



# Legislative Update

California Federation  
of Teachers  
AFT, AFL-CIO 

**June 6, 2017**

## **Introduction**

Friday, June 2, 2017 was the last day for the Legislature to pass bills out of their house of origin. The California Federation of Teachers was successful in securing the passage out of the Assembly of all four of our sponsored pieces of legislation. In addition, CFT's three budget proposals are included in current budget deliberations. Finally, CFT's technology audit proposal was approved by the Joint Legislative Audit Committee.

## **CFT-SPONSORED BILLS**

**For-Profit Charter Schools: Assembly Bill 406 (McCarty)** would, on or after January 1, 2019, prohibit a petitioner that submits a charter school petition for the establishment of a charter school, or a charter school that submits a charter renewal or material revision application, from operating as, or being operated by, a for-profit corporation, a for-profit Educational Management Organization (EMO) or a for-profit Charter Management Organization (CMO).

*AB 406 passed out of the Assembly on May 31, 2017 on a 50-24-6 vote.*

**Beginning Teacher Support and Assessment (BTSA) Program: Assembly Bill 410 (Cervantes)** would prohibit Local Educational Agencies (LEAs) from charging new teachers for their participation in the mandatory Beginning Teacher Support and Assessment Program. Currently, according to a survey conducted by the Commission on Teacher Credentialing, at least 12% of providers of the BTSA Program charge new teachers upwards of \$3,350 to participate in this program.

*AB 410 passed out of the Assembly on May 31, 2017 on a 64-13-3 vote.*

**Paid Pregnancy Disability Leave for School Employees: Assembly Bill 568 (Gonzalez Fletcher)** would require certificated and classified school employees to be provided a paid leave when an employee is required to be absent for a length of time to be determined by the employee and their doctor or a minimum of six weeks for pregnancy, miscarriage, childbirth and recovery.

*AB 568 passed out of the Assembly on May 22, 2017 on a 65-9-6 vote.*

**School Safety: Assembly Bill 1029 (Weber)** would add a community schools coordinator, a restorative justice practitioner, and/or a mental health professional to school safety planning committees. In addition, AB 1029 would require the comprehensive school safety plan to be aligned with the school climate state priority and the local control accountability plan. The bill would also require the Department of Education to post on its website models of best practices. Finally, AB 1029 would require the Department of Education to provide technical assistance and professional development to educators and administrators in these practices.

*AB 1029 passed out of the Assembly on May 31, 2017 on a 75-1-4 vote.*

## CFT BUDGET REQUESTS

The California Federation of Teachers had three budget requests this year: 1.) an appropriation to fund the Labor in the Schools Pilot Program; 2.) an increase in the allocation for community college part-time faculty office hours, and; 3.) budget trailer bill language to prohibit Local Educational Agencies from charging new teachers for participation in the Beginning Teacher Support and Assessment Program. In addition, the CFT supports the allocation of money to fund affordable housing for certificated and classified school employees.

Currently, the Budget Conference Committee is meeting to come to agreement on the differences in budget proposals coming from the Assembly and the Senate. The 2017-2018 budget must be passed by the Legislature by midnight on June 15, 2017. The budget then takes effect on July 1, 2017.

**Labor in the Schools Pilot Project (Conference Item)** would seek one-time funding for the “Teaching about Labor, Immigrant Workers and Workplace Rights” pilot project. The Assembly Budget Committee proposed to provide \$2.7 million for the three-year pilot program that would provide training and other resources for lead teachers in various school districts across the state on the history of labor, with a focus on immigrant workers, farm labor and workers of color. The Senate had no proposal, so the Budget Conference Committee is discussing whether or not to provide \$2.7 million in one-time Proposition 98 funding for the project.

**Increased Funding for Community College Part-Time Faculty Office Hours (Non-Conference Item)** would seek to secure increased funding for part-time faculty members’ office hours. Both the Assembly and Senate Budget Committees agreed to augment the existing Community College Part-Time Faculty Office Hours program by \$5 million of on-going funds.

**Beginning Teacher Support and Assessment Program (Conference Item)** would prohibit LEAs from charging new teachers to participate in the BTSA Program. The Assembly Budget Committee included BTSA language in their budget proposal, but the Senate Budget Committee had no proposal, so the Budget Conference Committee is discussing whether or not to include budget trailer bill language.

## CFT TECHNOLOGY AUDIT REQUEST

**Joint Legislative Audit Request (Pan)** calls on the Auditor General to review a sample of community college districts to determine if they are engaging in long-term strategic planning for replacing and upgrading their instructional technology and support structures, as well as providing adequate professional development for their employees.

