

Date of Hearing: March 20, 2024

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 1917 (Muratsuchi) – As Introduced January 24, 2024

**SUBJECT:** Local educational agencies: governance training

**SUMMARY:** Requires each member of the governing board of a school district, county board of education, and member of the governing body of a charter school to receive training in K-12 public education governance laws at least once every four years. Specifically, **this bill:**

- 1) Requires each local educational agency (LEA) official to receive training in K–12 public education governance laws.
- 2) Requires, if an entity develops a curriculum to satisfy these training requirements, the Superintendent of Public Instruction (SPI) to be consulted regarding the sufficiency and accuracy of any proposed course content. Requires, when reviewing any proposed course content, the SPI to allow an entity to also include local ethics policies in the curriculum.
- 3) Requires each LEA official in LEA service as of January 1, 2026, except for officials whose term of office ends before January 1, 2027, to receive the training before January 1, 2027. Thereafter, requires each LEA official to receive the training at least once every four years.
- 4) Requires each LEA official who commences service with an LEA on or after January 1, 2026, to receive the training no later than one year from the first day of service with the LEA. Thereafter, requires each LEA official to receive the training at least once every four years.
- 5) Requires an LEA or an association of LEAs to offer one or more training courses, arrange for its officials to receive one or more training courses from a different entity, or offer sets of self-study materials with tests, to meet these requirements. Authorizes these courses to be taken at home, in person, or online.
- 6) Requires a provider of a training course that meets these requirements to provide participants with proof of participation.
- 7) Requires an LEA to provide information to its officials at least annually on training available to meet the training requirements.
- 8) Defines the following terms:
  - a) “K–12 public education governance laws” to include, but not necessarily limited to, all of the following:
    - i) Open meeting laws, including the Ralph M. Brown Act;
    - ii) Public education school finance laws, including, but not necessarily limited to, laws related to the creation and approval of a local educational agency budget;
    - iii) Laws related to personnel and employees; and

- iv) Public school accountability laws related to pupil learning and achievement.
- b) “Local educational agency” to mean a school district, county office of education (COE), or charter school.
- c) “Local educational agency official” to mean either of the following:
  - i) Any member of the governing board of a school district or of a county board of education; or
  - ii) Any member of the governing body of a charter school.
- 9) Requires an LEA to maintain records showing both of the following:
  - a) The dates on which each LEA official satisfied these requirements; and
  - b) The entity that provided the training to the LEA official.
- 10) Requires, notwithstanding any other law, an LEA to maintain the records for at least five years after an LEA official receives the training, and requires that these records are public records subject to disclosure under the California Public Records Act.

**EXISTING LAW:**

- 1) Requires each local agency official who, as of January 1, 2025, is a member of the governing board of a school district, a county board of education, or the governing body of a charter school, except for officials whose term of office ends before January 1, 2026, to receive ethics training before January 1, 2026. Thereafter, each local agency official who is a member of the governing board of a school district, a county board of education, or the governing body of a charter school is required to receive ethics training at least once every two years. (Government Code (GC) 53235.1)
- 2) Requires all local agency officials to receive training in ethics if a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties.
- 3) Requires each local agency official to receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years.
- 4) Defines the following terms:
  - a) “Legislative body” includes, in part, the governing body of a local agency or any other local body created by state or federal statute, a commission, committee, board, or other body of a local agency, a board, commission, committee, or other multimember body that governs a private corporation, or limited liability company, as specified.
  - b) “Local agency” means a city, county, city and county, charter city, charter county, charter city and county, school district, county office of education, charter school, or special district.

