

Legislative Changes Affecting Student Services: Are Your Board Policies and Annual Notices Up to Date?

April 3, 2024

The end of another busy and productive school year for students and administrators is quickly approaching!

With a new school year comes new California laws impacting education. These new laws encompass a wide range of issues including special education, student health and safety, student discipline, student instruction, and graduation. Below is a summary of the major bills that recently took effect (or that will be in effect for the 2024-25 school year) that are applicable to charter schools.

As a result of these new laws, we strongly recommend that your charter school:

- **Revise board policies and administrative regulations to reflect the recent legal updates;**
- **Update additional relevant materials, including student handbooks, annual notices to families, and websites; and**
- **Ensure school staff are notified and trained (where applicable) on the new legal updates.**

Legislative Updates

** Indicates laws with implementation dates effective at the start of the 2024-25 school year. All other laws listed are currently in effect. This is nonexhaustive list of recent changes.

Health & Safety

AB 1283 – Authorizes charter schools to store emergency stock albuterol inhalers for persons in respiratory distress for school nurses or trained volunteer personnel to use.

AB 1651 – Requires storage of emergency epinephrine auto-injectors (Epi-pen) in an accessible location upon need for emergency use and requires charter schools to include that location in specified annual notices.

SB 10 – Requires that the school safety plan of a charter school, serving students in grades 7-12 inclusive, include the development of a protocol for opioid overdose.

SB671 – Requires the school safety plan of a charter school to include procedures to assess

and respond to threats or reports of any dangerous, violent, or unlawful activity.

AB1466 – Requires the charter school’s annual report to CDE on the use of behavioral restraint and seclusion for students for a given school year, to also be posted to the school website.

AB 659 – (Cancer Prevention Act) – Requires notice to parent/guardian of any 6th grade student, of CDC immunization guidelines and the recommendation specifically to adhere to human papilloma virus (HPV) immunization recommendations prior to 8th grade advancement.

****AB 245 & AB 1653** – Requires charter schools that offer an athletics program to have a written emergency action plan in place that describes the location of emergency medical equipment and procedures (including training) to be followed in the event of sudden cardiac arrest and other medical emergencies, including concussion and heat illness related to the athletic program’s activities or events.

Instruction and Graduation

SB 114 (2023 budget trailer bill) – Limits the alternative pathway for a high school diploma for eligible students with disabilities to students with disabilities who entered 9th grade in the 2022-23 school year or later.

AB 714 – Broadens a charter school’s obligation to provide exemption from local graduation requirements, pupil consultation and notice, accept coursework completed at other schools, and other requirements for foster/homeless/mobile youth, to a “newcomer student” in their 3rd or 4th year of high school. Previous law applied the above rights/protections more narrowly to a “student participating in a newcomer program” who is in their 3rd or 4th year of high school.

Special Populations

SB 323 – Requires disaster procedures within the school safety plan to include adaptation for students with disabilities.

AB 87 – Extends the right of a parent/guardian to audio record an IEP team meeting, to also include audio recording of Section 504 team meetings.

AB 611 – Requires a charter school to notify the parent/guardian of an enrolled student attending a non-public school (NPS) or receiving services from a non-public agency (NPA), of any change in the certification status of that NPS/NPA within 14 days of becoming aware of the change.

****AB 723** – Extends the definition of “school of origin” for foster and homeless youth to include non-public schools (NPS).

Pupil Services

SB 348 – Expands existing requirements for charter schools to provide a free breakfast and lunch each schoolday (and for independent study charters, each schoolday on which a student is present at a resource center for 2+ hours), free of charge, with adequate time to eat school meals.

AB 95 – Authorizes a charter school to sell to a student an additional school meal that qualifies for federal reimbursement, after the student has already been provided the requisite free breakfast and free lunch in that schoolday.

****AB 230** – Expands the grade range in which charter school girl’s/women’s and all gender

restrooms, and at least one boy's/men's restroom, must stock menstrual products to grades 3-12 inclusive, instead of the current grades 6-12, inclusive.

Attendance and Enrollment

AB 1503 – Amends parameters for excused absences for participation in religious retreats.

SB 350 – Amends parameters for excused absences for funeral service attendance and bereavement leave.

AB 373 – Requires a charter school that that operates an intersession program (including but not limited to summer school and ESY) to grant priority access to foster/homeless youth.

Nondiscrimination

AB 1078 – Requires that a charter school's policies regarding nondiscrimination/harassment apply to all acts of the governing board. The governing board of a charter school is further prohibited from refusing to approve or banning any textbook, instructional material, or other curriculum or any book or other resource in a school library on the basis that it includes a study of the role and contributions of members of any ethnic, cultural, religious, or socioeconomic status groups.

Student Discipline

SB 274 – Prohibits a charter school (at least through July 1, 2029), from suspending any student in grades 6-12 inclusive, for willful defiance/disruption. Suspension of students in grades K-5 inclusive, for willful defiance/disruption remains barred indefinitely.

AB 1165 – Encourages a charter school to refer both the victim and perpetrator of an incident of racist bullying, harassment, or intimidation, to a restorative justice program.

****SB 291** – Prohibits charter school staff members from restricting a student's access to recess unless there is an immediate threat to the physical safety of the student or the physical safety of one or more of the student's peers. Also designates recess to be at least 30 minutes on regular instructional days and at least 15 minutes on early release days.

If you would like assistance with updating policies or notices or to receive staff training on the updates, please contact: Mariam Babayan or Casey Fee at 916-646-1400.

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