

New California Laws for 2012 affecting Children

Rebecca Hernandez, Vice President and Director of Legislation

As Californians enter 2012, I would like to take a moment and highlight some of the new education and child safety laws among 750-plus bills chaptered into California law for our PTA leaders and the school and family communities they serve.

Assembly Bill AB 130 (Cedillo) is the California Dream Act of 2011. This measure exempts California nonresidents who qualify for the AB 540 (Firebaugh, 2001) tuition waiver from paying nonresidential tuition at the University of California, California State University, and California Community College institutions of higher education.

The second part of the Dream Act, expanding eligibility for financial aid, will go into effect on January 1, 2013 (California AB 131). Additional legislation authorizes any student, including one without lawful immigration status, to serve in any capacity in student government (California AB 844).

SB 1381 (Simitian, 2010) known as the Kindergarten Readiness Act of 2010, begins in the 2012-13 school year. This measure changes the required birthday for admission to kindergarten and first grade and establishes a transitional kindergarten program.

- The required birthday for admission to kindergarten and first grade is November 1 for the 2012–13 school year
- The required birthday for admission to kindergarten and first grade will be October 1 for the 2013–14 school year, and
- The required birthday for admission to kindergarten and first grade will be September 1 for the 2014–15 school year **and each school year thereafter**, and requires a child whose admission to a traditional kindergarten is delayed to be admitted to a transitional kindergarten program.

This new law also requires pupils participating in transitional kindergarten to be included in computing the average daily attendance of a school district in accordance with specified requirements.

AB 124, AB 250 and SB 140 help implement the Common Core State Standards (CCSS)

AB 124 (Fuentes) establishes a process to update, revise, and align the English-Language Development Standards to the CCSS in English-language arts, and would require the State Superintendent and the State Board of Education to present lawmakers with a schedule and implementation plan for integrating the revised English-Language Development Standards into the education system.

SB 140 (Lowenthal) requires the California Department of Education to develop a list of supplemental instructional materials for use in kindergarten through seventh grade that

are aligned with the CCSS in mathematics, and language arts for kindergarten through eighth grade. This bill also allows governing boards of school districts to approve supplemental instructional materials, other than those approved by the State Board of Education, if the materials are aligned with the CCSS.

AB 250 (Brownley) deletes the schedule for submission of instructional materials for foreign languages and health and the exception to the requirement that criteria for the evaluation of instructional materials be approved when curriculum frameworks are approved or at least 30 months before the date that the materials are to be approved for adoption.

This new law requires the state board to adopt revised curriculum frameworks and evaluation criteria that are aligned to the common core academic content standards developed by the consortium and adopted by the board for mathematics and English language arts no later than May 30, 2013, and May 30, 2014, respectively.

It also requires state board policies to ensure that the English-language arts curriculum frameworks for kindergarten and first through 12th grades and instructional materials for kindergarten and first through eighth grades include the English-language development standards as adopted by the state board in 1997 and revised thereafter, and English language development strategies in the core subjects of mathematics, science, and history-social science.

The law also requires state board policies to ensure that curriculum frameworks for kindergarten and first through 12th grades and instructional materials for kindergarten and first through eighth grades include strategies to address the needs of pupils with disabilities in the core subjects of mathematics, science, history-social science and English language arts.

AB 250 also requires the curriculum frameworks to describe the manner in which content can be delivered to intentionally build pupil creativity, innovation, critical thinking, problem solving, collaboration and communication into and across each content area.

The law states the intent of the Legislature to ensure that school districts are provided with as many standards-aligned instructional material options as possible and requires the superintendent to develop model professional-development modules and to report to the state board on the development of those modules.

The new law requires the superintendent to develop recommendations, to be reported to the fiscal and appropriate policy committees of both houses of the legislature on or before Nov. 1, 2012, for the reauthorization of the statewide pupil-assessment program and would require the recommendations to include a plan for transitioning to a system of high-quality assessments.

SB 929 (Evans) requires children under the age of eight to be properly buckled into a car seat or booster seat in the back seat. In addition, children aged eight or older who are not tall enough for the seat belt to fit properly (4'9" or taller) must ride in a booster or car seat.

The previous law required that children remain in a booster seat until the age of six or until they weighed 60 pounds. The fine for violating this law is significant. For each child under the age of 16 who is not properly secured, parents (if in the car) or the driver can be fined a minimum of \$475 and get a point on their driving record.

For more information about car seats, the new law, or help in determining if your child still needs a booster seat, call your local health department or go to the [California Department of Public Health's Web site](#) .

SB 746 (Lieu) Tanning beds may not be used by anyone under age 18.

SB 514 (Simitian) will prohibit any person or retail distributor from knowingly supplying a drug or substance containing any quantity of dextromethorphan (DXM, an active ingredient in cough suppressants) to a person under age 18 without a prescription. Lawmakers have banned the sale of this medicine to youth because many are using them to get high. High doses of DXM can produce hallucinations and other "highs" that are similar to LSD or PCP.

AB 9 (Ammiano) - California Gay Bullying Law (Seth's Law) combats bullying of gay and lesbian students in public schools by requiring school districts to have a uniform process for dealing with gay bullying complaints. The law MANDATES that school personnel intervene if they witness gay bullying.

SB 48 (Leno / Kehoe) adds lesbian, gay, bisexual and transgender Americans, persons with disabilities, and others to the list of cultural groups whose roles and contributions to the development of the United States should be accurately portrayed in social science instructional materials.

SB 420 (Hernandez) will make it a misdemeanor to sell, dispense or distribute a synthetic cannabinoid compound, commonly **known as "spice" or "K2."** At least 40 states have adopted laws or departmental rules to ban chemical substances related to synthetic cannabinoids.

AB 486 (Hueso) was entered into law under emergency chaptering Oct 2011, making it a crime, punishable by imprisonment, to sell, dispense, distribute, furnish, administer, or give, to offer to sell, dispense, distribute, furnish, administer, or give, or to possess for sale, **any synthetic stimulant compound or any specified synthetic stimulant derivative**

SB 39 (Padilla) prohibits the importation, production, distribution or sale of beer to which caffeine has been directly added as a separate ingredient. This law is in response to incidents nationwide in which young people have been hospitalized with severe intoxication and accelerated heart rate after drinking the alcohol mixed with caffeine.

AB 25 (Hayashi) will now require school districts that offer athletic programs to remove an athlete who is suspected of sustaining a concussion or head injury from the activity. The law also prohibits the return of the athlete until he or she is evaluated and receives written clearance from a licensed health care provider. The law also requires the athlete and his or her parent or guardian to sign a related information sheet each year before practice or participation.

AB 176 (Lara) will require test sponsors of various graduate exams, such as the GRE, LSAT, MCAT and GMAT, to provide alternative methods for verifying a test taker's identity when he or she cannot supply a driver's license or other traditional form of identification. A violation would subject a test sponsor to a civil penalty.

SB 397 (Leland Yee) allows Californians to register to vote online. The measure requires the county elections office to use the voter's signature from the Department of Motor Vehicles to verify its authenticity.

AB 813 (Fletcher) "cleans up" certain provisions of last year's AB 1844, or also known as Chelsea's Law (Chelsea King). Among the changes, this law allows the California Sex Offender Management Board to hold closed sessions and immunizes board members from liability "for good faith conduct."