

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON EDUCATION
Darshana R. Patel, Chair
AB 2120 (Solache) – As Introduced February 18, 2026

[Note: This bill was double referred from the Assembly Public Employment and Retirement Committee and was heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: School district employees: merit system

SUMMARY: Deletes the sunset date for the alternative hiring process for specified job classifications in the merit system for classified employees in the Los Angeles Unified School District (LAUSD). Specifically, **this bill:**

- 1) Deletes the sunset date for LAUSD to have an alternative hiring process for specified job classifications related to the first three ranks of eligible applicants.
- 2) Deletes Information Technology Electronic Communications Technician from this alternative hiring process.
- 3) States that a classified employee hired using the alternative hiring process may be retained, without regard to seniority, if the employee's layoff would deprive the district of the qualifications listed that was the basis for the employee's original employment.

EXISTING LAW:

- 1) Requires that vacancies in the classified service of a school district that has adopted the merit system be filled by appointments from eligible applicants on the applicable eligibility list who are ready and willing to accept the position, in order of rank on the list. (Education Code (EC) 45277)
- 2) Authorizes the LAUSD, until January 1, 2027, to make an appointment to specified classifications from other than the first three ranks on the eligibility list if one or more specified criteria are required for successful job performance. In those circumstances, appointments must be made from among the highest three ranks of eligible candidates on the list who meet the special requirements and are ready and willing to accept the position. (EC 45277.5)
- 3) Requires that when classified employees are subject to layoff for lack of work or lack of funds, the order of layoff within a class is determined by length of service, with the employee who has been employed the shortest time laid off first and reemployment occurring in order of seniority. (EC 45308)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “Selective Certification has allowed LAUSD to decrease the time to hire staff in certain, critical roles, who have the skills to effectively support our schools and families on day one. In a time of decreasing enrollment and increasing costs, every dollar counts. Selective Certification is cost-effective and provides decreased disruption of service.”

Exemption from the “Rule of Three Ranks.” The rationale for the exemptions permanently extended by this bill, as described in an analysis of AB 424 (Richman), Chapter 881, Statutes of 2003, was that these provisions would “provide efficiencies, economies and flexibility in the examination and selection process for classified employees of the Los Angeles Unified School District.” The sponsor of that bill stated that the “Rule of Three Ranks” takes between one and four months to fill a vacancy, and that “at any given time, there are tens of vacancies in any given classification. If one school must select from the top three ranks before the next school can select, inordinate delays are created in the hiring of qualified employees.” The sponsor estimated that an exemption would reduce hiring time to two to three weeks.

Merit systems. Current law establishes a system of classified personnel management, known as the merit system, which has been adopted by nearly 100 school districts in California, including LAUSD, which adopted the merit system in 1936.

In a merit system district, a personnel commission establishes guidelines that the district governing board must follow in the hiring, retention, and promotion of classified employees. The commission is comprised of one commissioner selected by the exclusive representative of the classified employees, one commissioner selected by the school district, and a third commissioner selected by the other two.

Vacancies in the classified service are filled from applicants on eligibility lists, except for vacancies filled by transfer, demotion, reinstatement, or reemployment in accordance with rules of the commission. An applicant's place on an eligibility list is determined by his or her performance on a competitive examination. All eligible applicants with the same score are considered as having the same rank, and positions generally are filled by applicants from the first three ranks on an eligibility list. Appointments may be made from other than the first three ranks when the ability to speak, read, or write a language in addition to English, possession of a valid driver's license, specialized licenses or ability, or gender is a requirement of the position.

Arguments in support. Los Angeles Unified School District state, “Los Angeles Unified School District (Los Angeles Unified) is pleased to sponsor your bill, Assembly Bill 2120, which would permanently extend the authorization for Los Angeles Unified to use selective certification in hiring for classified positions, and would additionally give the district flexibility to retain employees hired through Selective Certification during reductions in force, if the typical layoff pattern would deprive the district of the necessary skills or experiences for which the person was hired.

Los Angeles Unified has used Selective Certification since 2003, which allows the district to move quickly to fill certain positions that require skills that cannot be acquired on the job, such as fluency in a foreign language. Prior to the implementation of Selective Certification in 2003, the district required between one to three months to fill a vacancy. These positions are now filled in two to five weeks, greatly improving continued service for our staff and students. Additionally, Selective Certification allows the district to most efficiently utilize taxpayer dollars

by hiring candidates who have the skills to effectively perform the job on day one. Assembly Bill 2120 will further the impact of this policy, by allowing the district to retain employees with specialized skill sets during reductions in force.”

Previous legislation. AB 1859 (Santiago), Chapter 67, Statutes of 2020, extended from December 31, 2020, to January 1, 2027, exemptions from the requirement that a merit system school district fill classified employee vacancies with applicants from the first three ranks on an eligibility list.

AB 1339 (Santiago), Chapter 243, Statutes of 2015, extended the exemption from the requirement to appoint from the first three ranks until December 31, 2020, and struck “information technology solution technician” from the list of positions subject to this exemption.

AB 2125 (Hall), Chapter 56, Statutes of 2012, extended the exemption from the requirement to appoint from the first three ranks to December 31, 2015, and reduced the application to nine positions.

AB 1293 (Hall), Chapter 145, Statutes of 2009, added nine additional positions to which the exemption from the requirement to appoint from the first three ranks may apply.

AB 415 (Karnette), Chapter 186, Statutes of 2008, added "any classifications that have been designated as management" to the positions exempted from the requirement to appoint from the first three ranks.

AB 580 (Smyth), Chapter 528, Statutes of 2007, extended the exemption from the requirement to appoint from the first three ranks to January 1, 2012, and limited its application to 16 specified positions.

AB 1772 (Assembly Public Employees, Retirement and Social Security Committee), Chapter 547, Statutes of 2005, extended the exemption from the requirement to appoint from the first three ranks to January 1, 2007.

AB 424 (Richman), Chapter 881, Statutes of 2003, created the exemption from the requirement to appoint from the first three ranks. That bill did not restrict the exemption to specified positions.

REGISTERED SUPPORT / OPPOSITION:

Support

Los Angeles Unified School District

Opposition

None on file

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