

Date of Hearing: April 30, 2025

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 1163 (Elhawary) – As Introduced February 21, 2025

**[This bill was double referred to the Assembly Committee on Labor and Employment and was heard by that Committee on issues under its jurisdiction.]**

**SUBJECT:** Employees: workplace violence prevention plans: topics and trainings

**SUMMARY:** Adds to the content required to be included in workplace violence prevention plans covering employees of local educational agencies (LEAs), charter schools, and California community colleges (CCCs), by July 1, 2026. Specifically, **this bill:**

- 1) Requires, in addition to the content required to be included in a workplace violence prevention plan covering employees of an LEA, charter school, or CCC, to also include, on or before July 1, 2026, the following:
  - a) Requires training on the plan to be in person and allow for questions to be asked and answered by a natural person in real time; and
  - b) Requires training on the plan to cover the following topics:
    - i) Physical and verbal de-escalation techniques designed to minimize the likelihood of pupils committing violent incidents; and
    - ii) Strategies or supports to help pupils safely return to the learning environment after committing a violent incident.
  - c) Requires that these techniques, strategies, and supports be informed by research or experience regarding how best to accommodate, address, and interact with pupils who have exceptional needs or behavioral health issues.
  - d) Requires training on the plan to occur before an employee hired on or after July 1, 2026, begins their duties, as soon as practicable for employees employed as of June 30, 2026, and thereafter for all employees as part of required annual training.

**EXISTING LAW:**

- 1) Creates the California Occupational Safety and Health Act (Act) to assure the safe and healthful working conditions for all California workers by authorizing the enforcement of effective standards, assisting and encouraging employers to maintain safe and healthful working conditions, and by providing for education, training, and enforcement in the field of occupational safety and health. (Labor Code (LC) 6300).
- 1) Establishes Cal/OSHA within the Department of Industrial Relations (DIR) to, among other things, propose, administer, and enforce occupational safety and health standards. (LC 6308).

- 2) Establishes the Occupational Safety and Health Standards Board within the DIR, to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for workers. (LC 140)
- 3) Requires every employer to establish, implement, and maintain an effective written injury prevention program. (LC 6401.7)
- 4) Requires an employer to provide effective training to employees on its workplace violence prevention plan. Requires that training material appropriate in content and vocabulary to the educational level, literacy, and language of employees are used. (LC 6401.9(e)(1))
- 5) Requires an employer to provide employees with initial training when the plan is first established, and annually thereafter, on all of the following:
  - a) The employer's plan, how to obtain a copy of the employer's plan at no cost, and how to participate in the development and implementation of the employer's plan;
  - b) The definitions and requirements of the workplace violence prevention plan;
  - c) How to report workplace violence incidents or concerns to the employer or law enforcement without fear of reprisal;
  - d) Workplace violence hazards specific to the employees' jobs, the corrective measures the employer has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm;
  - e) The violent incident log, as specified, and how to obtain copies of records, as required; and
  - f) An opportunity for interactive questions and answers with a person knowledgeable about the employer's plan. (LC 6401.9(e)(2))
- 6) Requires additional training to be provided when a new or previously unrecognized workplace violence hazard has been identified and when changes are made to the plan. The additional training may be limited to addressing the new workplace violence hazard or changes to the plan. (LC 6401.9(e)(3))
- 7) Provides that any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and punishable by a fine of not more than \$500, and requires LEAs to notify law enforcement. (Education Code (EC) 32210)
- 8) Requires an employee of an LEA to promptly report the incident to local law enforcement if an employee is attacked, assaulted, or physically threatened by any pupil. Failure to make the report is an infraction punishable by a fine of not more than \$1,000. A member of the governing school board, a county superintendent of schools, or an employee of an LEA or COE who directly or indirectly inhibits or impedes the making of the report is subject to a fine not less than \$500 and not more than \$1,000. Prohibits the governing school board, a county superintendent of schools, or an employee of an LEA or county office of education (COE) from imposing any sanctions against a person under a duty to make the report. (EC 44014)