- c) “Local agency official” means the following:
- i) Any member of a local agency legislative body or any elected local agency official who receives any type of compensation, salary, stipend, or reimbursement for actual and necessary expenses incurred in the performance of official duties.
  - ii) Any employee designated by a local agency governing body to receive the training.
  - iii) A member of the governing board of a school district, a county board of education, or the governing body of a charter school, whether or not that member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties. (GC 53234)
- d) “Ethics laws” include, but are not limited to, the following:
- i) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws;
  - ii) Laws relating to claiming perquisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies;
  - iii) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws; and
  - iv) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members. (GC) 53234)
- 5) Requires that the Fair Political Practices Commission (FPPC) and the Attorney General (AG) be consulted regarding the sufficiency and accuracy of any proposed course content and curricula developed to satisfy the training requirements. Prohibits the FPPC and the AG, when reviewing any proposed course content, from precluding an entity from also including local ethics policies in the curricula.
- 6) Authorizes a local agency or an association of local agencies to offer one or more training courses, or sets of self-study materials with tests, to meet the specified. Authorizes the courses to be taken at home, in-person, or online.
- 7) Requires all providers of training courses, as specified, to provide participants with proof of participation to meet the ethics training requirement.
- 8) Requires local agencies to provide information on training available to meet these requirements to its local officials at least once annually. (GC 53245)

- 9) Requires a local agency that requires its local agency officials to complete ethics training to maintain records indicating the dates that local officials satisfied the ethics training, and the entity that provided the training.
- 10) Requires a local agency to maintain these records for at least five years after local officials receive the training. Requires that these records are public records subject to disclosure under the California Public Records Act. (GC 53235.2)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

**Key provisions of the bill.** This bill requires each member of the governing board of a school district, county board of education, and member of the governing body of a charter school in LEA service as of January 1, 2026, except for officials whose term of office ends before January 1, 2027, to receive the training before January 1, 2027. Thereafter, requires each LEA official to receive the training at least once every four years. The K–12 public education governance laws training is required to include, but not necessarily limit to, all of the following:

- Open meeting laws, including the Ralph M. Brown Act;
- Public education school finance laws, including, but not necessarily limited to, laws related to the creation and approval of a local educational agency budget;
- Laws related to personnel and employees; and
- Public school accountability laws related to pupil learning and achievement.

The proposal does not name a specific training provider, but does require, if an entity develops a curriculum to satisfy the training requirements, the SPI to be consulted regarding the sufficiency and accuracy of any proposed course content.

**Need for the bill.** The author states, “AB 1917 is a simple and long overdue measure that requires governing board and body members of school districts, county offices of education, and charter schools to receive training in public education governance laws at least once every four years. Current law requires these school officials to receive training in ethics, but no training requirements exist for other school governance topics. Since these governing board and body members are charged with guiding the academic and socioemotional wellbeing of our students, as well as are stewards of billions of dollars in public funds, receiving training on the public education governance laws they are required to follow is imperative.”

**Public agency officials are required to receive ethics training.** In 2005, AB 1234 (Salinas), Chapter 700, Statutes of 2005, established new provisions for ethics training for local government officials and designated employees. The measure requires all local agency officials (primarily county supervisors and city councilmembers) to receive ethics training if a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties. Each local agency official is required to receive at least two hours of training in general ethics principles and ethics laws relevant to his or

her public service every two years. AB 2158 (Mike Fong), Chapter 279, Statutes of 2022, extended the ethics training requirement to each member of a governing board of a school district, a county board of education, or the governing body of a charter school to receive ethics training before January 1, 2026.

**LEA officials.** Governing board members of school districts, COEs, and charter schools are stewards of public funds, and therefore have tremendous responsibilities related to the governance of their LEA. All governing boards or bodies must contemplate and vote upon actions related to student academic achievement, well-being, personnel, the use of public funds, and supporting the community at large.

As was well stated in the Senate Local Government Committee analysis of AB 1234 when it was before their Committee in June 2006, “Good government requires the support of the governed. Government leaders earn their constituents’ trust by acting in the public interest and behaving with integrity. But the public’s trust in representative democracy is fragile; even small ethical lapses can swiftly undermine confidence in public institutions. Like Caesar’s wife Calpurnia, public officials must be seen to be above reproach. Responding to legislators’ concerns about local governance, AB 1234 boosts public confidence by instituting ethics training, documenting reimbursement, and clarifying when compensation is appropriate.”

