
THIRD READING

Bill No: SB 955
Author: Leyva (D)
Introduced: 2/9/22
Vote: 21

SENATE EDUCATION COMMITTEE: 4-2, 4/6/22
AYES: Leyva, Cortese, McGuire, Pan
NOES: Ochoa Bogh, Dahle
NO VOTE RECORDED: Glazer

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/19/22
AYES: Portantino, Bradford, Kamlager, Laird, Wieckowski
NOES: Bates, Jones

SUBJECT: Pupil attendance: excused absences: civic or political events

SOURCE: Author

DIGEST: This bill allows students in grades 6-12 to have one excused absence per year to participate in a civic or political event.

ANALYSIS:

Existing law:

- 1) Clarifies each person between the ages of 6 and 18 years subject to compulsory full-time education and each person subject to compulsory continuation education must attend the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district where the parent or guardian is located. (Education Code (EC) § 48200)
- 2) Clarifies all persons between the ages of 16 and 18 must attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring

high school district, for not less than four 60-minute hours per week for the regularly established annual school term and may be done in any combination of attendance upon special continuation education classes and regional occupational centers or programs. (EC § 48400)

- 3) Specifies that excused absences are deemed to be absences in computing average daily attendance (ADA) and shall not generate state apportionment payments. (EC § 48205).
- 4) Provides a list of reasons that constitute an excused absence, which include, among others, that the absence of a student is to be excused when the absence:
 - a) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health; quarantine under the direction of a county or city health officer; have a medical, dental, optometric, or chiropractic services during school hours.
 - b) For the purpose of attending the funeral services of a member of the pupil's immediate family or spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services.
 - c) Jury duty or justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
 - d) Attending a naturalization ceremony to become a United States citizen; participating in a cultural ceremony or event. (EC § 48205)
- 5) Provides that a valid excuse may include other reasons that are within the discretion of school administrators and based on the facts of the pupil's circumstances. (EC § 48260)

This bill:

- 1) Adds civic and political events to list of excused absences for middle or high school students.
- 2) Clarifies that an excused absence to attend a civic or political event counts as one schoolday and is available once every school year to middle or high school students.

- 3) Adds that a middle or high school student who is absent to attend a civic or political event may be granted additional absences to attend a civic or political event at the discretion of the school administration.
- 4) Specifies that a “civic or political event” includes, but is not limited to, voting, poll working, permitted protesting, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

Comments

- 1) *Need for this bill.* According to the author’s office “Educational priorities in K-12 schools oftentimes severely limit the time available for civics instruction. When civics is taught, high-quality learning practices associated with ongoing civic engagement are distributed inequitably. For example, youth in Advanced Placement (AP) classes, in predominantly white districts, and in families with parents who have a college education are more likely to receive the best civic education. As a result, the institution best positioned to reach and prepare all youth for democratic participation is leaving a significant number of young people behind.”

The author goes on to say, “SB 955 seeks to encourage middle and high school aged children to participate in civic opportunities by requiring local education agencies to allow students to have one approved absence each school year for civic engagement. This bill emphasizes the importance of getting students more involved in government and their community by prioritizing student opportunities for civic learning and engagement both within and outside their education.”

- 2) *California Task Force on K-12 Civic Learning of 2014 (Task Force).* In 2014, the Chief Justice of California and the State Superintendent of Public Instruction formed the Task Force with the intention to craft a set of recommendations to improve civic learning in our schools to address the need to revitalize civic learning in our state. To this end, the Task Force makes the following system-wide recommendations to improve civic learning in every district, in every school, for every child:
 - a) Revise the California History-Social Science Content Standards and accompanying curriculum frameworks to incorporate an emphasis on civic learning, starting in kindergarten, so all students acquire the civic knowledge, skills and values they need to succeed in college, career and civic life.

