
THIRD READING

Bill No: AB 917
Author: Ávila Farías (D)
Amended: 7/6/26 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 3-2, 7/2/25

AYES: Pérez, Cortese, Laird

NOES: Ochoa Bogh, Choi

NO VOTE RECORDED: Cabaldon, Gonzalez

SENATE EDUCATION COMMITTEE: 4-2, 7/1/26

AYES: Pérez, Cortese, Gonzalez, Reyes

NOES: Ochoa Bogh, Choi

NO VOTE RECORDED: Cabaldon

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/13/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 49-18, 6/3/25 - See last page for vote

SUBJECT: County offices of education: school districts: average daily attendance of less than 250 pupils: permanent status

SOURCE: California Teachers Association

DIGEST: This bill changes when some certificated employees earn 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.

ANALYSIS:

Existing law:

- 1) 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. (Education Code (EC) § 44929.21)
- 2) 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. (EC § 44929.23)
- 3) Applies a two-year probationary period for permanent status to county office of education (COE) teachers only if the COE has ADA of 250 or more. (EC § 1296)
- 4) 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. (EC § 44910)
- 5) Includes a number of employment and dismissal provisions that apply differently to certificated employees whose probationary period began before the 1983–84 fiscal year or to those employed in small school districts or COEs. (EC § 44948)

This bill:

- 1) 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).
- 2) 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.
- 3) Adds a new version of Section 44910 that affirms service in any ROCP counts toward permanent status in the employing school district or COE, without distinguishing the ROCP's operator.
- 4) 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.

- 5) Makes conforming changes to provisions governing dismissal, suspension, reassignment, and employment contracts to align with the bill's permanent status requirements and apply due process protections uniformly across all LEAs.

Comments

- 1) *Need for the bill.* According to the author, "California is a diverse state with a diverse student body. Having a teaching staff that reflects the diversity of its students is essential for creating an inclusive and supportive learning environment.

"When students see teachers who share their cultural, racial, or linguistic backgrounds, it fosters a sense of belonging and shows them that their identities are valued. Diverse teachers bring varied perspectives and experiences, enriching classroom discussions and helping address biases or gaps in traditional curricula. Representation also encourages greater understanding and connection, as teachers can draw on their own experiences to build meaningful relationships with students. A diverse teaching body not only promotes inclusivity, but also prepares all students to thrive in a multicultural society by modeling empathy, understanding, and respect for differences.

"AB 917 will ensure that deserving educators and school employees in all school districts and county offices of education have an opportunity to achieve permanent employment status— providing career stability, workforce retention, and increasing the diversity of California's education workforce."

- 2) *What does permanent status mean?* 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. These protections are intended to promote stability in the workforce, discourage arbitrary employment decisions, and support the retention of qualified staff. At the same time, they can limit an employer's flexibility to reassign or reduce staff based on shifting programmatic needs.

- 3) *Why have certain employees historically been excluded from permanent status?* California law has long varied permanent status eligibility based on school size, probationary start date, and program type. For example, until recently, adult education teachers were excluded from attaining permanent status. AB 897 (McCarty, Chapter 548, Statutes of 2023) removed this exclusion for adult education teachers employed by school districts, provided they serve at least 75% of full-time equivalent hours. Legislative discussion around AB 897 noted that adult education programs have historically been categorically funded and often operated outside traditional TK–12 staffing and accountability structures, contributing to their exclusion from permanent status provisions.

Similarly, instructors in ROCPs have long been excluded from the permanent status pathway unless the ROCP was operated by a single school district. AB 2245 (Juan Carrillo, Chapter 956, Statutes of 2024) amended this framework by requiring, commencing July 1, 2025, that service as an instructor in classes conducted at an ROCP operated by a single school district be included in computing the service required to attain permanent employee status at that school district, ensuring that employment relationships are recognized when the operator and employer are the same.

The ongoing expansion, first via AB 897 for adult education and then AB 2245 for single-district ROCP instructors, suggests a broader legislative interest in eliminating carve-outs that were historically justified by funding instability, part-time staffing patterns, or the specialized governance of certain programs. This bill continues this trend by eliminating distinctions based on district size and removing operator-based limitations on which ROCP instructors may accrue service credit toward permanent status.

- 4) *Arguments for expanding permanent status eligibility.* Proponents of expanding eligibility argue that permanent status offers basic job protections that should apply to all certificated employees, regardless of the size of their employing agency or the structure of the program in which they teach. They note that temporary or probationary employment can discourage retention, particularly in hard-to-staff positions. Supporters also contend that distinctions based on ADA thresholds or employment start dates are outdated and arbitrary, and that funding instability should be addressed through budget and program reforms rather than limiting employee rights. In the context of ROCPs, they argue that as funding has shifted into the Local Control Funding Formula (LCFF), instructors should be treated like other high school educators.

5) *Arguments for maintaining some exclusions.* Opponents of expanding permanent status argue that in small districts and specialized programs like ROCs, staffing needs are more variable and sensitive to funding changes, making rigid employment protections harder to manage. In the case of ROCs, industry alignment is critical, and course offerings may need to change rapidly in response to labor market trends. Critics argue that permanent status can reduce a program's ability to phase out outdated courses and replace instructors whose skillsets are no longer aligned with evolving needs. Additionally, some joint powers authority (JPA) operated ROCs do not receive direct state funding, relying instead on competitive grants like the Career Technical Education Incentive Grant (CTEIG) and the K–12 Strong Workforce Program, which can vary significantly year to year.

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

According to the Senate Appropriations Committee:

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.

SUPPORT: (Verified 8/13/26)

California Teachers Association (source)
 California Federation of Teachers
 California School Employees Association
 California State Council of Service Employees International Union

OPPOSITION: (Verified 8/13/26)

Association of California School Administrators
 Baldy View Regional Occupational Program
 California Association of School Business Officials
 California Association of Suburban School Districts
 California County Superintendents
 California School Boards Association

Career Technical Education Joint Powers Authority Coalition
CAROCP: the Association of Career and College Readiness Organizations
Central Valley Education Association
Central Valley Education Coalition
Chino Valley Unified School District
Claremont Unified School District
Coastline ROP
College and Career Advantage
Cutler-Orosi Joint Unified School District
Dinuba Unified School District
Eden Area ROP
Kings Canyon Unified School District
Kingsburg Joint Union High School District
Mission Valley ROP
Office of the Riverside County Superintendent of Schools
Orange County Department of Education
Parlier Unified School District
Riverside County Office of Education
San Bernardino County District Advocates for Better Schools
Sanger Unified School District
School Employers Association of California
Selma Unified School District
Small School Districts' Association
Tri-Cities Regional Occupational Program
Tri-Valley Regional Occupational Program
Upland Unified School District
Valley Regional Occupational Program

ASSEMBLY FLOOR: 49-18, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bains, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Pellerin, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Bauer-Kahan, Bennett, Berman, Flora, Irwin,
Papan, Patel, Petrie-Norris, Ramos, Michelle Rodriguez, Blanca Rubio

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