- 9) Exempts specific employers, including elementary and secondary schools, from the requirement to keep Cal/OSHA injury and illness records, but requires all employers to report to the Division of Occupational Safety and Health any workplace incident resulting in serious injury, illness, or death. (LC 14300.2)
- 10) Federal law, the Individuals with Disabilities Education Act (IDEA), requires that, within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, parent, and relevant members of the Individualized Education Program (IEP) team review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:
  - a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
  - b) If the conduct in question was the direct result of the LEA's failure to implement the IEP. (20 USC section 1415(k)(1))
- 11) Requires that if the LEA, the parent, and the relevant members of the IEP make the determination that the conduct was a manifestation of the child's disability, the IEP team conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child. (20 USC section 1415(k)(1))
- 12) Requires educational providers to avoid, whenever possible, the use of seclusion or behavioral restraint techniques. (EC 49005.6)
- 13) Prohibits an educational provider, as defined, from doing any of the following:
  - a) Using seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation;
  - b) Using locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room;
  - c) Use a physical restraint technique that obstructs a student's respiratory airway or impairs the student's breathing or respiratory capacity, including techniques in which a staff member places pressure on a student's back or places his or her body weight against the student's torso or back;
  - d) Use a behavioral restraint technique that restricts breathing, including, but not limited to, using a pillow, blanket, carpet, mat, or other item to cover a student's face;
  - e) Use a prone restraint, defined as the application of a behavioral restraint on a pupil in a facedown position for any period of time and as including the procedure known as prone containment, and
  - f) Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the student or others. (EC 49005.8)

- 14) Requires the principal of a school, or their designee, to notify law enforcement of any violations of Section 245 of the Penal Code (relating to assault and battery) or any acts of a pupil that may involve the possession or sale of narcotics or a controlled substance, within one day of a pupil's expulsion or suspension. (EC 48902)
- 15) Prohibits a pupil from being suspended from school or recommended for expulsion, unless the superintendent of the school district, or the principal of the school, determines that the pupil has committed specific offenses, including causing, attempting to cause, or threatening to cause physical injury to another person, or willfully using force or violence upon another person, except in self-defense. (EC 48900)
- 16) Specifies additional grounds for suspension or recommendations for expulsion, including engaging in harassment, threats, or intimidation against school district personnel or pupils that have the effect of disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment (grades 4 through 12 only); and making a terroristic threat against school officials or school property, or both. (EC 48900.2, 48900.3, 48900.4, 48900.7)
- 17) Requires a principal or superintendent to recommend the expulsion of a student for any of the following acts committed at school or at a school activity off school grounds, unless there is a determination that expulsion is not recommended under the circumstances or that an alternative means of correction would address the conduct, including assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee. (EC 48915)
- 18) Requires that a suspension only be imposed when other means of correction fail to bring about proper conduct. Specifies that other means of correction may include, but are not limited to, the following:
  - a) A conference between school personnel, the student's parent or guardian, and the student;
  - b) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support personnel for case management and counseling;
  - c) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, develop and implement individualized plans to address the behavior in partnership with the student and his or her parents;
  - d) Referral for a comprehensive psychosocial or psychoeducational assessment;
  - e) Enrollment in a program for teaching prosocial behavior or anger management;
  - f) Participation in a restorative justice program;
  - g) A positive behavior support approach with tiered interventions that occur during the schoolday on campus; and,
  - h) After school programs that address specific behavioral issues or expose students to positive activities and behaviors. (EC 48900.5)

- i) Community service. (EC 48900.6)
- 1) Requires that an expulsion order remains in effect until the governing board orders the readmission of the student; requires the board to set a date not later the last day of the semester following the semester in which the expulsion occurred, when the student is to be reviewed for readmission to a school maintained by the district; requires the governing board to recommend a plan of rehabilitation for the student at the time of the expulsion order, which may include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs; requires, upon completion of the readmission process, the board to readmit the student unless they find that the student has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other students or employees of the school district; requires if the board denies readmission of an expelled student, they must continue the placement of the student in the alternative educational program originally selected, or place the student in another program serving expelled students, including a county community school. (EC 48916)

**FISCAL EFFECT:** This bill has been keyed a possible state-mandated local program by the Office of Legislative Counsel.

**COMMENTS:**

***Need for the bill.*** According to the author, “AB 1163 strengthens workplace violence prevention in schools by ensuring all educational staff receive comprehensive, in-person training on de-escalation and student support. By addressing gaps in existing law, this bill enhances school safety and equips educators with the tools to prevent and respond to violent incidents effectively.”

***Violence and aggression toward school employees post-pandemic, and implications for training.*** The American Psychological Association (APA) Task Force on Violence Against Educators and School Personnel has surveyed nearly 12,000 school employees serving as teachers, school psychologists, social workers, counselors, staff members, and administrators from all 50 states and Puerto Rico, before, during, and after the COVID-19 pandemic.

