

MEMBER ALERT
New Legislation 2019



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AB 1248 (*Gloria-D*) - Pupils: wearing of traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies.

Provides that a pupil may wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment, as defined, at school graduation ceremonies. The bill also declares that nothing in its provisions shall be construed to limit a local educational agency's discretion and authority to prohibit an item that is likely to cause a substantial disruption of or material interference with the ceremony.

Effective 1/1/2019

AB 1406 (*Gloria-D*) - School facilities: leases of real property

Current law authorizes a school district to enter into leases and agreements relating to real property and buildings to be used by the school district pursuant to specified provisions of law, and provides that the term of any lease or agreement entered into pursuant to those provisions shall not exceed 40 years. This bill increases the maximum term of a lease or agreement entered into pursuant to these provisions to 99 years. **Effective 1/1/2019**

AB 1747 (*Rodriguez-D*) - School safety plans

Provides that it is the intent of the Legislature that all public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, including in cooperation with classified employees, develop a comprehensive school safety plan, and that all school staff be trained on this plan. **Effective 1/1/2019**

AB 1766 (*Maienschein-R*) - Swimming pools: public safety

Current law provides for the regulation of private swimming pools. Current law also provides for the regulation of public swimming pools by the State Department of Public Health. Current law requires the provision of lifeguard services at any public swimming pool that is of wholly artificial construction and for the use of which a direct fee, as defined, is imposed. A violation of those provisions is a crime. This bill requires those public swimming pools, as defined, that are required to provide lifeguard services and that charge a direct fee to additionally provide an Automated External Defibrillator (AED) during pool operations, as specified. **Effective 1/1/2019**

AB 1798 (*Chu-D*) - Schoolbuses: passenger restraint systems

Requires that, on or before July 1, 2035, all schoolbuses in use in California be equipped with a passenger restraint system, as defined. Because a violation of the bill's requirements would be a crime, the bill imposes a state-mandated local program. **Effective 1/1/2019**

AB 1861 (*Rodriguez-D*) - Pupil instruction: human trafficking: use of social media and mobile device applications

The California Healthy Youth Act requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education, as specified. Under the act, this instruction includes, among other things, information about human trafficking, as specified. This bill requires the information about human trafficking to also include information on how social media and mobile device applications are used for human trafficking. By imposing additional duties on school districts, the bill imposes a state-mandated local program. **Effective 1/1/2019**

AB 1976 (*Limón-D*) - Employment: lactation accommodation

Current law requires every employer to provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child and requires an employer to make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area for the employee to express milk in private. Current law makes a violation of these provisions subject to a civil penalty and makes the Labor Commissioner responsible for enforcement. This bill instead requires an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for these purposes. **Effective 1/1/2019**

AB 2009 (*Maienschein-R*) - Interscholastic athletic programs: school districts: written emergency action plans: automated external defibrillator

If a school district or charter school elects to offer any interscholastic athletic program, requires the school district or charter school to (1) ensure that there is a written emergency action plan in place, and posted as specified, that describes the location and procedures to be followed in the event of sudden cardiac arrest or other medical emergencies related to the athletic program's activities or events, (2) acquire, commencing July 1, 2019 at least one AED for each school within the school district or the charter school to be available on campus, (3) encourage that the AED or AEDs are available for the purpose of rendering emergency care or treatment, as specified, (4) ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at the athletic program's on campus activities or events, and (5) ensure that the AED or AEDs are maintained and regularly tested, as specified. **Effective 1/1/2019**

AB 2291 (*Chiu-D*) - School safety: bullying

Requires local educational agencies, as defined, to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. By imposing additional duties on local educational agencies, the bill imposes a state-mandated local program. **Effective 1/1/2019**

AB 2302 (*Baker-R*) - Child abuse: sexual assault: mandated reporters: statute of limitations

Under current law, mandated reporters are required to report whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. This bill allows a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be sexual assault, as defined, to be filed at any time within 5 years from the date of occurrence of the offense. **Effective 1/1/2019**

AB 2453 (*Garcia, Eduardo-D*) - Air pollution: schools

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for the construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. This bill authorizes a grant for modernization under the act to be used to limit pupil exposure to harmful air pollutants by updating air filtration systems and specifies that this is declaratory of existing law. **Effective 1/1/2019**

