
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 461 (Ahrens) - Truancy: CalWORKs: school attendance

Version: March 24, 2025

Policy Vote: HUMAN S. 4 - 1, PUB. S. 5 -
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Urgency: No

Mandate: Yes

Hearing Date: August 18, 2025

Consultant: Agnes Lee

Bill Summary: AB 461 would repeal the criminal misdemeanor offense for parents who fail to reasonably supervise and encourage pupil school attendance and revise the requirement for school attendance for children under the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Fiscal Impact:

- The California Department of Social Services (CDSS) estimates ongoing General Fund costs of \$141,000 annually to increase the cash aid grant for families who currently have a truancy penalty (49 cases); a one-time General Fund administration cost of \$1,000 in 2026-27 to recalculate the monthly grant; and a one-time General Fund cost of \$276,000 in 2026-27 for automation.
- Unknown costs to counties for administration. Costs would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

Background: Under the state's Compulsory Education Law, each person between the ages of 6 and 18 years, unless exempted pursuant to existing law, is subject to compulsory full-time education. Current law states that a parent or guardian of a pupil of six years of age or more who is in kindergarten or any of grades 1 to 8, inclusive, and who is subject to compulsory full-time education or compulsory continuation education, whose child is a chronic truant as defined, who has failed to reasonably supervise and encourage the pupil's school attendance, and who has been offered language accessible support services to address the pupil's truancy, is guilty of a misdemeanor punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment. A parent or guardian guilty of a misdemeanor under this provision may participate in the deferred entry of judgment program, as specified.

CalWORKs provides temporary cash assistance aimed at moving children out of poverty and helping qualified low-income families meet their basic needs, such as rent, clothing, utility bills, food, and other items needed to ensure children are cared for at home and safely remain with their families. In addition to cash assistance, adult CalWORKs recipients are provided education, employment, and training services designed to help remove barriers to work and promote self-sufficiency. These services are typically outlined in a welfare-to-work plan. CDSS is the designated state agency responsible for program supervision at the state level, and counties are responsible for

administering the program at the local level. Current law requires children in a CalWORKs assistance unit for whom school attendance is compulsory to attend school, except as specified. Under existing law, the needs of a child in the assistance unit who is 16 years of age or older are not considered in computing the specified grant of the family for any month in which the county is informed by a school district or a county school attendance review board that the child is deemed a chronic truant, except under certain conditions.

Proposed Law: Specific provisions of the bill would:

- Repeal the existing criminal misdemeanor offense for a parent or guardian whose child is a chronic truant and who has failed to reasonably supervise and encourage the pupil's school attendance.
- Delete the existing school attendance requirements under the CalWORKs program, effective July 1, 2026, or the date that CDSS notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the bill's CalWORKs provisions, whichever date is later.
- Make operative on July 1, 2026, or on the date that CDSS notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement the following CalWORKs requirements, whichever date is later:
 - If the county human services agency is informed that any child in the assistance unit is not attending school as required by the state's Compulsory Education Law both of the following must apply:
 - The county human services agency must screen the family to determine eligibility for family stabilization services, as specified.
 - The child, if they are 16 years of age or older, may voluntarily participate in the welfare-to-work program, as specified.
 - Require that a child who is not attending school as required by the Compulsory Education Law must remain eligible for services that may lead to attendance in school.

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