

THIRD READING

Bill No: AB 65
Author: Aguiar-Curry (D), et al.
Introduced: 12/3/24
Vote: 21

SENATE EDUCATION COMMITTEE: 5-0, 6/17/26
AYES: Pérez, Cabaldon, Cortese, Gonzalez, Reyes
NO VOTE RECORDED: Ochoa Bogh, Choi

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 7/1/26
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 62-0, 5/29/25 - See last page for vote

SUBJECT: School and community college employees: paid disability and parental leave

SOURCE: California Teachers Association

DIGEST: This bill (1) requires school districts, charter schools, county offices of education, and community college districts (CCDs) to provide up to 14 weeks of fully paid pregnancy disability leave to certificated, classified, and academic employees who are unable to work due to pregnancy, miscarriage, childbirth, termination of pregnancy, or related recovery; (2) prohibits the leave from being charged against other available leave balances, requires continuation of health benefits during the leave, and establishes the benefit regardless of an employee's length of service or hours worked.

ANALYSIS:

Existing law:

- 1) Prohibits, under the Fair Employment and Housing Act (FEHA), employers from denying a reasonable period of pregnancy disability leave, not to exceed four months, for employees disabled by pregnancy, childbirth, or related medical conditions.
- 2) Provides, under the California Family Rights Act (CFRA), eligible employees up to 12 weeks of unpaid, job-protected leave for specified family and medical purposes and requires maintenance of health benefits during the leave.
- 3) Requires school districts to provide certificated employees with a leave of absence due to pregnancy, miscarriage, childbirth, and recovery, with the duration determined by the employee and physician.
- 4) Requires school districts to provide classified employees with a leave of absence due to pregnancy, childbirth, and related recovery, with the duration determined by the employee and physician.
- 5) Requires certificated, academic, and classified employees who exhaust available sick leave and remain absent due to illness, injury, or parental leave to receive differential pay, generally equal to the employee's salary less the cost of a substitute, and not less than 50% of the employee's regular salary.
- 6) Requires governing boards of CCDs to provide pregnancy leave for academic employees and authorizes governing boards to establish pregnancy leave policies for classified employees.

This bill:

- 1) Requires public school employers and CCDs 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.
- 2) 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.

- 3) Prohibits leave provided under this bill from being deducted from any other leave entitlement available under state or federal law, including sick leave and family and medical leave.
- 4) Requires public school employers and CCDs 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.
- 5) Prohibits public school employers and CCDs from imposing eligibility requirements, including minimum hours worked or minimum length of service, before an employee may access the leave.
- 6) Requires pregnancy-related disabilities to be treated under employer policies and practices on the same terms and conditions as other temporary disabilities.
- 7) Specifies that the bill does not diminish any greater disability or parental leave rights provided through collective bargaining agreements.

Comments

- 1) *Need for the bill.* According to the author, “Today, teachers in California do not receive paid pregnancy leave. This forces teachers to deplete all of their sick leave and then receive reduced ‘differential’ pay where they effectively pay for their own substitute teacher. This practice makes it hard for pregnant teachers to care for their families and has long term financial consequences. 70% of teachers are women, and studies have shown that the women in the teaching ranks will receive nearly \$100,000 less than their male counterparts in their retirement because they are forced to use up all of their accrued sick leave. At a time when our educators are leaving this vital profession due to the pressures of the pandemic, and college students seek other paths for their careers, AB 65 takes a necessary step to invest in our educators by giving them 14 weeks of paid pregnancy leave. AB 65 will help to attract and retain educators. But, more importantly, it will grant the basic human right to care for one’s child to the people we count on every day to educate our children and grandchildren.”
- 2) *Significant expansion of existing leave benefits.* Existing law already provides several overlapping forms of job-protected leave and wage replacement for pregnancy-related absences, including Pregnancy Disability Leave under FEHA, bonding leave under CFRA and Family and Medical Leave Act (FMLA), differential pay requirements specific to school employees, and, in some districts, access to State Disability Insurance or private disability

insurance programs. This bill creates a new standalone entitlement of up to 14 weeks of fully paid leave that would not be charged against any existing leave balances and would operate in addition to other available leave benefits. As a result, the measure represents a significant expansion of current leave protections for K-14 employees.