- b) Integrate civic learning into state assessment and accountability systems for students, schools and districts. Civic knowledge, skills, values and whether students are receiving learning opportunities that promote these outcomes must be assessed and linked to revised California History-Social Science Content Standards and relevant Common Core State Standards. This will enable periodic reporting to the legislature and the public on the state of students' civic learning.
 - c) Improve professional learning experiences for teachers and administrators to help them implement civic learning in schools. Connect professional learning in civics to Common Core State Standards professional learning experiences.
 - d) Develop an articulated sequence of instruction in civic learning across all of K-12, pegged to revised standards. At each grade level, civic learning should draw on the research-based and include work that is action-oriented and project-based and that develops digital literacy.
 - e) Establish a communication mechanism so community stakeholders can easily connect with teachers and students on civic education and engagement. Students need to get out of the school building to practice civic engagement, and civic leaders need to come into schools to engage students.
 - f) Provide incentives for local school districts to fund civic learning in Local Control Accountability Plans under the new Local Control Funding Formula (LCFF).
- 3) *The Local Control Funding Formula*. The LCFF recognizes the necessity of investing in the reduction and ultimate removal of inequitable outcomes in California public schools. Revitalizing civic learning opportunities, in an equitable manner, can contribute to meeting these goals.
- 4) *State Seal Of Civic Engagement (SSCE)*. In October 2017, then-Governor Jerry Brown signed AB 24 (Eggman; Chapter 604, Statutes of 2017). The law requires the State Superintendent of Public Instruction (SSPI), on or before January 1, 2020, to recommend to the State Board of Education (SBE) criteria for awarding a SSCE to pupils who have demonstrated excellence in civics education and participation and an understanding of the United States Constitution, the California Constitution, and the democratic system of government. The law also requires the SSPI to consider, among other criteria, the successful completion of history, government, and civics courses, including

courses that incorporate character education and voluntary participation in community service or extracurricular activities.

A hallmark of the SSCE is its accessibility to all students, regardless of their backgrounds, communities, and experiences. This includes taking into consideration how local educational agencies (LEAs) can support California's most underserved students in earning the seal in ways that may not always mirror traditional student paths to civic engagement and learning. As civic engagement may look different from community to community, the California Department of Education encourages LEAs to work with local and statewide organizations to develop local criteria and to design and implement impactful civic engagement programs and pathways that reflect community interests, needs, and resources. To date, 5,359 seals have been awarded.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, to the extent that students who would have otherwise attended school do not attend as a result of this measure, this bill could result in unknown Proposition 98 General Fund savings to the state. However, each time a student is absent, that absence negatively impacts that local educational agency's ADA, ultimately reducing its overall funding. While each individual absence may be insignificant, in the aggregate, absences have an impact on overall funding provided to local school districts. Under current law, all absences, whether excused or unexcused, result in a reduction of overall ADA.

SUPPORT: (Verified 5/19/22)

AFSCME

California Labor Federation, AFL-CIO

California Student Board Member Association

Generation Up

Improve Your Tomorrow, Inc.

OPPOSITION: (Verified 5/19/22)

Capitol Resource Institute

ARGUMENTS IN SUPPORT: According to the California Labor Federation, AFL-CIO, "The California Labor Federation supports SB 955 (Leyva), which will allow students greater opportunities to participate in civic activities. This bill will guarantee that middle and high school students in California take at least one excused absence per year to engage in civic activities, such as poll working, permitted protesting, and strikes. We believe such a standard will significantly

improve students' knowledge of exactly the kind of activism that has built the labor movement, furthered social justice, and continued to improve our state every day. Hopefully such early exposure to such critically important events encourages more young Californians to always stay involved in the fight for a better California.”

ARGUMENTS IN OPPOSITION: According to the Capitol Resource Institute, “This bill will allow school administrators to determine which civic and political events a student may be excused from school to attend. The bill states, “A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of the school administrator.” This language opens the door for school administrators to discriminate against students based on which political events they attend. If this bill is passed, a school principal may use their discretion to permit students to engage in a pro-abortion protest, then use that same discretion to prohibit students from attending a pro-life rally. Students who hold conservative political views on economics, gender, marriage, and government are already ridiculed and discriminated against by teachers and students. This bill will further proliferate anti-free speech actions of school administrators and teachers who disagree with students on political issues. For the reasons stated above, Capitol Resource Institute and our thousands of followers across the state urge the Senate Education Committee to vote ‘No’ on SB 955”.

Prepared by: Kordell Hampton / ED. / (916) 651-4105
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