contracts**

Senate Bill No. 956 (Cortese) removes the previous January 1, 2025, sunset provision on school districts’ authority to use traditional design-build

contracts for specified public works projects. With the enactment of SB No. 956, school districts will be able to procure traditional design-build contracts for specified public works projects indefinitely. The authority for alternative design-build procurement will still expire on January 1, 2029, unless the Legislature removes that sunset date. (Stats. 2024, ch. 177, effective January 1, 2025.)

SB No. 1091

Limits Accessibility Improvement Requirements to 20% of Project Costs

Senate Bill No. 1091 (Menjivar) limits compliance costs for path of travel improvements for school projects approved by DSA between January 1, 2025, and December 31, 2030. Under this bill, these costs are limited to 20% of the adjusted construction cost of the project, provided the project exceeds a specific cost threshold, incorporates nature, improves community ecological health and climate resilience, or promotes student well-being, learning and play. To qualify for this limit, projects must not significantly reduce accessible space and must comply with the applicable accessibility requirements of the Americans with Disabilities Act and the California Building Standards Code. (Stats. 2024, ch. 1014, effective January 1, 2025.)



SB No. 1162

Updates Criteria for Monthly Reports on Projects with Skilled and Trained Workforce Requirements

Senate Bill No. 1162 (Cortese) requires that each monthly compliance report for projects with a skilled and trained workforce obligation now include "the full name of, and identify the apprenticeship program name, location, and graduation date of, each worker relied upon to satisfy the apprenticeship graduation percentage requirements. The act also mandates that, by July 1, 2025, the Division of Apprenticeship Standards of the California Department of Industrial Relations make an online database to verify that a worker graduated from a California apprenticeship program. (Stats. 2024, ch. 882, effective January 1, 2025.)

SB No. 1288

Studies Uses of Artificial Intelligence in Schools to Develop Guidance

Senate Bill No. 1288 (Becker) forms a working group, through the State Superintendent of Public Instruction, to assess uses of artificial intelligence (AI) in education and develop guidance and model policies for local educational agencies. The resulting guidance and model policies should address safe and effective uses of artificial intelligence in ways that benefit students and educators while reducing negative impacts from this technology. The working group must report its findings and recommendations by January 1, 2027, potentially resulting in future legislation. (Stats. 2024, ch. 893, effective January 1, 2025.)





SB No. 1429

Adds Snowstorms to Emergencies Impacting District Apportionment

Senate Bill No. 1429 (Ochoa Bogh) adds snowstorms to the list of emergencies for which an LEA, including a charter school, will be made whole for apportionment purposes if such LEA is prevented from maintaining their schools (at least 180 days for a school district or COE or 175 days for a charter school) or operate sessions of shorter length than legally required due to such emergency. SB 1429 also adds snowstorms to the list of emergencies causing a material decrease in average daily attendance (“ADA”) of an LEA for which the State Superintendent will estimate ADA of such LEA as if the emergency had not occurred. (Stats. 2024, ch. 6477, effective January 1, 2025.)

Developer Fees are Subject to Constitutional Takings Standard

In *Sheetz v. County of El Dorado* (2024) 601 U.S. 267, the U.S. Supreme Court held that conditional building permit fees are subject to the Constitutional Takings Clause standard requiring an essential nexus and rough proportionality to a governmental land-use interest. The Court’s decision is applicable to all developer fees, including school impact fees. However, the scope of any impact from this ruling on school districts imposing impact fees remains uncertain, as school impact fees are already subject to unique statutory requirements imposing analogous nexus and proportionality requirements that may, in many cases, already satisfy the Constitutional Takings Clause standard. Additionally, the ruling expressly declined to address whether a permit condition imposed on a class of properties must be tailored with the same degree of specificity as a permit condition that targets a particular development. School impact fees are generally imposed on a class of properties, although certain projects (e.g., commercial greenhouse) may involve ad hoc considerations of the type addressed in the Court’s decision. For more information, please refer to DWK’s detailed legal update for this case.

GLOSSARY OF TERMS

CDE: California Department of Education

IEP: Individualized Education Program

LCAP: Local Control and Accountability Plan

LEA: Local Educational Agency

PE: Physical Education

SBE: State Board of Education

TK: Transitional Kindergarten



ABOUT THE FIRM

DWK provides outstanding legal representation and preventive and practical counsel on key issues surrounding your core mission—the education of students. Established in 1976, Dannis Woliver Kelley was the first law firm in California to devote its practice exclusively to public schools and education. After more than four decades, we are proud of our history, our service and commitment to public and private education.

Since opening our doors, our services have grown to meet the full spectrum of legal needs of California public school and community college districts, county offices of education, and other educational organizations. We are trusted and innovative advisors to our clients. With seven offices across the state, our diverse team of attorneys is committed to excellence. We offer high-quality, creative, cost-effective, and prompt legal services in every aspect of education law. Our practice groups are comprised of experienced attorneys who possess thorough knowledge of the issues and challenges facing public schools and colleges.

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DANNIS WOLIVER KELLEY

Attorneys at Law

Website: DWKesq.com | Facebook: [DWKesq](https://www.facebook.com/DWKesq) | LinkedIn: [@DWKesq](https://www.linkedin.com/company/DWKesq)