# Student Advisory Board on Legislation in Education 2020 Proposals

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# Environment

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## I. Summary

Schools often fail to effectively conserve resources and practice environmental sustainability. This proposal requires the governing board of school districts, seeking modernization and construction facility grants from the State Allocation Board, to implement low-flow aerators for each faucet and increase the amount of LED lights in all school buildings if awarded the grant.

## II. Background

As we enter the year of 2020, we have become aware that we are on the verge of a geopolitical catastrophe because of climate change. This situation has been partially addressed by Gov. Newsom's budget, which commits to making California a carbon-neutral state. Currently, the majority of school districts supply their schools with fluorescent tube lights. These changes are insufficient, and schools are not doing enough to meet Gov. Newsom's standards. For example, LED lights proposed use 75% less energy and last 25 times longer in contrast to the fluorescent lights we use today. There are no mandates, however, to use LED lights instead of energy inefficient fluorescent lights at schools. there are 10, 315 public schools in California, and there are 6.2 million students in our education system. An estimated 200,000 gallons of water are used per month at one school alone. On the other hand, water aerators are more effective in conserving water. Water aerators are small metal parts placed on the end of faucets that look like mesh screens. They break up the flow of water into multiple small streams, adding air in between, which ultimately reduces water usage without affecting water pressure.

## III. Problem

Currently, public schools neglect awareness on the rapidly increasing climate crisis. While a few schools take action on this global issue, several schools have yet to do their part in helping California fulfill Gov. Newsom's commitment to be fully carbon-neutral by 2045. Studies show that by 2030 failure to improve the current climate crisis will result in inhabitable conditions.

The State Allocation Board (SAB) is responsible for determining the issuing of state resources (proceeds come from State General Obligation Bond Issues (SGOB) and other designated State funds) used for the new construction and modernization of public school facilities. The SAB is also responsible for the administration of the School Facility Program, the State Relocatable Classroom Program, and the Deferred Maintenance Program.

The Office of Public School Construction, as staff to the SAB, is responsible for ensuring that the funds allocated by the SAB are properly disbursed and in accordance with decisions made by the SAB. Also, the OPSC is

responsible for maintaining adequate cash balances in each bond fund to meet the needs of the school districts without incurring excessive bond interest expenses. Government Code Section 53600.3 authorizes governing bodies, or local agencies, or persons authorized to make investment decisions with care, skill, prudence, and diligence, including, but not limited to, the general economic conditions, and the anticipated needs of the agency to safeguard the principal and maintain the liquidity needs of the agency.

With California's current population estimated at 40 million, and 6.2 million of that number being students, there is not enough being done in order to accomplish Gov. Newsom's "carbon neutral" standards.

## IV. Solution

This proposal mandates schools who receive grants from the modernization and new construction funds through the State Allocation Board to allocate a portion of the grant for the purchase and installation of:

- low-flow aerators (0.5-1 gallons per minute) for all school faucets
- LED lights for all school buildings

By implementing sustainability practices, such as those outlined above, we can ensure a positive impact on reducing the climate crisis.

## V. Fiscal Analysis

This proposal does not require the use of new funds, rather it mandates that schools who are granted money by the State Allocation board for construction and modernization projects must buy LED lights and low-flow aerators. The State Allocation board uses 86% of its overall annual funds on construction and modernization projects. In other words, a total of $11,335,360 will be allocated toward new construction and modernization in 2020-2021, according to the State Allocation Board Agenda published in June 2019.

## VI. Proven Results

- LED lighting products produce light approximately 90% more efficiently than incandescent light bulbs
- Water aerators can reduce a faucet's water flow by 30% or more without sacrificing performance ( regional h2o.org)
- LED lights avoid cancer, migraines, disruption of the human circadian rhythm, and other health risks (
- LED lights last 25 times longer than fluorescent lights
- LED lights are 75% more efficient than fluorescent lights
- Low-flow aerators use .5-1 gallons per minute, while traditional aerators use 2.2 gallons per minute
- Water Aerators- Estimated cost: $1-5 each (eartheasy.com)
- LED light- average estimated cost: $8 (thesimpledollar.com)

## VII. Legislative Precedent

- AB 48 (2019) authorizes, but does not require, $15 billion for the construction and modernization of public preschool, K-12, and public colleges and universities.
- California Clean Energy Jobs Act (Proposition 39) allocates revenue to local education agencies to support energy efficiency and alternative energy projects, along with related repairs and improved health and safety conditions in public schools.
- Kindergarten-University Public Education Facilities Bond Act of 2006 (Proposition 1D) authorizes $20.3 billion of spending on public school construction projects.
- AB 3205 (2018) requires the governing board of school districts that request state school facilities bond funds to include locks to be locked from the inside of the room as part of a modernization project.

# School Safety

**Speakers:** Emma Lee, Fullerton Union High School, Fullerton; Jonathan Ho, Diamond Bar High School, Walnut Valley; Bradley Ramsey, Anderson High School, Anderson.
**Writer:** Seohyeong (Sue) Lee, Arnold O. Beckman High School, Irvine
**Group Members:** Christopher Pak, Granada High School, Livermore; Leah Perez, Shasta High School, Redding; Serena Perl, Palisades Charter High School, Pacific Palisades; Mia Quijano, Bayfront Charter High School, Chula Vista; Peter Zhao, Los Osos High School, Rancho Cucamonga
**Facilitator:** Avery Reed, Credo High School, Rohnert Park
**Research:** Ethan Collier, Hilltop High School, Chula Vista

## I. Summary

This bill gives schools an opportunity to make an informed and accurate decision in the situation of an unannounced fire alarm. More specifically, all schools will be required to devise a safety plan to address the possibility of an active shooter pulling the fire alarm.