- 3) *Fiscal and workforce considerations.* The principal policy question raised by this bill is not whether pregnancy-related leave should be available, but who should bear the cost of providing enhanced wage replacement. Existing law generally spreads costs among employees, employers, and, in some cases, disability insurance programs. By contrast, this bill places responsibility for providing up to 14 weeks of full salary directly on school districts and CCDs. While supporters argue that enhanced leave policies may improve recruitment and retention of educators, opponents have expressed concern regarding the potentially substantial ongoing Proposition 98 costs, the need to secure qualified substitutes during extended absences, and the cumulative impact on local budgets during a period of continuing fiscal pressure.
- 4) *Similar measures have faced fiscal concerns in prior years.* The Legislature has considered similar proposals multiple times. AB 500 (Gonzalez, 2019) would have required six weeks of paid pregnancy disability leave for school and community college employees and was vetoed by Governor Newsom, who stated that the costs should be considered through the annual budget process and collective bargaining. More recently, AB 2901 (Aguiar-Curry, 2024), which was substantially similar to this bill and also proposed 14 weeks of paid leave, advanced through the policy process but was ultimately held on the Senate Floor. The recurring history of these measures reflects broad interest in expanding pregnancy-related leave benefits, while also highlighting persistent questions regarding fiscal sustainability and implementation.

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

According to the Senate Appropriations Committee:

- 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.

SUPPORT: (Verified 8/13/26)

California Teachers Association (source)
California State Treasurer
AFSCME California
Alhambra Teachers Association
American College of Obstetricians & Gynecologists - District IX
American Federation of State, County and Municipal Employees
Anaheim Elementary Education Association
Anaheim Secondary Teachers Association
Asian Americans Advancing Justice-Southern California
Asian Law Alliance
Asociación De Maestros Unidos
Associated Pomona Teachers
Association of Carmel Teachers
Association of Colton Educators
BreastfeedLA
Buellton Education Association
California Breastfeeding Coalition
California Child Care Resource and Referral Network
California Commission on the Status of Women and Girls

California Community College Independents
California Domestic Workers Coalition
California Employment Lawyers Association
California Faculty Association
California Federation of Business & Professional Women
California Federation of Labor Unions
California Federation of Teachers
California Immigrant Policy Center
California Latinas for Reproductive Justice
California Legislative Women's Caucus
California Pan-Ethnic Health Network
California Retired Teachers Association
California School Employees Association
California State Teachers' Retirement System
California Virtual Educators United
California WIC Association
California Women's Law Center
California Work & Family Coalition
Campbell Elementary Teachers Association
Caring Across Generations
Center for Community Action and Environmental Justice
Center for Workers' Rights
Child Care Law Center
Children Now
Citizens for Choice
City of Glendale
Corona-Norco Teachers Association
Covina Unified Education Association
CTA/NEA- Retired
Early Edge California
El Monte Elementary Teachers Association
Electric Universe
Equal Rights Advocates
Faculty Association of California Community Colleges
Food Empowerment Project
Fresno Unified School District
Friends Committee on Legislation of California
GRACE - End Child Poverty CA
Hacienda LA Puente Teachers Association
Health Access California

Health in Partnership
Jewish Center for Justice
LA Alliance for a New Economy
LA Best Babies Network
Lammersville Teachers Association
Legal Aid At Work
Livermore Education Association
Marin Child Care Council
Merced College Faculty Association
Moreno Valley Educators Association
National Council for Jewish Women LA
National Partnership for Women & Families
National Women's Political Caucus of California
Natomas Teachers' Association
Nea-Jurupa
Nevada Joint Union High School Teachers Association
Nourishing Justly
Oak Grove Educators Association
Oakland Unified School District
Orange County Equality Coalition
Our Family Coalition
Oxnard Educators Association
Parent Voices California
Partnership for Los Angeles Schools
Poder Latinx
Portola Valley Teachers Association
Public Counsel
Redlands Teachers Association
Rocklin Teachers' Professional Association
Roseville Teachers Association
Sacramento City Teachers Association
San Benito Joint Union High School District Teachers Association
San Diego County Breastfeeding Coalition
San Jose Teachers Association
Santa Maria Elementary Education Association
Santa Monica-Malibu Classroom Teachers Association
Santa Rosa Teachers Association
SEIU California
Special Educators of Amador County
Tahoe Truckee Education Association

Teach Plus California
Teachers Association of Long Beach
Tustin Educators Association
Twin Rivers United Educators
UAW Region 6
UFCW - Western States Council
United Teachers of Richmond
Universidad Popular
Vacaville Teachers Association
Walnut Creek Teachers Association
Walnut Valley Educators Association
Women's Foundation California
Woodland Education Association
Worksafe

OPPOSITION: (Verified 8/13/26)

Kern County Superintendent of Schools Office
Small School Districts Association

ASSEMBLY FLOOR: 62-0, 5/29/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Stefani, Valencia, Wallis, Wicks, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Bryan, Chen, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Macedo, Nguyen, Sharp-Collins, Solache, Soria, Ta, Tangipa, Ward, Wilson

Prepared by: Ian Johnson / ED. / (916) 651-4105
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