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AB-2598 Pupil rights: restorative justice practices. (2021-2022)

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Date Published: 10/03/2022 02:00 PM

Assembly Bill No. 2598

CHAPTER 914

An act to add Article 9 (commencing with Section 49055) to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code, relating to pupil rights.

[Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2598, Akilah Weber. Pupil rights: restorative justice practices.

Existing law establishes a system of public elementary and secondary schools in this state. Existing law requires suspension to be imposed on a pupil only when other means of correction fail to bring about proper conduct, and specifies that other means of correction may include, among other things, participation in a restorative justice program.

This bill would require the State Department of Education to develop evidence-based best practices for restorative justice practice implementation on a school campus and to make these best practices available on the department's internet website on or before June 1, 2024, as specified. The bill would require the department to take specified actions in developing best practices and would encourage the department to, to the extent feasible, take into account resources and best practices that have been identified or developed as part of aligned efforts, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

SECTION 1. Article 9 (commencing with Section 49055) is added to Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 9. Restorative Justice Practices

49055. (a) On or before June 1, 2024, the department shall develop evidence-based best practices for restorative justice practice implementation on a school campus and make these best practices available on the department's internet website for use by local educational agencies to implement restorative justice practices as part of efforts to improve campus culture and climate. In developing best practices, the department shall consult with all of the following to identify best practices for effective, evidence-based restorative justice practices in elementary and secondary schools:

- (1) School-based restorative justice practitioners.
- (2) Educators from public schools serving kindergarten and grades 1 to 12, inclusive.
- (3) Pupils from public schools serving kindergarten and grades 1 to 12, inclusive.

(4) Community partners or community members.

(5) Nonprofit and public entities.

(b) When developing best practices pursuant to subdivision (a), the department is encouraged to, to the extent feasible, take into account resources and best practices that have been identified or developed as part of aligned efforts, including, but not limited to, the Scaling Up MTSS Statewide (SUMS) Initiative, the California Community Schools Partnership Program, and resources developed by the department in support of social-emotional learning.

(c) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.