## II. Background

Currently, California requires local educational agencies to create comprehensive school safety plans with guidelines for emergencies ranging from earthquakes to fires. However, it is important to note that schools of grades K-12 have become the most common location where active shootings occur. In the first 46 weeks of 2019, there were 45 shootings in the nation; on average, there was at least one school shooting per week. A false fire alarm, which causes the students to evacuate the classroom, has become an increasing issue with schools nationwide from Florida to Oregon.

## III. Problem

The traditional practice of a fire alarm is to evacuate immediately; however, this becomes a critical issue as most schools are not aware that the fire alarm can be used as a tool by the shooter to lure students to open space. On February 14, 2018, a fire alarm was involved during an active shooting at Stoneman Douglas High School in Parkland, Florida. This incident demonstrates that a fire alarm is a common way for active shooters to target students and shows the need for greater awareness of a safety plan for this specific situation.

## IV. Solution

This bill requires all school districts responsible for grades K-12 to address safety procedures in case an active shooter pulls the fire alarm to lure students out into the open. It also allows local educational agencies to develop their own plans based on their different circumstances, which range from geography to communication and infrastructures. By requiring schools to develop safety plans for a false fire alarm situation, teachers and students will know the exact procedures to follow without any confusion about whether to evacuate or stay in the classroom. Additionally, the California Department of Education will develop models or procedures that school districts can consider when developing their safety plans to create the most effective and suitable plans.

## V. Fiscal Analysis

The bill incurs little to no additional cost to the California Department of Education. If the state determines that additional training is needed in order to the new methods or procedures, additional training expenses would apply.

## VI. Proven Results

Some school districts within the nation have already taken further steps to implement safety plans to address the fire alarms that are pulled by an active shooter. For example, the Shasta Union High School District in California has a procedure in which the teachers will first scan the hallways for students as well as signs of fire. If the teacher observes that there is an imminent fire threat, the classroom then follows the standard fire evacuation protocol. However, if the teacher does not observe any signs that fire is an imminent threat, the classroom follows an active shooter lockdown protocol unless the administration informs and provides further safety guidelines. Similar safety plans have also been applied to the school districts in Colorado and Arkansas, which shows that many districts within and outside of California have recognized the importance of implementing a comprehensive safety plan for unannounced fire alarms in the event of shootings.

## VII. Legislative Precedent

- Assembly Bill 1747 in 2018
  - This bill reformulates the requirements for school safety plans and requires charter schools to report the plans to their County Office of Education or Local Educational Agency.
  - This bill also requires schools to consult with local first responders such as police and fire departments to help formulate a more comprehensive school safety plan
- Education Code Section 32282 of 2018
  - This Education Code explains the guidelines for schools to establish and report a comprehensive school safety plan.
  - This includes various aspects of situations such as fire, earthquakes, tornados, etc.

# Mental Health

**Speakers**: Shreya Holikatti, Granite Bay High School, Granite Bay; David Qing, Lincoln High School, Stockton; Milana Rodriguez, Olympian High School, Chula Vista
**Writer**: Harper Johnston, C. K. McClatchy High School, Sacramento
**Group Members**: Xiomara Alejandre, Chula Vista High School, Chula Vista; Yashelyn Hernandez, Alliance, Dr. Olga Mohan High School, Los Angeles; Philix Lin, Diamond Bar High School, Diamond Bar
**Facilitator**: Kenneth Kim, U.S.C., Los Angeles
**Research**: Kelsey Perlman, Credo High School, Rohnert Park

## I. Summary

This bill would require the creation of an Emotional Wellness Plan for kindergarten through twelfth grade by the Local Educational Agencies in collaboration and consultation with school community stakeholders, local county mental health plans, and local mental health professionals.

## II. Background

Section 5 of the Mental Health Services Act was created in order to develop mental health training programs for teachers. The Instructional Quality Commission (IQC), has instructed the inclusion of mental health education within the Health Framework for the state. Assembly Bill 2246, which mandated that schools create a plan for grades 7 through 12 that deals with the prevention, intervention, and postvention of suicide, was added in 2016. In late 2019, Assembly Bill 1767, extended the necessity for this plan to include K-6 grades.

## III. Problem

- Wellness, the mindset, activities, and habits we practice to combat stress, unhappiness, illness, depression, and other negative emotions, is not prioritized in the current education system.
- Dr. Katie McLaughlin, a clinical psychologist who teaches at the University of Washington, stated that about half of the children in America experience some form of adversity before they reach adulthood and children who experience adversity are 4 times more likely to develop mental health problems.
- The 2018 National College Health Assessment found that in California 63% of students reported feeling extreme anxiety and 42% found it difficult to function because they were so depressed.
- According to the Centers for Disease Control and Prevention, adverse childhood experiences (ACEs) are linked to chronic health problems, mental illnesses, and substance misuse in adulthood. ACEs can be detrimental to an individual's education and career.

## IV. Solution

This bill will require that all Local Educational Agencies shall collaborate with local mental health professionals, school community stakeholders, and the local county mental health plan to create wellness plans for each academic grade - kindergarten through twelfth grade - respectively. Each grade level will learn new skills that build upon their skills from previous years. Each year students should develop new valuable skills that are applicable to the rest of their lives. This plan will touch on what mental health is and how students can maintain a healthy mental well-being by incorporating healthy practices into their everyday lifestyles. This will help to prevent anxiety, general stress levels, and depression for students in our

schools. It will encourage students to practice outreach for mental health issues. Rather than create new curriculum, teachers and administrators will incorporate these mental wellness techniques and practices into day to day activities.