AB 2622 (*Dahle-R*) - After School Education and Safety Program

Current law prohibits an after school program established pursuant to the After School Education and Safety Program Act of 2002 located off school grounds from being approved unless safe transportation is provided to the pupils enrolled in the program. Current law authorizes additional funding to be provided for transportation, as specified, if a program is operated at a schoolsite located in an area that has a population density of less than 11 persons per square mile. This bill authorizes a program that operates at a schoolsite located in an area with the above-specified low population density to end operating hours not earlier than 5 p.m. **Effective 1/1/2019**

AB 2639 (*Berman-D*) - Pupil suicide prevention policies: reviews: updates

Requires the governing board or body of a local educational agency that serves pupils in grades 7 to 12, inclusive, to review, at minimum every 5th year, its policy on pupil suicide prevention and, if necessary, update its policy. By imposing additional duties on local educational agencies, the bill imposes a state-mandated local program. **Effective 1/1/2019**

AB 2816 (*Muratsuchi-D*) - Pesticides: schoolsites: report

Current law requires the Department of Pesticide Regulation to establish an integrated pest management training program in order to facilitate the adoption of a model integrated pest management program and least-hazardous pest control practices by schoolsites and requires certain persons who, in the course of their work, intend to apply a pesticide at a schoolsite to annually complete a training course provided by that department. This bill requires the department to submit a report to the Legislature on or before January 1, 2021, that evaluates the implementation, and the effect of the implementation, of the Healthy Schools Act of 2000 and that provides recommendations on improving the implementation and efficacy of the Healthy Schools Act of 2000. **Effective 1/1/2019**

SB 972 (*Portantino-D*) - Pupil and student health: identification cards: suicide prevention hotline telephone numbers

Requires a public school, including a charter school, or a private school that serves pupils in any of grades 7 to 12, inclusive, that issues pupil identification cards to have printed on either side of the pupil identification cards the telephone number for a suicide prevention hotline or the Crisis Text Line, or both telephone numbers. The bill requires a public or private institution of higher education that issues student identification cards to have printed on either side of the student identification cards the telephone number for a suicide prevention hotline or the Crisis Text Line, or both telephone numbers, and authorizes the institution to have printed on either side of the student identification cards the campus police or security telephone number, or the local nonemergency telephone number, as provided. **Effective 1/1/2019**

SB 1053 (*Beall-D*) - Presentation of claims: local public entities: childhood sexual abuse

The Government Claims Act exempts certain claims against local public entities from the presentation procedures of the act, including, but not limited to, claims made pursuant to a specific provision of the Code of Civil Procedure for the recovery of damages suffered as a result of childhood sexual abuse and arising out of conduct occurring on or after January 1, 2009. Under the act, claims against a local public entity for money or damages that are exempted and that are not governed by any other statutes or regulations expressly relating thereto, are authorized to be governed by the procedure prescribed in an enactment adopted by the local public entity. This bill specifically exempts from that authorization for

procedures prescribed by local enactment claims against a local public entity made pursuant to the above-described existing law for the recovery of damages suffered as a result of childhood sexual abuse.

Effective 1/1/2019

SB 1104 (*Roth-D*) - Pupil safety: human trafficking prevention resources

Requires the governing board of a school district and the governing body of a charter school to work with their schools that maintain any of grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020.

Effective 1/1/2019

SB 1343 (*Mitchell-D*) - Employers: sexual harassment training: requirements

Requires an employer who employs 5 or more employees, including temporary or seasonal employees, to provide at least 2 hours of sexual harassment training to all supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2020, and once every 2 years thereafter, as specified. The bill requires the Department of Fair Employment and Housing to develop or obtain 1-hour and 2-hour online training courses on the prevention of sexual harassment in the workplace, as specified, and to post the courses on the department's Internet Website. **Effective 1/1/2019**

SB 1428 (*McGuire-D*) - Minors: employment: work permits

Current law authorizes, among others, the superintendent of a school district, a county superintendent of schools, and the chief executive officer of a charter school to issue a work permit to a minor, subject to specified requirements and conditions. Current law provides requirements and conditions for work permits on the basis of the minor's age, and relating to the type of work and the number of hours and periods of the year that a minor is authorized to work. This bill prohibits the denial of a work permit on the basis of a pupil's grades, grade point average, or school attendance if the pupil is applying for the work permit in order to participate in a government-administered employment and training program that will occur during the regular summer recess or vacation of the school that the pupil attends.

Effective 1/1/2019