
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 917 (Ávila Farías) - County offices of education: school districts: average daily attendance of less than 250 pupils: permanent status

Version: July 6, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: ED. 3 - 2, ED. 7 - 0, ED. 4 - 2

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill changes when some certificated employees attain permanent status by eliminating distinctions based on a district's size and allowing service in any regional occupational center or program (ROCP), not just those operated by a single school district, to count toward permanent status.

Fiscal Impact: To the extent that additional permanent employees seek due process related to dismissal, this bill could result in unknown, but potentially significant Proposition 98 General Fund costs to school districts and county offices of education (COEs). A precise amount would depend on the number of dismissal proceedings which could increase because an estimated 1,000 employees in small school districts would now be eligible for permanent status as a result of this measure. This bill also extends due process rights to ROC/P instructors. The costs associated with due process hearings or other dismissal proceedings can range from \$10,000 to over \$100,000 per case, depending on the scope.

Background: Existing law requires most certificated employees in school districts with an average daily attendance (ADA) of 250 or more to be classified as permanent after two years of satisfactory service and reelection for a third year.

Existing law permits, but does not require, school districts with fewer than 250 ADA to grant permanent status after three years of service and reelection for a fourth year.

Existing law applies a two-year probationary period for permanent status to COE teachers only if the COE has ADA of 250 or more.

Existing law prohibits service as an instructor in classes conducted at a ROCP from counting toward permanent status in a school district, but provides an exception allowing such service to count if the ROCP is operated by a single school district.

Proposed Law: This bill requires certificated employees in school districts and COEs with fewer than 250 ADA to be granted permanent status after two years of employment and reelection for a third year, consistent with the probationary period applicable to larger local educational agencies (LEAs).

This bill repeals Education Code Section 44910, which currently prohibits service as an instructor in an ROCP from counting toward permanent status in a school district, except when the ROCP is operated by a single school district. This bill also provides

that service in any ROCP counts toward permanent status in a school district, without distinguishing the ROCP's operator.

This bill repeals or amends various Education Code sections that apply only to employees whose probationary period began before the 1983–84 fiscal year, including provisions that establish alternative dismissal procedures or longer probationary timelines in small school districts.

Related Legislation: AB 897 (McCarty, Chapter 548, Statutes of 2023) requires adult education teachers to earn permanent status after a two-year probationary period, and employees hired using "categorical" or restricted state funding to be given specified notifications related to their expected job tenure.

AB 2245 (Juan Carrillo, Chapter 956, Statutes of 2024) requires service as an instructor in classes conducted at a regional occupational center or program (ROCP) operated by a single school district to be included in computing the service required to attain permanent employee status at a school district.

AB 2573 (McCarty, 2022) would have made changes regarding which credentialed employees can attain permanent employee status, and deletes sections that differentiate employment practices for school districts with less than 250 average daily attendance (ADA) and employees who were in their probationary period prior to the 1983-84 fiscal year. This bill was held on the Suspense File in this committee.

Staff Comments: Permanent status provides certificated employees with due process protections against dismissal or non-reelection. A permanent employee may only be dismissed for statutorily defined causes and is entitled to a hearing before a Commission on Professional Competence if dismissal is challenged. Permanent status also affects how employees are treated during reductions in force, including rights related to seniority, bumping, and notice. This bill changes when some certificated employees attain permanent status by eliminating distinctions based on district size and removing operator-based limitations on which ROCP instructors may accrue service credit toward permanent status. There are more than 20 COEs with less than 250 ADA and approximately 200 school districts with less than 250 ADA. This bill will affect those 200 school districts by requiring that all certificated employees attain permanent employee status after a probationary period. Additionally, for the COEs with less than 250 ADA, the certificated employees would earn permanent status after two years, instead of after three years.

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