Techniques that are introduced may include breathing exercises such as Mindful Minutes, a breathing technique practiced daily for a few minutes to clear a participant's mind, decreasing stress and anxiety, deep breathing practices, and the development of habits to prevent stress from procrastination. In addition, students will practice communication skills that translate into social skills. These acquired social skills will help students reach out to peers, teachers, and school staff in the event of a mental health issue.

To promote self care, students will be reminded to take care of themselves in ways such as washing their hands, brushing their teeth, tying their shoes, and taking showers. By enforcing simple, beneficial habits, young students will be well equipped to take care of themselves in the event of a mental health issue.

## V. Fiscal Analysis

The creation of an Emotional Wellness Plan will cost monetary fees relating to the staff time required for LEAs to create the plan. However, the lack of an established plan to facilitate early emotional wellbeing has not been fully addressed. Thus, the costs incurred will ultimately be an investment through the emotional wellbeing for young students influenced by the Emotional Wellness Plan.

## VI. Proven Results

- Programs such as the '*I Can Problem Solve*' program have gathered results proving that teaching students mindfulness from grades as early as elementary school benefited the mental state and wellbeing of these students. These programs showed students the proper ways to express themselves and encouraged children to think of multiple ways to solve an issue. Through this, teachers were able to observe a decrease in anxiety and stress level among these students that participated in the program.
- In 2007, Visitacion Valley Middle School, located in San Francisco, implemented a program named *Restore! For Kids My Time and Our Time*. This program implemented meditation and promoted self-care. The results of this program were a dramatic drop in suspension rates among participating students, a large improvement in the daily attendance rate, an increase in grade point averages, and reportedly the highest happiness in the San Francisco area (Kirp 2014).
- In 2019, Henry Clay High School located in Lexington, Kentucky was the first to establish a student-run emotional support program called *Sources of Strength*. The results were a reduction in substance abuse, violence, and suicides. Additionally, several other schools in Kentucky have since created successful Sources of Strength groups.

## VII. Legislative Precedent

- Assembly Bill 1767 (2019)
  - This bill states that the governing board or body of a local educational agency (LEA) serving grades kindergarten to sixth must adopt suicide prevention policies for students.
- Assembly Bill 2246 (2015 - 2016)
  - This bill requires the California Department of Education (CDE) to create and manage an ideal suicide prevention policy. It also instructs local educational agencies serving students in grades seventh through twelfth to adopt student suicide prevention policies.
- Education Code Section 49604
  - This statute authorizes the State Superintendent of Public Instruction to encourage each middle school, junior high school, and high school to provide suicide prevention training to each school counselor at least one time while employed.
- Education Code Section 215
  - This is known as the Model Youth Suicide Prevention Policy which mandates that the governing board of any local educational Agencies (LEA's) that serves pupils in grades seven to twelve adopt a policy on pupil suicide prevention, intervention, and postvention.
- California Education Code Section 51210.8
  - This says that the State Board of Education will adopt the content standards in the curriculum area of health education and the content standards shall provide a framework for instruction that a school may offer in the curriculum area of health education.
- Assembly Bill 2639 (2018)
  - This bill requires schools that serve students in grades seven through twelve to review policies on pupil suicide prevention every five years and update the policy, if necessary. AB 2639 also permits local educational agencies to update the policy more frequently. The bill requires that specific local implementation be geared towards at risk students and that LEA approve the criteria for identifying appropriate services and how to refer them to students and their families.
- Proposition 63
  - This provides community-based mental health services to California residents. It mandates that several entities such as the California State Department of Mental Health and the Mental Health Services Oversight and Accountability Commission oversee the counties underneath Proposition 63. Prop 63 focuses on stakeholder opinion and input and imposes a 1% income tax on personal income in excess of $1 million. The process of obtaining stakeholder input for rules took less than a year. Individual counties were obligated to develop their plans, with three stages of local funding, three-year plans, and long-term strategies. In specifics, these counties use their mental health departments to create plans.
- Assembly Bill 114
  - It eliminated all statutes and regulations related to AB 3632. The bill transferred responsibility and funding for educationally related mental health services, including residential services, from county mental health and child welfare departments to education. Assembly Bill 114 replaced Assembly Bill 3632. The implementation of Assembly Bill 114 cost up to $420.3 million.

# Minority Student Support

**Speakers**: Michelle Alas, Northgate High School, Walnut Creek; Zaid Fattah, Monte Vista High School, Danville; Ella Pascua, San Benito High School, San Benito
**Writer**: Amariun Singh Tyiska, Golden Valley High School, Bakersfield
**Group Members**: Michelle Kim, Portola High School, Irvine; Naomi Lossy, Credo High School, Sebastopol; Jackie Adigwu, Vista Murrieta High School, Murrieta; David Kim, Lincoln High School, Stockton; Natasha Sosa, Long Beach Polytechnic High School, Long Beach
**Facilitator**: Alanah Martinez, Monterey Peninsula Community College
**Research**: Diego Bustamante, Lincoln High School, Stockton

## I. Summary

This bill would create an additional condition concerning cultural competency to be approved by the Commission on Teacher Credentialing (CTC) for educator training programs.

## II. Background

As of now, the historically innovative state of California is facing a crisis: cultural insensitivity and incompetence toward minority students. These students make up the greater population of California. The lack of support stems from teachers not having the proper training to handle situations regarding minority conflicts. Nearly ten thousand teachers are accredited each year in California. In the 2017-18 year, 5,284 multiple subject teachers were accredited and 4,555 single subject teachers were accredited without any state assurance of cultural competency training.