*The Audit Request was approved on March 29, 2017 on a 13-1 vote.*

## CFT CO-SPONSORED BILLS

In addition to sponsored legislation, the CFT is working with Legislators and coalition partners to co-sponsor bills that, if passed, will have an impact upon our members and students. Below is the current status of CFT’s 2017 co-sponsored legislation.

**School Employee Housing Assistance Program: Assembly Bill 45 (Thurmond)** would require the California Housing Finance Agency (CalHFA) to administer the California School Employee Housing Assistance Program, a pre-development grant and loan program, to fund the creation of affordable housing for certificated and classified school employees.

*AB 45 passed out of the Assembly on May 31, 2017 on a 53-19-8 vote.*

The Assembly Budget Committee proposed a \$400 million allocation in one-time General Fund resources for a variety of housing programs. Out of this amount, \$25 million would be earmarked for the Teacher Workforce Housing program, administered under AB 45 – CFT’s co-sponsored measure.

*The Senate had no funding proposal for affordable housing for educators, so the Budget Conference Committee is currently discussing whether or not to fund a variety of affordable housing proposals.*

**Charter School Pupil Admissions, Suspensions and Expulsions: Assembly Bill 1360 (Bonta)** would require that charter school petitions contain a comprehensive description of procedures by which a pupil can be suspended, expelled or otherwise involuntarily removed, dismissed, transferred or terminated from the charter school that includes an explanation of how the charter school will comply with specified federal and state constitutional due process requirements. In addition, AB 1360 would authorize a charter school to encourage parental involvement, but would require the charter school to notify the parents and guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

*AB 1360 passed out of the Assembly on May 31, 2017 on a 69-2-9 vote.*

**Charter School Transparency and Accountability: Assembly Bill 1478 (Jones-Sawyer)** would expressly state that charter schools and entities managing charter schools are subject to the Ralph M. Brown Act or the Bagley-Keene Open Meeting Act. In addition, AB 1478 would state that charter schools and entities managing charter schools are subject to current law that prohibits certain public officials from being financially interested in any contract made by them in their official capacity, or by any body or board for which they are members. Finally, AB 1478 states that charter schools and entities managing charter schools are subject to the Political Reform Act of 1974 (conflict-of-interest code).

*AB 1478 was placed on the Assembly Inactive File on May 30, 2017 in order to work on a compromise with the Governor around the application of the conflict-of-interest code.*

**Charter School Authorizing Restrictions: Senate Bill 808 (Mendoza)** would alter the charter school act to only allow school districts, rather than counties or the state, to authorize charter schools and only within the authorizing district’s boundaries. The bill would also restrict the State Board of Education’s ability to hear appeals of charter petition denials.

*SB 808 was heard in the Senate Education Committee on April 26, 2017 for testimony only. Committee Chair Senator Allen wishes to work with stakeholders further before allowing a vote on the bill.*

## CFT PRIORITY SUPPORT BILLS

The CFT legislative department tracks hundreds of pieces on legislation every year. Bills that are deemed as having the most significant impact on members and students are designated as priorities. Below is a summary of several of the bills that have been deemed priority “support” or “oppose” pieces of legislation.

**The California Community College Promise: Assembly Bill 19 (Santiago)** would create the California Community College (CCC) Promise Program to provide tuition-free education at a CCC for one academic year for all first-time, full-time (12 units or more) students.

*AB 19 passed out of the Assembly on May 31, 2017 on a 56-18-6 vote.*

**Student Success and Support Program Funding: Assembly Bill 504 (Medina)** would require the California Community Colleges Chancellor, when allocating Student Success and Support Program (SSSP) funds to community college districts (CCD) for purposes of successfully implementing activities and goals adopted in student equity plans, to establish a standard definition of "equity" and a standard definition of "significant underrepresentation" and measures of these terms, for use in the student equity plans of CCDs.

*AB 504 passed out of the Assembly on May 4, 2017 on a 76-0-4 vote.*

**Part-Time Playground Positions: AB 670 (Thurmond)** would delete the provision in current law that exempts a person employed in a part-time playground position from the classified service, when the person is not otherwise employed in a classified position, thereby making that person part of the classified service.

*AB 670 passed out of the Assembly on May 31, 2017 on a 54-22-4 vote.*

**University of California: Resident Student Access: Assembly Bill 1674 (Grayson)** would request that the University of California (UC), in collaboration with the Academic Senate of the UC, comply with specific requirements regarding the admission policies of nonresident undergraduate students and report to the Legislature annually.

*AB 1674 passed out of the Assembly on May 31, 2017 on a 77-0-3 vote*

**AB 540 Modernization: Senate Bill 68 (Lara)** would allow two years at a California Community College to count towards AB 540 eligibility (also known as the California Dream Act which exempts certain students from paying nonresident tuition and allows them to apply for different types of financial aid). Additionally, the bill would allow the completion of an Associate’s degree or satisfaction of the minimum requirements to transfer to the University of California or California State University, in lieu of a high school diploma, to allow a student to qualify for in-state tuition and financial aid.

