

CONCURRENCE IN SENATE AMENDMENTS

AB 395 (Gabriel)

As Amended August 19, 2026

Majority vote

SUMMARY

Requires specified state and local entities, including local educational agencies (LEAs), the California Community Colleges (CCCs) and the California State University (CSU), and requests the University of California (UC), to make efforts to avoid calendaring events and meetings on days observed as religious, cultural, or ancestral holidays.

Senate Amendments

- 1) Require specified state and local entities to make a good faith effort, rather than every effort, to avoid calendaring events and meetings on days observed as religious, cultural, or ancestral holidays.
- 2) Authorize a person who has suffered harm as a result of a violation of calendaring events and meetings, as specified in sections related to CCCs, CSUs, UCs, and state agencies, to bring a civil action for injunctive relief.
 - a) Require, before filing a lawsuit, a person who believes that the institution has not made good faith, reasonable efforts to request that the institution provide in writing the specific basis for the institution's determination that it could not avoid scheduling an institutional event that may conflict with the ritual observance of a religious, cultural, or ancestral holiday.
 - b) Require, in order to prevail in an action for injunctive relief, the plaintiff to demonstrate by clear and convincing evidence that the violation was due to bad faith, willful misconduct, or callous disregard on the part of the respondent.
- 3) Related to CCCs, CSUs, and UCs, within the definition of "institutional event" replace "academic examination days" with "final exam week".
- 4) Delay implementation of the bill's provisions for LEAs, community colleges, the CSU, and UC to the 2027-28 school year.
- 5) Make other technical changes.

COMMENTS

K-12 school calendar establishment. School district, charter school, and county office of education (COE) academic calendars are established by the local governing board or body. The school calendar is often bargained locally. Current law requires that the school year begins July 1 and ends June 30 of the following year. Current law further requires, for school districts, the school year to be at least 180 days. Public schools are required to close on a number of holidays, including January 1, Dr. Martin Luther King, Jr. Day, Lincoln Day, Washington Day, Memorial Day, July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, all days appointed by the Governor or the President of the United States for a public fast, Thanksgiving or holiday, and any other day designated as a holiday by the governing board of the school district. Beyond

those requirements, school districts, COEs, and charter schools have the discretion to adopt calendars that fit the needs of their communities, including when to schedule, for example, the first and last days of school, winter or spring breaks, and events such as graduation ceremonies.

As it relates to K-12 public schools, this bill would not require public schools to change their calendars but rather require them to consider making efforts to avoid scheduling the first day of class and high school graduation on a date that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday. As noted in the author's statement, many cultural, religious, or ancestral holidays follow a lunar calendar; therefore resulting in those dates shifting annually in the Gregorian, or solar calendar of January to December. Although the bill lists several holidays as examples, the bill would require a governing board to consider any ritual observance of a religious, cultural, or ancestral holiday for which the public would be unable to participate or be present.

Public institutions of higher education calendar establishment. The governing board of each community college district determines the district's academic calendar, including the holidays it will observe. The California Code of Regulations provide that a "college year" begins on the first day of July and ends on the last day of June. The "academic year" must include 175 days of instruction and does not include summer or other intersession terms.

The CSU does not have a systemwide policy for how academic calendars are created for the 23 campuses. According to the Assembly Higher Education Committee's analysis, each campus' President has the authority to create an academic calendar in collaboration with academic faculty, which is reviewed and endorsed by the Chancellor's Office (to ensure each calendar meets the requirements described next). Each academic calendar must have a minimum of 147 instructional days and 170 work days which must align with the monthly payroll schedule set by the California Department of Finance.

The academic calendar for all UC general campuses is set by the Provost at the UC Office of the President. The campus Chancellors have authority for setting calendars for professional schools and certain professional programs for working adults. UC general campuses are required to have common start dates for all quarters and semesters, 146 instructional days per academic year, and to avoid calendaring residence hall move-in dates on religious holidays during the fall term.

This bill does not require public postsecondary educational institutions to change their calendars but rather requires community college districts and CSU, and requests UC, make efforts when developing academic calendars to avoid calendaring an institutional event on a date for which the institution of higher education knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday.