## III. Problem

Schools and faculty do not properly address instances of racial and cultural insensitivity because a sense of importance is not placed on cultural humility within the context of California's diverse demographics. This leads to a systematic cycle of chronic absenteeism, social inequity, and social and emotional trauma perpetuated among underrepresented ethnic and cultural student groups. Such patterns are contributing factors to the achievement gap in California education.

## IV. Solution

The proposed solution is to direct the Commission on Teacher Credentialing to add an "instruction on cultural competency" requirement for Commission-approved Teacher Preparation Programs necessary to receive preliminary *multiple-subject* and *single-subject* teaching credentials. Current requirements for Teacher Preparation Programs are:

A. Developing English Language Skills
B. Instruction in foundational and advanced computer technology
C. Instruction in Health Education

The proposed addition would read:

D. Instruction in Cultural Competency that equips educators with strategies to facilitate healthy, sensitive conversations surrounding race, ethnicity, religion, and other cultural identities to prevent conflict in student interactions.

Educational institutions will be able to adapt their Teacher Preparation Programs to address the specific demographics of their respective regions.

## V. Fiscal Analysis

This action would incur minimal costs to the Legislature and the Commission on Teacher Credentialing.

Costs associated with this proposal fall onto educational institutions that offer accreditation programs. A new requirement for these programs results in a need for institutions to invest in developing an updated curriculum or adopting an existing and effective curriculum.

## VI. Proven Results

From prior research, these are proven results:

- Out of 64 teachers that participated in a California based cultural competency study, 14 changed their classroom practices based on what they learned in professional development.
- 31 out of the 64 teachers stated that they believed that they have seen improvement in student learning because of changes they have made in their instructional strategies to make them more culturally responsive. There are many institutions that already require additional courses addressing cultural competency that are not mandated by the CTC.
- Cal Poly School of Education requires a "Learning to Teach K-8 Literacy in Schools with Diverse Populations" course to pass the Muli-Subject Preliminary Credential Program

## VII. Legislative Precedent

- AB 54 (2003) required the CTC, in consultation with the State Department of Education, to contract with an independent evaluator to conduct a study of the availability and effectiveness of cultural competency training for teachers and administrators.
- AB 331 (2020) created the 2020 Ethnic Studies Model Curriculum, adopted by the CA State Board of Education, which will promote collective racial empowerment by encouraging cultural understanding of how different groups have struggled and worked together

# Positive Disciplinary Practices

**Speakers**: Mikayla Pok, La Sierra High School, Riverside; Nadia Gonzalez, San Benito High School, Holister; Jeffrey Oh, South Pasedena High
**Writer**: Amy Jung, Santiago High School
**Group Members**: Jin Woo Park, Olympian High School; Maria Gonzalez, Golden Valley High School; Deanna Escarieses, Sweetwater High School; Estrella Pacheco, Analy High School

**Facilitator**: Rachel Lu, Brown University
**Research**: Elijah Tsai, Lincoln High School, Stockton

## I. SUMMARY

This bill would mandate that students' disciplinary rights are read and explained to students from a third party, who does not administer the consequence, prior to any disciplinary action and that these student disciplinary rights are posted inside disciplinary, counselor, psychologist offices and publicly conspicuous places.

## II. BACKGROUND

Over the years it has been proven that negative disciplinary practices are detrimental for students' school lives. These include zero tolerance policies such as suspension due to willful defiance and expulsions on the ground of drug possession. LCFF priorities strongly suggest these to be replaced by positive disciplinary practices such as such as Positive Behavioral Interventions and Supports (PBIS), Restorative Practices, and Youth Court, but zero tolerance policies still remain. Informing students of their rights is not mandated, but is suggested in the programs included in LCFF priority 6 (stated above).

## III. PROBLEM

Although generally accepted on a statewide level that zero-tolerance disciplinary policies are not effective, they still exist and are practiced in many schools throughout California. Negative disciplinary policies have become normalized and ingrained into society creating a culture where consequences of this system are acknowledged yet continue to be perpetuated. The American Academy of Pediatrics Council on School Health states that students who experience suspension or expulsions are ten times more likely to drop out of high school and go through the juvenile justice system. The Student Advisory Board on Legislation in Education acknowledges and has identified that the lack of communication and understanding of disciplinary policies for disciplined pupils — students — is a key issue as to why positive disciplinary practices continue to be neglected, in lieu of the convenience and normality of punitive measures. Many students are unaware of the discipline systems that are implemented in their respective districts. Without having a clear understanding of their disciplinary rights and existing processes, students are unaware of their next actions and options, which in turn can allow them to receive continued punitive disciplinary measures, perpetuating and repeating the negative effects of zero-tolerance policies—identified as the state (as aforementioned) as ineffective.

## III. SOLUTION

This bill would mandate that students disciplinary rights are read and explained from a third party, such as a counselor, a teacher, or a staff member who is not involved with administering the consequences through the creation of a structured, age appropriate, and culturally relevant address that would be used on a statewide level. The schoolsite may partner with local, state, or federal agencies, or nonprofit organizations, for these purposes. The

rights the address would encompass will include, but is not limited to Education Code 48911, Education Code 35146, Education Code 48918, and Education Code 48919. The rights are enumerated below:

- Conferences discussing suspension must be private.
- Students will be informed of the reason for suspension including the other means of correction that were attempted before the suspension and the evidence against him or her during the conference.
- Students and adults have the right to a translator
- Students will be given a platform to present their version of the evidence.
- An effort will be made to contact the students adult.
- Administrators must discuss disciplinary actions regarding a student in confidential meetings.
- Students can request information on their schools existing discipline system
- Notice of the right to appeal the expulsion to the county board of education.
- If expelled, a pupils guardian has 30 days to appeal.

