
UNFINISHED BUSINESS

Bill No: SB 955
Author: Leyva (D)
Amended: 8/15/22
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

SENATE FLOOR: 27-10, 5/24/22
AYES: 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
NOES: Bates, Borgeas, Dahle, Glazer, Grove, Jones, Melendez, Nielsen, Ochoa
Bogh, Wilk
NO VOTE RECORDED: Archuleta, Caballero, Hertzberg

ASSEMBLY FLOOR: 56-16, 8/18/22 - See last page for vote

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 provided that the pupil notifies the school ahead of the absence.

Assembly Amendments (1) remove the requirement that the State Board of Education update its illness verification regulations for pupils who are absent for

the benefit of their mental or behavioral health; (2) require pupil to provide a notice of absence prior to attending a “civic or political event”; (3) eliminate “permitted protest” from the list of possible “civic or political event” a pupil may attend; and (4) clarify which school administrators may approve addition “civic or political event” a pupil may attend.

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 § 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 allows students, in grades 6 – 12, to have one excused absence per year to participate in a civic or political event provided that the pupil notifies the school ahead of the absence. Specifically, this bill:

- 1) Adds “civic and political event” to list of excused absences a middle or high school pupil provided that the pupil notify the school ahead of the absence.
- 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 pupil 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 administrator.
- 4) Specifies that a “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
- 5) Removes the requirement that the State Board of Education update its illness verification regulations for pupils who are absent for the benefit of their mental or behavioral health.

Comments

- 1) *Need for the 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).

This bill appears to align with the six proven practices listed above by creating an opportunity for students in middle school or high school to be engaged.

- 3) *The Local Control Funding Formula (LCFF)*. 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.

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

According to the Assembly Appropriations Committee, this bill has 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 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 \$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. 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.

SUPPORT: (Verified 8/18/22)

AFSCME

California High School Democrats

California Labor Federation, AFL-CIO

National Association of Social Workers, California Chapter

California Student Board Member Association

Generation Up

Improve Your Tomorrow

OPPOSITION: (Verified 8/18/22)

Capitol Resource Institute

ARGUMENTS IN SUPPORT: According to Generation Up (GENup) “As an organization comprised of over 9000 California student advocates, GENup understands the importance of civic education through civic participation. 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 with educational priorities in K-12 schools often severely limit the time for civics instruction. According to Tufts University data, only 37% of California voting-eligible young people ages 18-29 cast a ballot in the 2016 presidential election, though this number increased to 54% in 2020. In order to continue to see this increase, we must California must return to our founding vision for education, and reemphasize the importance and need of student civic engagement. SB955 (Leyva) will allow students a necessary channel to engage in civics 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: 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.”

ASSEMBLY FLOOR: 56-16, 8/18/22

AYES: Aguiar-Curry, Alvarez, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cooley, Cooper, Mike Fong, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, Maienschein, Mayes, McCarty, McKinnor, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Petrie-Norris, Quirk, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Ward, Akilah Weber, Wicks, Wilson, Rendon

NOES: Bigelow, Cunningham, Megan Dahle, Davies, Fong, Gallagher, Kiley, Lackey, Mathis, Nguyen, Patterson, Seyarto, Smith, Valladares, Voepel, Waldron

NO VOTE RECORDED: Arambula, Cervantes, Chen, Choi, Daly, Flora, Quirk-Silva, Wood

Prepared by: Kordell Hampton / ED. / (916) 651-4105
8/19/22 13:24:05

**** END ****