This research (McMahon, 2024) found that rates of violence and aggression directed against educators by students, parents, colleagues, and administrators were substantial before COVID-19, were lower during COVID-19 restrictions, and returned to pre-pandemic levels or higher after COVID-19 restrictions. After COVID-19 restrictions, 22% to 80% of respondents reported verbal or threatening aggression, and 2% to 56% of respondents reported physical violence at least once during the year, varying by stakeholder role and aggressor. Participants across roles reported substantial rates of anxiety and stress, especially during and after COVID-19 restrictions, and identified specific training needs.

The authors also identified implications for school employee training. Respondents were asked to rate their need for 18 types of training for preventing or addressing school violence. During COVID-19 restrictions, the most frequently endorsed training needs across roles were trauma-informed practices, de-escalation strategies, restorative justice practices, socioemotional learning approaches, and working with diverse racial, ethnic, and cultural groups. Between 50% and 58% of school personnel endorsed these five strategies, and rates for these strategies remained high

after COVID-19 restrictions (43%–64%). Behavioral management, threat assessment, and staff team building were also among the most frequently endorsed training needs after COVID-19 restrictions.

The authors also advised “against policies and practices that promote the use of zero tolerance or exclusionary practices because evidence indicates these strategies do not improve school safety but rather promote contact with the juvenile justice system and disproportionately affect students of color.”

***Manifestation determination for students with disabilities.*** This bill requires that the required training be informed by research or experience regarding how best to accommodate, address, and interact with pupils who have exceptional needs or behavioral health issues.

The federal IDEA requires that, within ten school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, parent, and relevant members of the IEP team review all relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability, or if the conduct in question was the direct result of the LEA’s failure to implement the IEP. This is known as a manifestation determination.

Federal law also requires that if the LEA, the parent, and the relevant members of the IEP make a determination that the conduct was a manifestation of the child’s disability, the IEP team conduct a functional behavioral assessment and implement a behavioral intervention plan for such child.

These responsibilities are not addressed in this measure, ***and the Committee may wish to consider*** how these requirements in current law would be addressed by the proposed training.

***Seclusion and restraint of students.*** This bill requires that the required training on physical de-escalation techniques designed to minimize the likelihood of pupils committing violent incidents.

AB 2657 (Weber) Chapter 998, Statutes of 2018, prohibits the use of restraint or seclusion for any student, except in specified circumstances. Specifically, AB 2657 establishes a student’s right “to be free from the use of seclusion and behavioral restraints of any form imposed as a means of coercion, discipline, convenience, or retaliation by staff.” The legislation limits the use of seclusion and behavioral restraints, which include both mechanical and physical restraints, for all students and establishes parameters for situations in which behavioral restraints or seclusion may be used. Specifically, school districts and nonpublic schools or agencies may use a behavioral restraint or seclusion “only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive.” SB 483 (Cortese), Chapter 857, Statutes of 2024, additionally prohibits the use of prone restraint under any circumstances.

The dangers and disproportionate use of physical restraint are well established. In 2018, the U.S. Government Accountability Office (GAO) released a report entitled *K-12 Education: Discipline Disparities for Black Students, Boys, and Students with Disabilities*, in which it shows that in 2013-14, African American students represented 15% of the national population of public school students, but 33% of students subjected to mechanical restraint, 25% of students subjected to physical restraint, and 22% of students placed in seclusion. The GAO also found that African

American boys constitute 8% of public school students, but 23% of students subjected to mechanical restraint. The GAO stated, “Teachers and staff sometimes have discretion to make case-by-case decisions about whether to discipline, and the form of discipline to impose in response to student behaviors...Studies show that these decisions can result in certain groups of students being more harshly disciplined than others.”

After investigating case studies involving seclusion and restraint use in schools throughout the nation, the GAO concluded in 2009 that certain types of restraint are more dangerous than others, particularly for children. Specifically, the GAO stated that certain techniques are “dangerous because they may involve physical struggling, pressure on the chest, or other interruptions in breathing.” The GAO also found that children are subjected to restraint or seclusion at higher rates than adults and are at greater risk for injury. Prone restraints, in which students are placed face-down on the ground, and restraints that impede breathing were identified as having the greatest risk of death.

Data posted on CDE’s website for 2022-23 shows an unduplicated count of 53,659 students restrained and 5,742 students secluded in all educational environments, including all public schools and non-public schools. The total count of physical restraints was over 179,000. Data were redacted for many LEAs to comply with privacy protections in state and federal law.

*The Committee may wish to consider* the importance of educators’ awareness of these statutory requirements in any training addressing physical de-escalation techniques.

