



CLIENT NEWS BRIEF

October 2011

Number 63

GOVERNOR SIGNS INTO LAW FOUR BILLS AFFECTING ELD STANDARDS, SOCIAL SCIENCE INSTRUCTION, SCHOOL LUNCH PROGRAMS, AND STUDENT TRANSPORTATION

Between October 4 and October 8, 2011, Governor Brown approved four bills that directly impact school districts throughout the state. Assembly Bill (AB) 124 establishes a process to update, revise and align the English Language Development standards to the common core state standards in English language arts. AB 199 encourages instruction in social sciences for grades 7 to 12 to include instruction regarding the role of Filipinos in World War II. AB 402 authorizes a school district or a county office of education to incorporate CalFresh program information in the School Lunch Program application. Finally, Senate Bill (SB) 929 requires children under eight years old to remain in booster seats, unless they are 4 feet, 9 inches tall, potentially impacting district transportation policies and practices.

AB 124: English Language Development Curriculum Standards

Current law requires the State Board of Education (SBE) to approve English Language Development (ELD) standards for students whose primary language is other than English that are comparable in rigor and specificity to the standards adopted for English language arts.

In 1999, California adopted ELD standards for listening, speaking, reading and writing. On August 2, 2010, the SBE adopted common core state standards for English language arts. AB 124 amends Education Code section 60811 and adds Education Code section 60811.3 to require the State Superintendent of Public Instruction and the SBE to ensure that ELD standards are aligned with the English language arts common core state standards. AB 124 further requires the State Superintendent to convene a group of experts to assist in the process of updating and revising the ELD standards. The State Superintendent must present the updates and revisions to the SBE on or before August 31, 2012, and the SBE must adopt, reject or revise the standards by September 30, 2012. The provisions of AB 124 will be repealed as of July 1, 2013.

AB 199: World War II Social Science Instruction

Existing law requires the adopted course of study for grades 7 to 12 to include instruction on World War II and the American role in the war. AB 199 amends Education Code section 51221.3 and encourages social science instruction to include an accurate history of the contributions of the Filipino American veterans in the U.S. Army in World War II. In addition, AB 199 encourages this instruction to include a component drawn from personal testimony, particularly in the form of oral or video histories of Filipinos who were involved in World War II, as well as those who contributed to the war effort at home.

AB 402: CalFresh Program and School Lunch Program Application

Current law requires school districts to provide one nutritionally adequate free or reduced-price meal during each school day to kindergarten through twelfth grade students, and to make applications for free and reduced-price meals available to students. CalFresh is another food program for low-income individuals funded through the United States Department of Agriculture.

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AB 402 amends Education Code section 49558, adds Education Code section 49577.3, and adds section 18901.55 to the Welfare and Institutions Code. The bill authorizes a school district to facilitate student enrollment in the CalFresh program by agreeing to share student information provided on the School Lunch Program application with the local agency that determines CalFresh program eligibility. AB 402 specifies that the School Lunch Program application is confidential and prohibits the information from being disclosed to any governmental agency, including the federal Immigration and Naturalization Service and the Social Security Administration, or for any purpose other than enrollment in the CalFresh program. AB 402 further requires districts to enroll children in the CalFresh program upon receipt of a signed application.

SB 929: Booster Seats

Existing laws governing transportation of children in vehicles require a child that is under six years of age and weighs less than sixty pounds to be secured in a rear seat in a child passenger restraint system, also known as a booster seat. SB 929 makes changes to these existing laws by requiring any child who is under eight years of age to be secured in a booster seat; however, children who are under eight years of age who are also at least four feet, nine inches tall may be restrained by a safety belt, rather than a booster seat. SB 929 may impact school districts' policies and practices regarding private field trip transportation for students.

If you have any questions regarding this new legislation, please contact one of our [eight offices](#) located statewide or visit our [website](#).

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As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.