Additionally, this address of students rights will be posted in a visible location in disciplinary, counselor, and psychologist offices as well as social science classrooms. The poster shall be displayed in English and any primary language spoken by 15 percent or more of the pupils enrolled at a school site. The poster may be prominently and conspicuously displayed in public areas at the school site that are accessible to, and commonly frequented by, pupils, including, but not limited to, classrooms, classroom hallways, gymnasiums, auditoriums, and cafeterias

Rights as a concept are ingrained into many aspects of educational institutions — from teachers' unions to curricular emphasis on constitutions in history classes. As students become more aware of their rights and current disciplinary processes, the implementation of this proposal would initiate a cultural change, where students become more involved and invested in positive practice of school discipline itself. Moreover, knowing these rights will make it less likely for students to opt towards punitive measures when they are being disciplined. With current disciplinary actions and practices becoming more transparent to students, schools and Local Education Agencies are more likely to follow positive disciplinary practices.

## V. FISCAL ANALYSIS

The proposal will require a compilation of students' disciplinary rights as well as a one-time cost to provide for school districts to create and display posters throughout their schools. Referencing related bills such as AB 543, which was signed into law in 2019, the cost varies from tens of thousands to the low hundreds of thousands of dollars depending on the number of posters displayed.

## VI. PROVEN RESULTS

"Miranda warning" refers to the constitutional requirement that once an individual is detained by the police, there are certain warnings a police officer is required to give to a detainee. Similar to the Miranda Warning, the rights read out loud will help students evaluate their current situation and options at hand which in turn can help prevent the continuation of punitive disciplinary measures

LCFF Priority 6 subsection 7, created in 2013-2014, has prioritized eliminating zero-tolerance policies and involving students in reviewing, crafting, and adjudicating school rules and established pro-social community norms through practices such as Positive Behavioral Interventions and Supports (PBIS), Restorative Practices, and Youth Court. The addition of these programs were created with the intent to better the school climate as cultivating

a positive culture around disciplinary practices have been acknowledged as beneficial. These programs have assisted with the 46% reduction in suspensions since 2011.

## VII. LEGISLATIVE PRECEDENT

AB 543 - requires each educational institution provide their written policy on sexual harassment as part of an orientation program conducted for continuing pupils and to be prominently and conspicuously displayed in public areas at the schoolsite

SB 419 - Eliminates the authority to suspend or recommend to expel students in kindergarten to 8th grade for the reasons of class disruption or willful defiance.

# Reproductive Health

**Speakers**: Julia Cristiano, Oak Park High School, Oak Park; Mirjana Knepprath, West Campus High School, Sacramento; Jessica Yu, Lowell High School, Stockton
**Writer**: Alex Unger, Credo High School, Rohnert Park
**Group Members**: Olivia Ang-Olson, C. K. McClatchy High School, Sacramento; Emelia-Rose Engel, C.K. McClatchy High School, Sacramento; Mina Lee, John Marshall High School, Los Angeles; Alexis Yang, Luther Burbank High School, Sacramento
**Facilitator**: Maya Roshandel, Pasadena City College, Los Angeles
**Recorder**: Ansley Langham, Lincoln High School, Stockton

## I. Summary

The proposed bill would amend pre-existing Education Code to provide free menstrual hygiene products in the women's, gender neutral, staff/faculty, and at least one men's restroom of all schools.

## II. Background

Current state law mandates that a public school serving any students grades 6-12, with 40% of the school population below the federally designated poverty threshold, must stock at least 50% of the restrooms with menstrual hygiene products. Certain school districts, such as Berkeley USD, have elected to expand their provision of menstrual products to include all schools, even without Title I status. BUSD has also specified that all girls' and gender neutral restrooms must be supplied with menstrual hygiene products.

## III. Problem

- Students in Poverty
  - According to the Public Policy Institute of California, 26.4% of low-income students below the federal poverty line do not attend Title I schools.
  - 1 in 10 girls in a UK study commissioned by hygiene services provider PHS Group stated that if they miss school because of their menstrual cycle, it is due to a direct lack of hygiene products.
- Student Loss of Class Time Due to Lack of Menstrual Products
  - In a UK study by PHS Group, 52% of girls said that they have missed class due to their period. Loss of class time is not only harmful to their academic success, but causes schools to qualify for less funding.
- Stigma
  - Among US women ages 18-54 years, 57% said they would feel embarrassed and 43% would feel stressed if caught in public without the supplies they needed and unexpectedly started their period, according to a 2013 survey conducted by Harris Interactive on behalf of Free The Tampon Foundation.
  - According to the survey conducted by the PHS Group, over 75% of menstruating students said they would be embarrassed to ask for sanitary products from a male teacher and over 25% would be uncomfortable asking for a menstrual product even from a fellow menstruating human.
- Gender Equality
  - Not all pupils who menstruate are women. Nonbinary folks and trans men who use the gender neutral or men's restrooms deserve equal access to menstrual hygiene products.

- The implementation of free menstrual hygiene products in all classifications of restrooms creates a safer school environment by teaching by example that one should be tolerant and respectful of people of all gender identities. Oftentimes, cisgender males are not given the opportunity to have conversations around menstruation, which can lead to normalization and destigmatization.

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## IV. Solution

This bill would amend Section 35292.6 of the Education Code by mandating all schools, regardless of their Title I status, to stock all designated women's, staff/faculty, and gender neutral bathrooms, as well as at least one men's restroom, with menstrual hygiene products. This amendment would provide for students at every socioeconomic level, reduce chronic absenteeism, normalize menstruation among all genders, and foster gender competency in an academic setting.