***Increasing use of alternatives to suspension and expulsion in California, including restorative justice.*** This bill would require school employees to be trained on strategies or supports to help pupils safely return to the learning environment after committing a violent incident.

Current law requires that suspension be imposed only when other means of correction fail to bring about proper conduct. Other means of correction include, but are not limited to:

- A conference between school personnel, the pupil’s parent or guardian, and the pupil;
- Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling;
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and the pupil’s parents;
- Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an IEP or 504 plan;
- Enrollment in a program for teaching prosocial behavior or anger management;
- Participation in a restorative justice program;
- A positive behavior support approach with tiered interventions that occur during the schoolday on campus; and

- After school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parents and community groups.

**Concerns with this measure.** This bill would require, as part of the workplace violence prevention plan required under existing law, LEAs to address:

- Physical and verbal de-escalation techniques designed to minimize the likelihood of pupils committing violent incidents; and
- Strategies or supports to help pupils safely return to the learning environment after committing a violent incident.

The bill also requires that these techniques, strategies, and supports be informed by research or experience regarding how best to accommodate, address, and interact with pupils who have exceptional needs or behavioral health issues. ***The Committee may wish to consider that:***

- This bill addresses the management of behavior among students, some as young as three years old, in a workplace prevention plan designed to deal primarily with behavior of adults. It also uses the same language for CCC students as for K-12 students, who are adults.
- The way in which schools handle student violence and discipline is distinct and governed by numerous provisions of the law pertaining to behavioral interventions and supports, student discipline, suspension, and expulsion, but these provisions of law are not addressed in the bill.
- Some students, notably those with disabilities, have rights under state and federal law which are not addressed in this bill, including the manifestation determination, and behavioral intervention plans. These rights are also subject to privacy statutes, which are also not addressed in this bill.
- The bill refers to “physical de-escalation techniques,” but does not mention the prohibitions on physically restraining and secluding students in existing law.
- The bill does not refer to alternative means of correction, as provided for in existing law.
- The bill addresses training of charter school employees, but charter school discipline statutes are distinct from LEA requirements.
- The bill would require training of all employees, not solely those who have regular contact with students.
- Because this bill amends the requirements for the workplace violence prevention plan, it would be overseen by CalOSHA, instead of the California Department of Education (CDE). The CDE, not CalOSHA, is responsible for ensuring that LEAs abide by the requirements of state and federal law regarding student rights and school discipline, including suspension and expulsion policy.

For these reasons, ***staff recommends that this bill be amended*** as shown below.

***Recommended Committee amendments. Staff recommends that the K-12 section of the bill be amended to:***



- 1) Require, on or before January 1, 2027, the CDE, in consultation with current credentialed school employees, current classified school employees, administrators, and experts in de-escalation techniques, to develop a de-escalation training and make it publicly available on the CDE's website.
- 2) Require a school district, COE, or charter school employees who regularly interact with pupils, commencing in the 2026-27 academic year and annually thereafter, to complete a training on de-escalation techniques designed to minimize the likelihood of pupils committing violent acts.
- 3) Require that the techniques be developmentally appropriate and consistent with the requirements of the following provisions of law:
  - a) Suspension and expulsion, including alternate means of correction;
  - b) Manifestation determination; and
  - c) Seclusion and restraint.
- 4) Requires that this training be no longer than one hour in length, and permit it to be included as part of the workplace violence prevention training. Require that it be provided in different modalities, including in-person and virtual formats. State that nothing in this requirement shall prohibit a school district, COE, or charter school from providing longer, more frequent, or additional training, or requiring a selected modality be used, provided that it is mutually agreed to with the employee's exclusive representative.
- 5) Require the CDE to monitor compliance with the training requirement through its existing annual compliance monitoring of state and federal programs.
- 6) Make the requirements on the CDE contingent upon an appropriation in the Budget Act or another statute.

***Arguments in support.*** The California Federation of Teachers writes, "Education workers of all kinds face a variety of hazards on the job. From toxic chemical exposure to musculoskeletal disorders to slips trips and falls, both certificated and classified workers often find themselves the victim of harm. However, likely the most prevalent and alarming source of injury among school employees is workplace violence.

Workplace violence in the education setting can take the form of violent threats from an aggrieved community member at a school board meeting, an on-the-job assault at the hands of a domestic partner, or most commonly, violence by a student. In addition to student violence being the most common, it is also the most complex, given the close and collaborative relationship between education workers and pupils.