Given the role and responsibilities that a governing board member of a school district or COE, and a governing body member of a charter school undertake when serving as a school official, completing a training in public school governance laws related to their office is reasonable in order to ensure appropriate conduct and build the trust of the public they serve.

In order to ensure the quality of the training, this bill requires the SPI to be consulted regarding the sufficiency and accuracy of any proposed course content for those entities that develop a curriculum to satisfy these training requirements. This requirement mimics ethics training for local officials, which requires that the FPPC and the AG be consulted regarding the sufficiency and accuracy of any proposed course content and curricula developed to satisfy the training requirements.

**Code of ethics for school board members.** The National School Boards Association Board of Directors endorses the following voluntary code for local school board members:

As a member of my local board of education, I will strive to improve public education, and to that end, I will:

- Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;
- Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- Encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;

- Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
- Communicate to other board members and the superintendent expression of public reaction to board policies and school programs;
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards association;
- Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- Avoid being placed in a position of conflict of interest;
- Take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; and
- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

***Other state statutory requirements for school board member training.*** According to the Education Commission of the States, 12 states require some type of school board member training.

- Arkansas requires a local school district board member to obtain no less than six hours of training and instruction each calendar year. Members elected for an initial or non-continuous term are required to meet additional training opportunities during their tenure.
- Georgia requires the state board of education in the department of education to craft and oversee local school board member training. Training themes reflect local education priorities and maintain student achievement including: governance structure, strategic planning, board and community relations, policy development, board meetings, personnel, financial governance, and ethics. Additional requirements were added in 2020 related to financial management, including: guidance on the local school system's most recent audit findings and the local school system's risk status as determined by the department of audits and accounts or the department of education, and an overview of the local superintendent's role concerning financial management and financial governance of a local school system. If the state designates a high-risk school within the local board of education's purview, the members must complete additional training.
- Illinois requires that each voting member of a school board must complete four hours of professional development training within the first year of their first term. Topics of the training must include financial oversight and accountability, labor law, and fiduciary responsibilities of a school board member.
- Louisiana requires each local public school board member to receive a minimum of 16 hours of training and instruction during the first year of service on the board to receive the "Distinguished School Board Member" designation. Each member must receive a minimum of six hours of training and instruction annually beyond the first-year requirements. If a school district is deemed "academically unacceptable or in need of academic assistance" by the state board, at least two hours must focus on school improvement. The training topics currently include state school laws, governing the

powers, duties, and responsibilities and educational trends, research and policy. The Louisiana School Board Association provides the training programs.

- Mississippi statute states that “Each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association.”
- Nevada requires, in the first and third year of a member’s term, school board members complete a minimum of six hours of instruction in public records laws, open meeting laws, local government relations, the K-12 education system, ethics, violence and sexual violence prevention, financial management, fiduciary duties and employment and contract laws.
- New Jersey requires first-year school board members to complete a training program that includes instructional program, personnel, fiscal management, operations and governance. In subsequent years, board members must complete a school district governance training on school law and other information to enable the board member to serve more effectively. The New Jersey School Board Association is charged with providing school board member training, and outlines the training schedules based on four topic areas including new member orientation, school finance, student achievement, and state legal updates.
- North Carolina requires all local boards of education members to receive a minimum of twelve hours of training every two years. The training must include public school finance in addition to public school law and the duties and responsibilities of local boards of education.
- Oklahoma requires all elected school board members to undergo training, and the training hours depend on the length of term served by the board member. Training requirements include: one hour each of finance training, open records/meetings training, and ethics training. New members must complete nine hours of continuing education (three for incumbent members). Instruction is provided by the Oklahoma School Boards Association or the Oklahoma Department of State.
- Pennsylvania enacted an omnibus education bill in 2017 requiring the department of education to provide a training program for new school directors (board members). The training is required to consist of a minimum of four hours of training that addresses instruction and academic programs, personnel, fiscal management, operations, governance, ethics and open meetings. Additional training requirements for reelected or reappointed school directors, as well as charter school trustees are also included.
- South Carolina requires all elected or appointed members of a school district board of trustees to complete an orientation program covering the powers and duties of a board member within one year of taking office. The orientation, which must be approved by the state board of education, must include training on “policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics and community relations.”