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## V. Fiscal Analysis

The precise one-time, reimbursable state mandated costs of the proposed amendment to the Ed Code will depend on the actual number of bathrooms that will require dispensers to be installed as well as the installation cost for each dispenser; this cost can vary from anywhere as low as a few hundred dollars to as high as two to three thousand dollars. The organization *Free The Tampons* estimates that ongoing state reimbursable mandated costs are about $4.67 per menstruating student per year, and there were around 1.5 million menstruating 6th through 12th graders enrolled in California public schools during the 2018-2019 school year. Providing free hygiene products results in higher attendance rates -- thereby increasing school funding which will help cover the cost of implementation.

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## VI. Proven Results

- According to the Canadian Center of Science and Education, 98.4% of menstruating participants reported that they experienced a higher level of focus in an academic setting when using a sanitary napkin.
- New York City passed a law that provides schools, jails, and shelters in the city with free tampons and pads. Schools who participated in a pilot project in 2015-16 that provided menstrual products for free saw a 2.4% increase in attendance.

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## VII. Legislative Precedent

California

- AB 10 (2017) Added Section 35292.6 to the Education Code. Section 35292.6 requires Title I schools to provide free sanitary products in 50% of bathrooms.
- AB 31 (2019) Repealed taxes on tampons and other menstrual hygiene products.

Other States

- New York State - Effective July of 2018, all public schools in New York State that serve students in any grade from 6-12 must provide feminine hygiene products to students in school restrooms, at no cost.
- Illinois State - The Public Act 100-0163 states that free menstrual products must be provided in bathrooms of all "school buildings"--even at charter schools and district offices.
- New Hampshire State - In New Hampshire, schools provide free menstrual products in women's and gender neutral restrooms in middle and high schools, as stated by Senate Bill 142.

# Assembly Bill 1858 - California Youth Empowerment Act

## I. Summary

This bill would establish the first statewide advisory body to the government comprised solely of youth. Additionally, this bill details the composition, duties, and powers of the commission.

## II. Background

Currently, there are over 130 active local youth commissions in California that advise municipalities on issues affecting youth. Over 20 other states have state-wide youth advisory council structures written into statute. Youth commissions have proven their effectiveness and impact as seen in the San Francisco Youth Commission's work on youth homelessness and incarceration.

## III. Problem

All too often, the state government and adults make critical decisions on policy affecting the lives of young Californians, without any direct input from the youth themselves. This leads to a fundamental under-representation of the over 9 million young Californians under the age of 18. Now more than ever, issues affecting youth have become more pressing, such as climate change and gun safety, and young people find themselves frustrated with their lack of participation in shaping their futures. Furthermore, foster youth, incarcerated youth, and youth who suffer from other adverse childhood experiences seldom have the resources to advocate for themselves. There is a lack of state leadership on engaging local youth organizations and unifying them under a single goal: empowering youth.

## IV. Solution

This bill establishes a 24-person commission with 5 ex-officio members in the state government of youth ages 14-25. The commission would be consisted of youth appointed by the Governor. This bill mandates that every region of California is represented, there is an equal distribution of age, and that at least half of the members on the commission have experienced youth homelessness, foster care, disabilities, or juvenile incarceration. Commissioners will serve two-year terms to establish peer-to-peer mentorship and training. Commissioners should be appointed for their passion and experience, not purely grades and achievements.

The commission's establishment will depend directly on whether or not funding is appropriated in the state budget. The commission will require five staff to fulfill various roles. Participating in official business of the commission will be completely cost free, and commissioners will receive a $300 per diem for each meeting.

The commission's mission is to empower under-represented youth with formal opportunities to engage in California's civic process. Ultimately, the commission will have three interconnected goals with focuses on civic engagement, education, social equality, human and social services, workforce development, and public safety.

1. Policy Development – The commission will formally articulate positions on youth-related policy, study and review current deficiencies regarding youth, draft model legislation, and provide testimony to promote the services for and empowerment of all young people.

2. Community Engagement – The commission will hold meetings and roundtables to engage with the youth public and advocacy groups around the state to identify unmet needs of the state's youth. The commission may also educate the youth public by holding assemblies or distributing resources at school. Additionally, youth public members may be appointed to specialized policy advisory boards and task forces or may serve as ambassadors to their communities.

3. Investment in Youth – The commission will have the resources to award grants to organizations that work directly with young people, such as programs that find housing for homeless youth or help low-income students prepare for higher education. Grants may also go to local youth commissions or other youth-led advocacy organizations.

## AB 1858 - Bill Language

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 3.4 (commencing with Section 8260) is added to Division 1 of Title 2 of the Government Code, to read:

Chapter 3.4. California Youth Empowerment Act

Article 1. Title

8260. This chapter shall be known, and may be cited, as the California Youth Empowerment Act.

Article 2. Legislative Findings and Declarations

8261. The Legislature finds and declares all of the following:
(a) The needs and issues affecting youth are most accurately addressed by youth themselves.
(b) Young people in California have demonstrated their passion for the civic process and getting involved, as seen in the spike in voter turnout from the 2014 midterm elections, where 8 percent of California voters between 18 and 24 years of age voted, to the 2018 midterm elections, where 27.5 percent of California voters between 18 and 24 years of age voted.
(c) Young people have also shown their desire for change in social and public policy, as shown in advocacy efforts relating to gun reform, education, affordable housing, juvenile justice, health, jobs, and climate change.
(d) There are over 9,000,000 youths in California under 18 years of age as of the most recent data, compiled in 2017. Of those, an estimated 200,000 minors and thousands more youth between 18 and 24 years of age experience homelessness each year. Research shows that approximately 60,000 children are in the foster care system in California at any one time, and less than 1 percent of the 225,000 youths arrested in California currently occupy juvenile justice facilities. Youth who are homeless, in the juvenile justice system, or in foster care have limited opportunities to participate in the policy process that ultimately impacts their well-being.
(e) The government is designed to address input and participation from the people being served; however, youth under 18 years of age, who cannot vote, do not have a formal way to participate in the civic process.
(f) There is a growing need to engage our youth directly with policymakers in a manner that will provide genuine opportunities for our youth to acquire civic knowledge and develop the skills necessary to participate fully in a democratic society.
(g) Over 20 other states have statewide youth entities codified into law for the purpose of advising their respective legislatures and governors.
(h) The California Youth Commission, as established by this chapter, is intended to provide model legislation and advocacy for the needs of youth.

Article 3. Definitions

8262. For purposes of this chapter, the following definitions apply:
(a) “Commission” means the California Youth Empowerment Commission established in Section 8263.
(b) “Commissioner” means a voting member of the California Youth Empowerment Commission.

Article 4. Creation and Membership

8263. (a) There is in the state government the California Youth Empowerment Commission. The commission shall consist of 24 voting commissioners to be appointed as follows:
(1) Twenty public members appointed by the Governor, subject to the following requirements:

(A) The terms of these commissioners initially shall be staggered so that 10 members serve one-year terms and 10 members serve two-year terms. To achieve the staggering of terms, the Governor shall designate the terms of the present members of the commission who have been appointed by the Governor.
(B) Two of the commissioners shall reside, work, or attend school in each region described in subdivision (b).
(C) Ten of the commissioners shall be between the ages of 14 and 18.
(D) Ten of the commissioners shall be between the ages of 18 and 25.
(E) At least 10 commissioners shall have experienced a physical disability, youth homelessness, foster care, or juvenile incarceration.
(2) Two at-large public members appointed by the Senate Committee on Rules.
(3) Two at-large public members appointed by the Speaker of the Assembly.
(b) For the purposes of subparagraph (B) of paragraph (1) of subdivision (a), these regions are defined as follows:
(1) The Superior California region consists of the Counties of Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Sutter, Tehama, Yolo, and Yuba.
(2) The North Coast region consists of the Counties of Del Norte, Humboldt, Lake, Mendocino, Napa, Sonoma, and Trinity.
(3) The San Francisco Bay area region consists of the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Solano, and the City and County of San Francisco.
(4) The Northern San Joaquin Valley region consists of the Counties of Alpine, Amador, Calaveras, Madera, Mariposa, Merced, Mono, San Joaquin, Stanislaus, and Tuolumne.
(5) The Central Coast region consists of the Counties of Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura.
(6) The Southern San Joaquin Valley region consists of the Counties of Fresno, Inyo, Kern, Kings, and Tulare.
(7) The Inland Empire region consists of the Counties of Riverside and San Bernardino.
(8) The Los Angeles region consists of the County of Los Angeles.
(9) The Orange County region consists of the County of Orange.
(10) The San Diego/Imperial region consists of the Counties of Imperial and San Diego.
(c) In addition to subdivision (a), one Member of the Senate appointed by the Senate Committee on Rules, one Member of the Assembly appointed by the Speaker of the Assembly, the Governor, Superintendent of Public Instruction, and Surgeon General shall serve as nonvoting members of the commission.
(d) All appointing powers shall take into consideration that the members of the commission represent the geographical, racial, ethnic, socioeconomic, cultural, physical, and educational diversity of California's youth. Particular emphasis and funding should be used on reaching out to at-risk or disadvantaged youth to serve as members of the commission, as their participation will provide keen insight into many of the issues that youth face in their day-to-day lives.

8264. (a) Excluding the initial staggering of terms, commissioners shall serve two-year terms.
(b) Commissioners shall be between 14 and 25 years of age. If a commissioner turns 26 years of age during their term, that commissioner shall be allowed to complete the term.
(c) A commissioner must be a resident of California.
(d) A commissioner may seek reappointment as long as they fulfill the requirements pursuant to subdivision (b) of Section 8267.
(e) (1) Attending a meeting of the commission as a commissioner shall be a lawful excuse for a student to be absent from school, under paragraph (7) of subdivision (a) of Section 48205 of the Education Code, if approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
(2) A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.
(f) A commissioner's position becomes vacant, under the approval of the executive director, in the event of any of the following:
(1) Death of a commissioner.
(2) Resignation of a commissioner.
(3) Change in residence of a commissioner to outside of California.
(4) Failure of restorative practices for inappropriate conduct, unexcused absences, or inability to complete expected duties of a commissioner.
(g) In the event of a vacancy, the appointing power that appointed the commissioner shall appoint a replacement in the same manner as the original appointment within 30 days of the vacancy.

8265. (a) No later than March 1 of each year, the executive director, appointed pursuant to Section 8274, shall both:
(1) Release to the public on its internet website the procedures for the general application process to assist public members in the appointment process and facilitate communications between public members and the appointing powers.
(2) Have created and made the application publicly available on its internet website.
(b) The executive director shall also notify the Superintendent of Public Instruction, the Association of Independent California Colleges and Universities, the Regents of the University of California, the California State University, and the California Community Colleges Chancellor's office that the application for an appointment is open. The notice shall include the requirements for an appointment, a copy of the application, and a request to transmit the notice to all students in California.
(c) In reviewing general applications, the executive director may consider additional relevant selection criteria and conduct interviews.
(d) The executive director may recommend public members to be appointed to the appointing powers, but there shall be no right or obligation on the part of the appointing powers to appoint those public members.

