
CONSENT

Bill No: AB 2120
Author: Solache (D)
Amended: 6/22/26 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 5-0, 6/10/26
AYES: Smallwood-Cuevas, Strickland, Cortese, Durazo, Laird

SENATE EDUCATION COMMITTEE: 7-0, 7/1/26
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 77-0, 5/14/26 - See last page for vote

SUBJECT: School district employees: merit system

SOURCE: Los Angeles Unified School District

DIGEST: This bill (1) extends until January 1, 2031, the authority for Los Angeles Unified School District (LAUSD) to use an alternative merit hiring process for specified classified positions requiring specialized skills, (2) authorizes the district to retain certain employees hired through that process during layoffs without regard to seniority when necessary to preserve those specialized qualifications, and (3) requires LAUSD to report to the Legislature on its use of these exemptions.

ANALYSIS:

Existing law:

- 1) Requires vacancies in the classified service of a merit system school district to be filled from eligible applicants within the first three ranks on the applicable eligibility list.

- 2) Authorizes LAUSD, until January 1, 2027, to appoint employees to specified classified positions from outside the first three ranks when specialized skills or qualifications are required for successful job performance.
- 3) Requires classified employee layoffs and reemployment to occur in seniority order.

This bill:

- 1) Extends LAUSD's authority to use its selective certification hiring process for specified classified positions from January 1, 2027, until January 1, 2031.
- 2) Removes the Information Technology Electronic Communications Technician classification from the list of positions eligible for selective certification.
- 3) Authorizes LAUSD, during a reduction in force, to retain an employee hired through the selective certification process without regard to seniority if laying off that employee would deprive the district of the specialized qualifications for which the employee was hired.
- 4) Requires LAUSD to submit a report to the Legislature by January 1, 2030, detailing its use of the selective certification authority, including positions filled, the specialized qualifications relied upon, certification that no candidate within the first three ranks possessed those qualifications, layoffs resulting from the exemption, employee demographic data, and other implementation information.
- 5) Repeals these provisions on January 1, 2031.

Background

- 1) *Need for the bill.* According to the author, "Without selective certification, if the first three ranks do not possess the necessary knowledge or certification, the hiring division faces significant operational risks. The division is compelled to onboard individuals who require immediate, intensive remedial training. This results in a prolonged skills and productivity gap of up to two years, increased turnover, and the additional cost of restarting the recruitment cycle should the candidate fail to achieve the necessary competencies. Selective certification allows the district to most efficiently utilize taxpayer dollars by hiring candidates who are able to effectively perform the job on day one."

“Additionally, in the event of a reduction in force, the District may be compelled to lay off a recently-hired employee who was hired specifically due to possessing a certain skill set or qualification. This bill would allow the district to skip over these employees during reductions in force, if following the typical layoff pattern would deprive the district of the special skill for which the employee was hired.”

- 2) *This bill continues a longstanding, narrowly tailored exception to LAUSD’s merit hiring process.* Since 2003, the Legislature has periodically authorized LAUSD to bypass the traditional “rule of three ranks” for a limited number of specialized classified positions where particular skills are necessary on day one, such as language proficiency or other technical qualifications. Rather than creating a new hiring framework, this bill extends an existing authority that has been repeatedly revisited and refined by the Legislature over the past two decades.
- 3) *The bill expands the exception beyond hiring decisions by allowing selective retention during layoffs.* Current law only provides flexibility during hiring. This bill also allows LAUSD to retain an employee hired through selective certification during a reduction in force, notwithstanding normal seniority rules, when the employee possesses specialized qualifications that the district would otherwise lose. While this may help preserve critical operational expertise, it also represents a departure from longstanding merit system protections that generally prioritize seniority during layoffs.
- 4) *Recent amendments strengthen legislative oversight and preserve the temporary nature of the exemption.* As introduced, the bill would have made LAUSD’s selective certification authority permanent. Senate Labor, Public Employment and Retirement Committee amendments instead restored a January 1, 2031, sunset and require LAUSD to report to the Legislature before the authority expires. The report will provide information about how frequently the exemption is used, the qualifications justifying its use, whether qualified candidates existed within the top three ranks, the effect on layoffs, and demographic information. These amendments provide the Legislature with an opportunity to evaluate whether the authority is being exercised as intended before considering any future extension.
- 5) *The bill reflects the balance between merit system principles and operational flexibility.* California’s merit system is designed to promote objective hiring

and protect against favoritism by relying on competitive examinations and seniority-based personnel decisions. At the same time, LAUSD has argued that certain highly specialized positions cannot always be filled efficiently under the traditional process and that preserving employees with unique qualifications may be necessary to maintain district operations. This bill continues this limited exception while incorporating additional transparency intended to allow future legislative review of whether the flexibility remains justified.

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

SUPPORT: (Verified 08/03/26)

Los Angeles Unified School District (source)

OPPOSITION: (Verified 08/03/26)

None received.

ARGUMENTS IN SUPPORT:

According to the Los Angeles Unified School District:

“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. AB 2120 will further the impact of this policy, by allowing the district to retain employees with specialized skill sets during reductions in force.”

ASSEMBLY FLOOR: 77-0, 5/14/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz,

Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward,
Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Flora, Celeste Rodriguez

Prepared by: Glenn Miles / L., P.E. & R. / (916) 651-1556
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