- Texas requires continuing education for independent school board trustees on a number of topics, described in the table below.

<b>Texas Required Continuing Education</b>	<b>First Year in Office</b>	<b>Subsequent Years in Office</b>	<b>Eligible Provider(s)</b>
Local District Orientation	Three hours within the first 120 days in office	N/A	Local District
Orientation to the Texas Education Code	Three hours within the first 120 days in office	N/A	Education Service Centers
Update to the Texas Education Code	Following each legislative session and of sufficient length to address major changes		Registered Providers, Authorized Providers, LSG Coaches
Team-building (Team-of-eight)	Three hours	Three hours every year	Registered Providers, Authorized Providers, LSG Coaches
Additional Education based on Framework for School Board Development	Ten hours	Five hours every year	Registered Providers, Authorized Providers, LSG Coaches
Evaluating and Improving Student Outcomes	Three hours within the first 120 days in office	Three hours every two years	Authorized Providers LSG Coaches
Sexual Abuse, Human Trafficking, and Other Maltreatment of Children	One hour within the first 120 days in office	One hour every two years	Registered Providers, Authorized Providers, LSG Coaches
Open Meetings Act (OMA)	One hour within the first 90 days in office	N/A	Attorney General of Texas
Public Information Act (PIA)	One hour within the first 90 days in office	N/A	Attorney General of Texas
Cybersecurity	Varies by provider	Every year	Department of Information Resources
School Safety	Two hours within the first 120 days in office	Every two years	TEA Learn Technical Support

- Virginia requires its state board of education and local boards of education to participate in professional development. The state board must participate in professional development on “personnel, curriculum and current issues in education.” For local boards of education, members must participate annually in professional development at the state, local or national levels of governance, including “personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board.”

**Related legislation.** AB 2158 (Mike Fong), Chapter 279, Statutes of 2022, requires each member of a governing board of a school district, a county board of education, or the governing body of a charter school, in service as of January 1, 2025, to receive ethics training before January 1, 2026, and at least once every two years thereafter.

AB 2396 (O’Donnell) of the 2019-20 Session would have required local agency officials who serve a school district, COE, or charter school as of January 1, 2022, to receive the ethics training required by specified law before January 1, 2023, and at least every two years thereafter. This bill would have also required training in K–12 public education governance laws, as defined, at least once every 4 years. The Assembly Education Committee did not hear this bill due to the onset of the COVID-19 pandemic. This bill was the Assembly Education Committee.

SB 126 (Leyva), Chapter 3, Statutes of 2019, requires a charter school and an entity managing a charter school to comply with the same conflict of interest requirements as school districts.

AB 1234 (Salinas) of the 2005-06 Session established provisions for ethics training for local government officials and designated employees.

**Arguments in support.** The California County Superintendents state, “Educational leaders and elected governing board members act as a collaborative governance team on behalf of their students. AB 1917’s proposed professional learning will ensure there is a baseline level of knowledge that participants will bring back to their respective roles. Highly functional and effective governance teams, for example, understand their respective statutory roles and responsibilities within the system. They focus on building healthy relationships among the adults so that students can thrive. They have a strong background in the laws affecting their work. They understand the important accountability measures and financial resources that will support improved outcomes and opportunities for their students.”

**Arguments in opposition.** The California School Boards Association states, “An LEA may arrange for the training to be provided by a different entity, which would leave the door open to trainers who may have a bias or little to no experience with K-12 public education governance laws. The bill also requires the curriculum developed for the training to be sufficient and accurate, but by leaving that task to the State Superintendent for Public Instruction the measure for sufficiency and accuracy could vary with changes to the SPI. For these reasons, we must oppose AB 1917 unless it is amended to include a criterion for the entities that provide the training required under the bill.”

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California County Superintendents  
California State Parent Teacher Association  
Charter Schools Development Center

**Oppose**

California School Boards Association

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