Many education workers receive no or virtually no training on how to handle such delicate situations. As a result, a well-meaning but misplaced gesture such as direct eye contact or a firm tone could backfire and accidentally contribute to a violent incident that potentially could have been avoided had proper training been offered. While this problem is widespread and familiar to every educator in California, efforts to address it are nothing new.

AB 1163 (Elhawary) will simply require that during the workplace violence prevention trainings already required by current law, for education workers, these trainings will also include de-escalation techniques designed to help stop student violence before it starts. In addition, the bill will require the training to offer proper supports for students returning to the classroom following a violent incident.

Finally, the bill requires trainings to be in-person and offer workers the opportunity to ask questions and get answers in real time by a real person, not a chatbot, so that the training will be of sufficient quality to achieve its intent. With these modest reforms, we believe we will arm our educators with the knowledge necessary to minimize the likelihood of student violence and create a more stable and peaceful learning environment for all.”

***Arguments in opposition.*** The Association of California Administrators writes, “Greater public awareness of neurodiversity and signs of distress is helpful for all community members to know. However, the proposed language would be a disservice to students with neurodiversity and impose significant new burdens for staff who do not currently have related job assignments, all while draining Proposition 98 resources from classrooms, programs, and employee resources.

AB 1163 offers a blanket approach, which is either too broad or insufficient depending on an employee’s job assignments. It fails to recognize that each student with behavioral needs has a unique plan that should not be generalized for all staff. Furthermore, a behavior plan is part of the Individualized Education Program (IEP) that is shared with those employees who work with the student, but it is not for public knowledge.

We are deeply concerned that AB 1163 overlooks critical distinctions between types of violent incidents committed by students. Current Labor Code Section 6401.9 establishing the Plan includes in its definition of Type 2 violence the threat of students with a history of violence directed at teaching, administrative, or support staff in the school setting. However, AB 1163 regrettably conflates students who intentionally seek to cause harm with those whose acts may be a manifestation of a disability, not a deliberate act of aggression.

Students with a disability or neurodiversity are already disproportionately disciplined for behaviors such as willful defiance, often facing harsher consequences than their general education peers. Rather than promoting safety and inclusion, the bill may inadvertently create new barriers to educational equity for students with special needs.

AB 1163 requires that the additional training on accommodating, addressing, and interacting with students committing violent incidents be provided in-person and allow for a real-time question and answer exchange. The cost implications are deeply concerning, in addition to the potential delays of having appropriate staffing levels in classrooms or programs. This could also override some locally bargained agreements where employees have sought greater flexibility in training formats.”

***Related legislation.*** SB 533 (Cortese), Chapter 289, Statutes of 2023, requires employers to establish, implement, and maintain an effective workplace violence prevention plan that includes, among other elements, requirements to maintain incident logs, provide specified trainings, and conduct periodic reviews of the plan. This bill also authorizes a collective bargaining representative of an employee who has suffered unlawful violence from any

individual, to seek a temporary restraining order (TRO) and an order after hearing on behalf of the employee(s) at the workplace.

AB 2794 (Gipson) of the 2021-22 Session would have required the SPI to allocate funding to local educational agencies (LEAs) and the state special schools for professional development and instructional materials related to de-escalation training. This bill was held in the Senate Appropriations Committee.

AB 2441 (Kalra) of the 2023-24 Session would have clarified that willful disturbances at a public school meeting does not apply to students enrolled in the school district at the time of the willful disturbance and requires a school principal, or their designee, to report incidents, as specified to law enforcement.

AB 1323 (Kalra) of the 2023-24 Session was substantially similar to AB 2441 of the 2023-24 Session. The bill was held in the Assembly Education Committee.

AB 610 (Kalra) of the 2021-22 Session was substantially similar to AB 2441 of the 2023-24 Session. It was held in the Assembly Education Committee.

AB 2711 (Ramos), Chapter 840, Statute of 2024, prohibits the suspension of students enrolled in grades 1-12 who voluntarily disclose their use of a controlled substance, alcohol, an intoxicant of any kind, or tobacco, in order to seek help through services or supports. Applies this prohibition for students enrolled in charter schools.

AB 772 (Lowenthal) of the 2025-26 Session would require the CDE, by June 30, 2026, to develop, post on its website, and distribute to LEAs a model policy appropriate for schools serving grades 4-12 on how to address acts of cyberbullying occurring outside of school hours. Also requires LEAs to adopt the model policy by July 1, 2027, and to provide copies to staff, students, and parents.

