
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 65 (Aguiar-Curry) - School and community college employees: paid disability and parental leave

Version: December 3, 2024

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: ED. 5 - 0, L., P.E. & R. 4 - 1

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill requires local educational agencies (LEAs) and community college districts to provide up to 14 weeks of paid pregnancy disability leave to employees who are unable to work due to pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from those conditions. The bill also prohibits the leave from being charged against other available leave balances.

Fiscal Impact:

- This bill could result in local costs potentially in the high tens of millions to low hundreds of millions of dollars each year for K-12 LEAs and community college districts to provide the new employee benefit of six weeks of paid pregnancy-related leave. This estimate includes all statutory benefits and the costs associated with hiring substitute teachers. The exact cost will depend on the number of employees utilizing this benefit as well as the salary structure of the employees. Staff notes that the AB 126 (Committee on Budget, Chapter 65, Statutes of 2026), the education trailer bill, requires all TK-14 LEAs to provide employees with up to 14 weeks of paid pregnancy disability leave beginning on January 1, 2027. The related costs are intended to be absorbable within the funding allocated to LEAs for the discretionary Local Control Funding Formula "super COLA."
- To the extent that this bill results in employees accumulating higher sick leave balances that are converted to service credit at retirement, this bill could result in additional General Fund costs to the California Public Employees' Retirement System or California State Teachers' Retirement System (CalSTRS). The extent of these costs is unknown and would depend on the number of impacted employees and the amount of sick days that are accumulated and converted to service credit. According to CalSTRS, the increase in pension costs for the average CalSTRS member to convert one day of sick leave to service credit is \$4 per year.
- This bill could result in additional Proposition 98 General Fund costs to school and community college districts to the extent that employees accumulate larger sick leave balances and receive larger pay outs when leaving employment from public education.

Background: Existing law establishes the California Family Rights Act (CFRA), which provides certain employees up to 12 weeks of unpaid, job-protected leave per year for

the purpose of bonding with a child, care for a parent, spouse, or child with a serious health condition, or due to an employee's own serious health condition, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave. Further, existing law requires school districts to provide for a leave of absence from duty for a certificated employee of the school district who is required to be absent from duties because of pregnancy, miscarriage, childbirth, and recovery therefrom. Existing law requires that the length of the leave of absence be determined by the employee and the employee's physician.

School districts are required to provide for a leave of absence from duty for a classified employee of the school district who is required to be absent from duties because of pregnancy, childbirth, and convalescence therefrom, and the length of the leave of absence shall be determined by the employee and the employee's physician.

Existing law specifies that during each school year, when a person employed in a position requiring certification qualifications has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of illness or accident for an additional period of five school months, the amount deducted from the salary due him or her for any of the additional five months in which the absence occurs shall not exceed the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence or, if no substitute employee was employed, the amount that would have been paid to the substitute had he or she been employed. The sick leave, including accumulated sick leave, and the five-month period shall run consecutively and the benefit is limited to one five-month period per illness or accident. Certificated and classified employees that participate in the differential pay program shall receive no less than 50 percent of their regular salary during the period of such absence.

Proposed Law: This bill requires public school employers and community college districts to provide up to 14 weeks of fully paid leave to certificated, classified, and academic employees who are unable to work because of pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from those conditions. The duration of the leave is determined by the employee and the employee's physician. The bill authorizes the paid leave to begin before childbirth and continue afterward when the employee is disabled by pregnancy, childbirth, termination of pregnancy, or a related medical condition.

This bill prohibits the leave from being deducted from any other leave entitlement available under state or federal law, including sick leave and family and medical leave.

This bill requires public school employers and community college districts to maintain group health coverage during the leave at the same level and under the same conditions as if the employee had remained actively employed. It also prohibits them from imposing eligibility requirements, including minimum hours worked or minimum length of service, before an employee may access the leave.

This bill requires pregnancy-related disabilities to be treated under employer policies and practices on the same terms and conditions as other temporary disabilities. The bill also specifies that it does not diminish any greater disability or parental leave rights provided through collective bargaining agreements.

Related Legislation: AB 2901 (Aguiar-Curry, 2024) was similar to this bill and would have required 14 weeks of paid pregnancy leave. This bill was held on the Senate Floor.

AB 500 (Gonzalez, 2019) would have required that school districts, charter schools, and community colleges to provide at least six weeks of full pay for pregnancy-related leaves of absence taken by certificated, academic, and classified employees. This bill was vetoed by the Governor with the following message:

Providing every California worker with paid family leave is a noble goal and a priority for my administration. However, this bill will likely result in annual costs of tens of millions of dollars that should be considered as part of the annual budget process and as part of local collective bargaining. Moreover, this proposal should be considered within the broader context of the Paid Family Leave Task Force, which is assessing increased paid family leave for all of California's workers.

Staff Comments: Existing law provides that it is unlawful to refuse to allow a female employee disabled by pregnancy, childbirth, or a related medical condition to take leave not to exceed four months. The employee is entitled to use vacation leave during this time. Once the vacation time is exhausted, the employee can receive differential pay for the remaining time, for up to five months. This bill would allow up to 14 weeks of full pay for pregnancy-related leaves of absence taken by school employees at LEAs and community college districts. The bill prohibits a leave of absence taken from being deducted from any other leaves of absence available, and also authorizes the paid leave to begin before and continue after childbirth if the employee is actually disabled by the pregnancy, childbirth, termination of pregnancy, or related medical conditions.

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