

SENATE THIRD READING  
SB 955 (Leyva)  
As Amended August 15, 2022  
Majority vote

## SUMMARY

Adds engagement in a civic or political event to the list of reasons that a pupil must be excused from school.

### Major Provisions

- 1) Adds engagement in a civic or political event by a middle or high school pupil to the list of excused absences, provided that the pupil notifies the school ahead of the absence.
- 2) Limits the excused absences for these purposes to one school day-long absence per school year.
- 3) Authorizes a school administrator to permit additional excused absences for these purposes at their discretion.
- 4) Defines a "civic or political event" to include, but not be limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

## COMMENTS

*Excused absences.* California's compulsory education law requires every child between the ages of 6 through 18 to attend school full-time and their parents and legal guardians to be responsible for ensuring that children attend school. A student who is absent from school without a valid excuse on any day or is tardy for more than 30 minutes, or any combination thereof, for three days in a school year is considered a truant.

Current law establishes excused absences for a number of reasons, including illness, quarantine, medical appointments, attending a funeral, jury duty, illness of the pupil's child, a court appearance, observation of a religious holiday or ceremony, attendance at an educational conference, serving on a precinct board, spending time with an immediate family member who is an active duty member of the military, as well as for other reasons deemed to constitute a valid excuse by a school administrator.

California schools are funded on the basis of the ADA of enrolled pupils. The level of absenteeism, whether excused or unexcused, negatively impacts a local educational agency's (LEA) overall funding.

### According to the Author

"SB 955 seeks to encourage middle and high school-aged children to participate in civic opportunities by requiring LEAs 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."

### **Arguments in Support**

The California Student Board Member Association, co-sponsors of the measure, notes: "As an organization comprised of student leaders, CSBMA understands the importance of civic education through civic participation. Although early public school systems were created with the explicit goal of preparing students for democratic participation, modern schools rarely remind us of that founding vision. Educational priorities in K-12 schools often severely limit the time for civics instruction. When civics is taught, high-quality learning practices associated with ongoing civic engagement are distributed inequitably. Research shows that youth in 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, leading to high voter rates as adults within these groups and inequity in general citizen participation. To address these disparities, California needs to return to our founding vision for education, and reemphasize the importance and need of student civic engagement.

SB 955 (Leyva) will allow students a necessary channel to engage in the systems of power around them and learn about the governmental operations that affect their day-to-day lives. By allowing students to be excused for the purposes of civic engagement, California provides and reprioritizes student opportunities for civic learning and engagement both within and outside their education."

### **Arguments in Opposition**

The Capitol Resource Institute states, "We believe that the education system should not use their resources to indoctrinate students or push them to support a certain political candidate or movement. We firmly oppose the politicization of the public school system and urge state and local government to push back against this dangerous movement to indoctrinate students. Students should not be coerced by school administrators to support or oppose political ideologies. To prevent the further indoctrination of students in public school classrooms, Capitol Resource Institute opposes SB 955.

This bill will allow school administrators to determine which civic and political events a student may be excused from school to attend. 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."

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee:

- 1) Potential Proposition 98 General Fund 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 LEAs that would no longer generate state funding for students not attending school as a result of this measure.
- 2) LEAs receive between on average \$11,000 annually per middle school or high school student. If 1% of the state's approximately 2.9 million students enrolled in seventh through

twelfth grades absent for one day they otherwise would not have been, Proposition 98 General Fund costs savings to the state would be about \$1.8 million while LEAs serving those students would lose, on aggregate, about \$1.8 million.

- 3) 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.

## VOTES

### SENATE FLOOR: 27-10-3

**YES:** Allen, Atkins, Becker, Bradford, Cortese, Dodd, Durazo, Eggman, Gonzalez, Hueso, Hurtado, Kamlager, Laird, Leyva, Limón, McGuire, Min, Newman, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener

**NO:** Bates, Borgeas, Dahle, Glazer, Grove, Jones, Melendez, Nielsen, Ochoa Bogh, Wilk

**ABS, ABST OR NV:** Archuleta, Caballero, Hertzberg

### ASM EDUCATION: 4-2-1

**YES:** O'Donnell, Bennett, Lee, Quirk-Silva

**NO:** Megan Dahle, Chen

**ABS, ABST OR NV:** McCarty

### ASM APPROPRIATIONS: 12-4-0

**YES:** Holden, Bryan, Calderon, Arambula, Mike Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, McCarty

**NO:** Bigelow, Megan Dahle, Davies, Fong

## UPDATED

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