AB 2351 (Lowenthal) of the 2023-24 Session would have authorized a student to be suspended from school or recommended for expulsion on the basis of specified acts taking place outside of school hours if specified conditions are met. This bill was held in the Assembly Appropriations Committee.

AB 1919 (Weber) of the 2023-24 Session would have required a school district to document any alternative means of correction used prior to the suspension of a student and require LEAs to adopt at least one of the best practices for restorative justice implementation developed by the CDE. This bill was vetoed by the Governor, who stated:

I respect the author's commitment to expanding restorative justice practices in our schools. Providing students with alternative conflict resolution methods is an important strategy for improving the academic achievement and school environment for all students. Unfortunately, while contingent upon budget appropriation, this bill adds tens of millions in ongoing cost pressures to future budgets.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that

millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

SB 274 (Skinner), Chapter 597, Statutes of 2023, prohibits the suspension or expulsion of a student enrolled in 6th through 12th grade in a public school on the basis of willful defiance until July 1, 2029, authorizes employees to refer students to school administrators for in-school interventions or supports, and requires that administrators document the actions taken in the student's record and inform the referring employee of those actions.

AB 599 (Ward) of the 2023-24 Session would have prohibited a pupil from being suspended or expelled from school for possessing or using tobacco or nicotine products beginning July 1, 2025. AB 599 would also have required the CDE to develop and make available a model policy for a public health approach to addressing student possession and use of drugs on school property by July 1, 2025. This bill was held in the Senate Appropriations Committee.

SB 1273 (Bradford) of the 2021-22 Session would have eliminated criminal penalties for "willful disturbance" of a school or school meeting by students and grant a school principal discretion to report an incident to law enforcement if it does not include a firearm or weapon, as specified. This bill was held in the Assembly Education Committee.

SB 419 (Skinner), Chapter 279, Statutes of 2019, commencing July 1, 2020, permanently extends the prohibition against suspending a student enrolled in kindergarten through grade 3 for disrupting school activities or otherwise willfully defying the valid authority of school staff to include grades 4 and 5 permanently; and to include grades 6 to 8, until July 1, 2025; and applies these prohibitions to charter schools.

AB 420 (Dickinson) Chapter 660, Statutes of 2014, eliminated the authority to suspend a student enrolled in kindergarten through 3rd grade and the authority to recommend for expulsion a student enrolled in grades kindergarten through 12<sup>th</sup> grade for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties. The bill sunset on July 1, 2018.

SB 483 (Cortese), Chapter 857, Statutes of 2024, prohibits the use of prone restraint by local educational agencies (LEAs), charter schools, nonpublic schools and agencies (NPS/A), and the State Special Schools for the Blind and the Deaf.

AB 1466 (Akilah Weber), Chapter 582, Statutes of 2023, requires LEAs to annually post on their websites data on seclusions and restraints of students, which is currently reported to the CDE.

AB 611 (Akilah Weber), Chapter 64, Statutes of 2023, requires a contracting LEA to inform parents and guardians of students who attend a NPS/A of the change in its certification status within 14 days of becoming aware of any change to the certification status. This bill was held in the Senate Education Committee.

AB 1172 (Frazier), Chapter 454, Statutes of 2019, requires that LEAs that send students to NPSs conduct on-site monitoring visits; requires that NPSs notify the CDE of any student-involved incident in which law enforcement is contacted; requires the CDE, if an investigation conducted by the CDE results in a finding that student health or safety has been compromised, to immediately suspend or revoke the school's certification; requires that an NPS serving students

with significant behavioral needs to have an individual on site who is qualified to implement behavior interventions, and requires that administrators of NPSs hold or be working toward specified credentials or licenses; requires that NPSs train specified staff in evidence-based practices and interventions specific to students' unique behavioral needs.

AB 216 (Shirley Weber) of the 2019-20 Session would have prohibited educational providers from authorizing, or requiring a parent to consent to, the use of physical restraint or seclusion as a planned intervention in a student's education plan, individual safety plan, behavioral plan, or IEP. This bill was held in the Senate Education Committee.

AB 2756 (Shirley Weber), Chapter 998, Statutes of 2018, prohibits the use of restraint or seclusion on any student, except in specified circumstances; establishes parameters and procedures for situations in which restraint or seclusion may be used; requires data collection and reporting to the CDE.

**REGISTERED SUPPORT / OPPOSITION:****Support**

California Federation of Teachers  
California School Employees Association

**Oppose**

Association of California School Administrators  
Community College League of California  
Kern County Superintendent of Schools Office

**Analysis Prepared by:** Tanya Lieberman / ED. / (916) 319-2087