*SB 68 passed out of the Senate on June 1, 2017 on a 31-9 vote.*

**The Golden State Reading Guarantee Grant Program: Senate Bill 494 (Hueso)** would establish the Golden State Reading Guarantee Grant Program, which would be administered by the State Department of Education. In addition, the bill would require the Department to establish a process to provide professional development training to LEAs on, among other things, the existing diagnostic, formative and interim assessment tools that are available from the state, including those that are appropriate for pupils who are English learners. Finally, SB 494 would require the Legislative Analyst's Office to conduct an evaluation of reading intervention strategies to identify successful strategies and best practices and to report to the appropriate policy committees of the Legislature and Governor on or before December 31, 2018.

*The CFT took an oppose position on the "as introduced" version of SB 494 because it would have required additional and redundant testing of students and the development of what amounted to individualized education plans for students in grades K-3. However, due to extensive lobbying by CFT members and staff, SB 494, was "gutted and amended" and now would create a grant program that supports teachers and students.*

*SB 494 passed out of the Senate on May 31, 2017 on a 31-8-1 vote.*

**The Healthy California Act: Senate Bill 562 (Lara)** would create the Healthy California Program to provide comprehensive universal single-payer healthcare coverage and a healthcare cost control system for the benefit of all residents of the state. The bill, among other things, would provide that the program cover a wide range of medical benefits and other services and would incorporate the healthcare benefits and standards of other existing federal and state provisions, including, but not limited to, the state's Children's Health Insurance Program (CHIP), Medi-Cal, ancillary healthcare or social services covered by the regional centers for persons with developmental disabilities, Knox-Keene and the federal Medicare Program. In addition, the bill would state the intent of the Legislature to enact legislation that would develop a revenue plan, taking into consideration anticipated federal revenue available for the Healthy California Program. Finally, SB 562 would create the Healthy California Board to govern the program, made up of 9 members with demonstrated and acknowledged expertise in healthcare.

*SB 562 passed out of the Senate on June 1, 2017 on a 23-14-3 vote.*

### **CFT PRIORITY OPPOSE BILLS**

**Charter School Petition Approval: Assembly Bill 950 (Rubio)** would have authorized a charter school petitioner to submit a petition for renewal to either the governing board of the school district that initially denied the charter or directly to the State Board of Education. In addition, AB 950 would have authorized a charter school petitioner, if a county board of education denies or revokes a petition, to submit the petition directly to the State Board of Education. Finally, AB 950 would have required, as part of the determination of the statewide benefit, to ensure that the charter school has described the manner in which the charter school would have sought to share best and promising practices with other traditional and charter schools with low academic performance.

*AB 950 was held in the Assembly Appropriation Committee.*

**Teacher Probationary Period: Assembly Bill 1220 (Weber)** would move the current probationary period for teachers employed by a county office of education or a school district from two years to an optional three years. In addition, AB 1220 would require a county superintendent or the governing board of a school district, if a probationary employee is offered a third complete consecutive school year of probationary employment, to develop an individualized improvement plan to assist in addressing the deficiencies identified in the probationary employee's evaluation, to provide copies of all prior evaluations before the plan meeting and to provide individualized professional development consistent with the plan.

*AB 1220 passed out of the Assembly on June 1, 2017 on a 60-5-15 vote.*

**Teacher Shortage: Senate Bill 533 (Portantino)** would have authorized the Governor to declare an "Urgent State of Need" in response to a teacher shortage in a school district for the shortage of teachers with an authorization to provide bilingual instruction to limited-English-proficient pupils. In addition, SB 533 would have authorized a school district, subject to an "Urgent State of Need" declaration, to employ as a teacher a person without a valid credential, certificate or permit otherwise necessary to provide instruction to pupils.

*SB 533 was held on the Assembly Appropriations Suspense File.*

**Charter School Operations: SB 806 (Glazer)** would have provided carve-outs of portions of the Open Meeting Act, Public Records Act and portions of the Political Reform Act of 1974. SB 806 essentially would have provided charter schools with various loopholes in current law that protect tax dollars and ensure public accountability.

*SB 806 was defeated in the Senate Judiciary Committee on April 25, 2017 on a 2-1-4 vote.*

### **Conclusion**

The California Federation of Teachers' legislative staff will continue to advocate for legislation that benefits our members and California's students. It is critical that CFT members continue to remain actively engaged in lobbying at both the local and state levels in support of the organization's priority legislation.

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