

Date of Hearing: April 14, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS  
Lorena Gonzalez, Chair  
AB 516 (Megan Dahle) – As Introduced February 10, 2021

Policy Committee: Education Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

**SUMMARY:**

This bill adds participation in a cultural ceremony or event to the list of reasons that a student must be excused from school.

**FISCAL EFFECT:**

Potential Proposition 98 GF savings to the extent students who otherwise would have attended school do not attend school as a result of this measure. Savings at the state level would result from a redirection of funds from local educational agencies (LEAs) that would no longer generate state funding for students not attending school as a result of this measure.

LEAs receive between on average \$10,544 annually per student. If 3,000 of the state's Native American student population of about 30,000 were absent for one day they otherwise would not have been, Proposition 98 GF costs savings to the state would be about \$175,000 while LEAs serving those students would lose, on aggregate, about \$175,000.

If the Commission on State Mandates determines the bill's requirements to be a reimbursable state mandate, the state would need to reimburse these costs either directly to LEAs or through the K-12 Mandates Block Grant.

**COMMENTS:**

- 1) **Purpose.** According to this bill's supporters, which include many rural LEAs, Native American families feel penalized because LEAs do not count their children's participation in cultural ceremonies or events as excused absences.
- 2) **Background.** When a student is absent from school or tardy by 30 minutes without a valid excuse, the absence is known as an "unexcused absence." When a student has three unexcused absences in a school year, the student is considered truant. Laws governing truancy, including interventions and fines to parents, apply to these students.

When a student is absent from school with a valid excuse, the absence is known as an "excused absence." Current law defines various reasons a student may be excused from school, including illness, funerals of immediate family and medical appointments. It also lists "justifiable personal reasons" including, but not limited to, appearance in court, observance of a holiday or ceremony of the student's religion and attendance at religious retreats.

This bill adds a cultural ceremony or event to the list of reasons a student may be excused from school.

Schools are funded based on attendance. An unexcused absence and an excused absence both result in a loss of funding to a school equivalent to the amount of time a student is absent.

- 3) **Related legislation.** SB 14 (Portantino), of this Legislative Session, adds “for the benefit of the behavioral health of the pupil” to the list of reasons for an excused absence. The bill is pending in the Senate Appropriations Committee.

AB 3292 (Dahle), of the 2019-20 Legislative Session, was substantially similar to this bill. The bill was held in the Assembly Education Committee.

AB 1849 (Low), of the 2019-20 Legislative Session, would have added mental or behavioral health to the list of reasons for an excused absence. The bill was held in the Assembly Education Committee.

AB 1838 (Chu), of the 2019-20 Legislative Session, would have added absences due to behavioral health of a student to the list of reasons for an excused absence. This bill was held in the Assembly Education Committee.

**Analysis Prepared by:** Natasha Collins / APPR. / (916) 319-2081