

# CLIENT NEWS BRIEF

## Recent Legislation Addresses 9th Grade Mathematics Placement, Mascot Names, and Other Issues Impacting California Students

Governor Jerry Brown recently signed into law several Assembly Bills and Senate Bills impacting school district campuses. These bills are summarized below.

### Senate Bill 359: the California Mathematics Placement Act of 2015

By January 1, 2016, school districts must adopt a fair, objective and transparent mathematics placement policy for students entering the 9th grade. Senate Bill (SB) 359 was drafted in response to research by the Noyce Foundation which revealed that students of color, despite performing well in 8th grade Algebra courses, were often held back from taking the subsequent math course, Geometry, as they entered 9th grade, resulting in "math misplacement" of those students. The study revealed, without stating expressly, that this created disparate treatment of African American and Latino students.

SB 359 requires that Districts use objective academic measures (i.e., statewide assessments, etc.) in determining student placement in mathematics. Additionally, the bill provides several safeguards to ensure that students are not placed in incorrect math classes for their skill level, such as a placement check point within the first month of the school year, as well as clear and timely recourse for each student or parent who questions in their mathematics placement. The bill attempts to address the overarching problem that improper placement of students in mathematics courses, as early as the 9th grade, can have a long lasting impact on both their professional development and college eligibility.

### Assembly Bill 30: The California Racial Mascots Act

Assembly Bill (AB) 30 goes into effect on January 1, 2017, and prohibits public schools from using the term "Redskins" as a school or athletic team name, mascot or nickname. AB 30 explains that the term "Redskins" is discriminatory towards Native Americans and the use of the term in public school sports is a barrier to both equality and understanding for all residents. While AB 30 prohibits public schools from using the term "Redskins," the bill provides some leeway for schools phasing in this new requirement. For example, AB 30 allows schools to use uniforms or materials with the term "Redskins" as long as the school meets four requirements: (1) the school selects a new school or athletic team name, mascot or nickname; (2) prior to January 1, 2019, schools may acquire or purchase only up to 20% of the total number of uniforms to replace damaged or lost uniforms during the 2016-2017 school year that bear the Redskins name; (3) the school refrain from using the term "Redskins" on any materials distributed or sold to students or employees (i.e. yearbooks, newspapers); and (4) the school refrain from setting up any marquee, sign or other new or replacement fixture with the "Redskins" name. However, schools are not required to take down existing structures until the next time they are replaced in the normal course of maintenance.

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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.*

## Senate Bill 707: Restrictions on Concealed Carry Permit Holders

Prior to SB 707, concealed carry permit holders could carry their handguns on school (K-12) and college campuses without obtaining prior written permission from the Superintendent or designee. SB 707 amends the Gun-Free School Zone Act of 1995 to prevent concealed carry permit holders from possessing their handguns on school (K-12) and college campuses, without such written permission. The bill carves out exceptions to carrying handguns on school and college campuses for active, retired and reserve law enforcement officers. Furthermore, with certain exceptions for peace officers and others, the bill establishes restrictions on carrying ammunition on school and college campuses.

Violations of this new law carry stiff penalties, including felony convictions that may lead to several years of prison time.

## AB 306: Transfers for Children of Military Personnel

AB 306 makes it easier for children of active military personnel to transfer to schools other than the one that the student has been assigned to based on his or her place of residence. Currently, a successful inter-district transfer of students requires a two step acceptance process: (1) the district where the student wants to transfer must agree to accept the student; and (2) the district of residence (where the student is transferring from) must allow for the transfer to take place. AB 306 prohibits school districts of residence from denying the transfer of a student who is the child of an active duty parent, so long as the school district receiving the student has approved the transfer.

## AB 302: Accommodation for Parenting Teens

AB 302 has made it easier for students with small children to continue attending regular high school. The bill requires high schools to provide lactating students with access to a private, secure room, other than a restroom, to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. Schools are also required to allow these students to bring breast pumps or any other similar equipment on campus and must provide students space to store their expressed milk. Schools are further required to provide these students with a reasonable break time to accommodate their lactation schedule, and students must not incur any academic penalties as a result of using these accommodations.

The new law also allows students to file complaints under the Uniform Complaint Procedures for failure to comply with these requirements.

If you have questions about 9th Grade Mathematics Placement, Mascot Names or any other issues impacting California students, please contact one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).