8266. (a) Each public member of the commission shall receive three hundred dollars ($300) per diem while on official business of the commission. Each member of the commission shall also be entitled to receive their actual necessary traveling expenses while on official business of the commission.
(b) Each commissioner shall be reimbursed for any necessary food, travel, or lodging expenses associated with the duties of the commission.

8267. (a) The commission shall elect a chair, vice chair and clerk from among its members at the first meeting of the year.
(b) The commission shall be composed of the following:
(1) A chair who shall conduct the meetings, draft bylaws, serve as the primary liaison to the government, and oversee the formation of committees as necessary to accomplish the business of the commission.
(2) A vice chair who shall assist the chair and conduct the meetings of the commission if the chair is absent or otherwise unable to perform their duties.
(3) A clerk who shall keep and maintain the minutes of the meetings, regularly update the internet website, pursuant to Section 8272, and record the final votes on any measure for vote by the chair.

Article 5. Purposes, Duties, and Powers

8268. With respect to its duties, the commission shall be an advisory commission only. There shall be no right or obligation on the part of the state, or parties meeting and conferring, to implement the findings of the commission without further legislation that specifically authorizes that the evaluations, determinations, and findings of the commission be implemented.

8269. The commission's main purpose is to provide meaningful opportunities for actual civic engagement to improve the quality of life for California's disconnected and disadvantaged youth. Furthermore, youths involved with the commission will make meaningful recommendations regarding legislation and policies that impact their own lives and the lives of millions of other youths in California whose voices often go unheard.

8270. The commission shall conduct full commission meetings at least every other month, with the first meeting in August 2021. All meetings of the full commission shall be open and public, and all persons shall be permitted to attend any meetings of the commission. For all other committee meetings, the commission may meet by electronic teleconference means.

8271. The affirmative votes of a majority of the commissioners at a full session or committee meeting are required for the commission or committee to take action on any measure, respectively, including resolutions, annual reports, and initiatives.

8272. The commission shall do the following:

(a) Examine and discuss policy and fiscal issues affecting the interests, needs, and conditions of the youth of California.
(b) Formally advise and make recommendations to the Legislature, Superintendent of Public Instruction, and Governor on specific legislative and fiscal issues affecting youth, such as the following:
(1) Behavioral and physical health.
(2) Bullying.
(3) Career preparation.
(4) Child welfare.
(5) Child and sexual abuse.
(6) Civic engagement.
(7) Criminal justice.
(8) Depression and suicide.
(9) Driver's license requirements.
(10) Education.
(11) Employment.
(12) Financial literacy.
(13) Foster care.
(14) Homelessness.
(15) Immigration.
(16) LGBTQ civil rights.
(17) Poverty.
(18) Racial, economic, and gender equity.
(19) Safety.
(20) Substance abuse.
(21) Technology.
(22) The environment.
(23) Any other policy or fiscal issues deemed appropriate by the commission.
(c) Consult with any existing local-level youth advisory commissions and community-based, grassroots youth-led organizations for input and potential solutions on issues related to youth.
(d) Publish an internet website to report details relevant to the commission for the public to view, including, but not limited to, commission agendas, minutes, resolutions, vote counts, initiatives, commissioner information, photos, and video.
(e) Publish an annual report to the Legislature, State Superintendent of Public Instruction, Surgeon General, and Governor detailing the activities, issues, demographics, budget, and outcomes of the commission. The commission shall submit the report to the Legislature required by this subdivision in compliance with Section 9795.

8273. The commission shall carry out the duties imposed upon it by this chapter, and may do any of the following:
(a) Draft and approve resolutions that formally articulate the commission's positions on various youth-related legislative and fiscal policy.
(b) Draft model legislation that addresses issues relating to youth that may be adopted by Members of the Legislature.
(c) Provide testimony during any committee meeting in the Legislature.
(d) Form committees and task forces to discuss specific issues and policy areas and meet as necessary.
(e) Conduct public hearings with community and youth organizations to identify pressing issues and debate priorities.
(f) Appoint advisory committees from within its membership or with outside members whenever necessary. Members of an advisory committee shall serve without compensation, but each may be reimbursed for necessary traveling and other expenses incurred in the performance of official duties.
(g) Conduct public awareness campaigns to raise awareness about the commission and to enhance outreach to the youth in this state.
(h) Conduct periodic seminars for its members regarding leadership, government, and the Legislature.
(i) Establish grant application criteria and procedures.
(j) Award prizes or direct grants to organizations in accordance with those regulations as the commission may prescribe. In awarding prizes or directing grants, the commission shall notify the offices of the legislators in whose district the recipient resides.

Article 6. Administration and Finance

8274. The Governor shall appoint an executive director of the California Youth Commission. The executive director shall do all of the following:
(a) Assist the commission in carrying out its work.
(b) Be responsible for the hiring of commission staff, including, but not limited to, deputy directors.
(c) Be responsible for the management and administration of the commission staff.
(d) Perform other duties as directed by the commission.

8275. (a) The commission may accept gifts and grants from any source, public or private, to help perform its functions pursuant to this chapter.
(b) The commission may seek out funding and in-kind contributions from foundations, nonprofit organizations, public and private entities, and other individuals or groups in order to carry out the work of the commission.
(c) There is hereby created in the State Treasury the Youth Empowerment Commission Fund in support of the commission, which shall be administered by the executive director. Moneys deposited in the account may be expended, upon appropriation by the Legislature, to carry out the duties of the commission.