Input from the Senate Governmental Organization Committee. This bill touches on matters within the Senate Governmental Organization Committee's jurisdiction, but in the Senate the bill was referred only to the Senate Education Committee and the Senate Judiciary Committee. The Senate Governmental Organization Committee offered these comments in the Senate Judiciary Committee's analysis of the bill:

Regarding the proposed amendments to Government Code Section 11131, these changes could significantly and adversely impact the ability of state agencies to carry out even their most fundamental functions. For instance, the bill's broad definition of "state agency" appears

to encompass every state entity, including the California State Legislature. Under this legislation, the Legislature would be required to make every reasonable effort to avoid scheduling any meeting on dates where it has reason to believe that members of the public might be unable to participate due to the observance of any religious, cultural, or ancestral holiday.

The language of the bill is so expansive that, in practice, the Legislature may be compelled to refrain from conducting any function if a single member of the public could be prevented from attending because of an observance—not only of a religious holiday but also of any cultural or ancestral holiday. Applying this standard, the bill appears to prioritize avoiding scheduling conflicts related to religious, cultural, or ancestral holidays over the Legislature's ability to perform its essential duties. Given the existence of critical legislative deadlines, this raises serious concerns.

For example, in 2025, the deadline for each house to pass bills is September 12. The preceding day, September 11, is federally recognized as Patriot Day, commemorating the nearly 3,000 victims of the September 11, 2001, terrorist attacks. Should this bill become law, the California Legislature would be obligated to make every reasonable effort to avoid conducting floor sessions on September 11 in recognition of this cultural observance. It is reasonable to infer that "every reasonable effort" would include attempting to conduct all necessary business either on September 10 or September 12. However, it is important to note that the holiday of Rosh Hashanah—explicitly referenced in the bill—often occurs in September. For instance, in 2018, Rosh Hashanah was observed over two days from September 9 through September 11.

This example illustrates only one scenario involving a single state entity. Given that the bill applies to all state agencies and encompasses every religious, ancestral, and cultural holiday, its implementation could render many state agencies unable to fulfill some of their most basic operational responsibilities.

According to the Author

"No one should have to choose between practicing their faith and their education. Unfortunately, this has been an ongoing dilemma for minority communities when important meetings and academic milestones are scheduled on significant religious or cultural holidays. AB 395 takes a proactive approach to respecting the diverse traditions of Californians, and furthers the intent and purpose of the Civil Rights Act of 1964 by ensuring that state institutions work for all communities."

Arguments in Support

The California Federation of Teachers writes, "Many religious and cultural communities in California observe holidays that prevent them from working or participating in public events. When schools start classes or hold major events like high school graduations on such holidays, students from affected communities are put at a disadvantage. Likewise, when state agencies schedule important meetings on those dates, entire communities are effectively excluded from public participation. AB 395 takes a proactive approach by requiring state agencies to make a reasonable effort to avoid holding meetings, conferences, or other functions on dates when they know religious or cultural observances would prevent public participation. This bill also guides schools to consider these important dates for their students when scheduling the first day of class or major events like high school graduation.

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Senate Appropriation Committee:

- 1) By authorizing a person who has suffered harm as a result of a violation of the bill's provisions to bring a civil action for injunctive relief, this bill could result in additional, unknown cost pressures to the courts to adjudicate these cases (Trial Court Trust Fund, General Fund). The actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It typically costs about \$1,000 to operate a courtroom for one hour. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and put pressure on the General Fund to fund additional staff and resources.
- 2) The Chancellor's Office for the CCCs estimates Proposition 98 General Fund costs in the low thousands of dollars for each community college district per year to make the necessary updates to academic calendars and additional state operations costs in the low thousands of dollars to update guidance on academic calendars.
- 3) The UC indicates that any costs resulting from the bill would be minor and absorbable.

VOTES:**ASM EDUCATION: 9-0-0**

YES: Muratsuchi, Hoover, Addis, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Patel

ASM HIGHER EDUCATION: 10-0-0

YES: Fong, DeMaio, Boerner, Jeff Gonzalez, Jackson, Muratsuchi, Patel, Celeste Rodriguez, Sharp-Collins, Tangipa

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

UPDATED

VERSION: August 19, 2026

CONSULTANT: Marguerite Ries / ED. / (916) 319-2087

FN: 0004170