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AB-1984 Pupil discipline: transfer reporting. (2023-2024)

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Assembly Bill No. 1984

CHAPTER 368

An act to add Section 33317.3 to the Education Code, relating to pupil discipline.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1984, Weber. Pupil discipline: transfer reporting.

Existing law authorizes a county board of education to establish and maintain one or more county community schools, and authorizes the governing board of a school district to establish one or more community day schools, to enroll specified categories of pupils, including expelled pupils, among others, as specified. Existing law authorizes the governing board of any school district to maintain one or more alternative schools, as defined, and requires the governing board of each high school district and each unified school district to establish and maintain within its boundaries special continuation education classes.

Existing law requires enrollment in an alternative school to be voluntary, and authorizes both the voluntary and involuntary transfers of pupils to county community schools and to continuation schools, as specified. Existing law requires the governing board of a school district that establishes a community day school to adopt policies that provide procedures for the involuntary transfer of pupils to a community day school.

This bill would require, commencing with the 2026–27 school year, the State Department of Education to collect and publish on its internet website, and school districts, county offices of education, and charter schools to provide to the department, data on pupil transfers due to disciplinary reasons, including whether the pupil transferred to an alternative school based on a referral by the school. The bill would require the department, when providing guidance on its internet website about reducing disproportionate discipline of pupil subgroups in schools, to advise local educational agencies against the use of transfers to avoid reporting suspensions and expulsions. To the extent this bill would impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 33317.3 is added to the Education Code, to read:

33317.3. (a) Commencing with the 2026–27 school year, the department shall collect and publish on its internet website, and local educational agencies shall provide to the department, data on pupil transfers due to disciplinary reasons, including whether the pupil transferred to an alternative school based on a referral by the school.

(b) The department, when providing guidance on its internet website about reducing disproportionate discipline of pupil subgroups in schools, shall advise local educational agencies against the use of transfers to avoid reporting suspensions and expulsions.

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

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.