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AB-927 County superintendent of schools: inspection of public schools. (2025-2026)

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Assembly Bill No. 927

CHAPTER 45

An act to amend Section 1240 of the Education Code, relating to public schools, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 14, 2025. Filed with Secretary of State July 14, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 927, Sharp-Collins. County superintendent of schools: inspection of public schools.

Existing law requires the Superintendent of Public Instruction to identify a list of schools for which the county superintendent of schools, or a designee, is required to inspect annually and submit an annual report that describes the state of schools in the county, as provided. Existing law requires the Superintendent to reestablish the list in the 2024–25 fiscal year and again every 3 fiscal years. Existing law requires the priority objective of the visits to be to determine the status of, among other things, sufficient textbooks and the condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff, as specified. Existing law requires the county superintendent to enforce the use of state textbooks and instructional materials and of high school textbooks and instructional materials regularly adopted by the proper authority, as specified, and requires, if a school is identified on the above-described list, the county superintendent to specifically review the school at least annually as a priority school and to conduct the review for this purpose by the 4th week of the school year.

This bill would require, for schools that are identified on the list established in the 2024–25 fiscal year, and only in the fiscal years in which that list is used, a county superintendent to complete the textbook and instructional materials review for the above-described purposes by the 8th week of the school year. The bill would require the county superintendent to prioritize visiting, within the first 4 weeks of the school year where practicable, those schools for which the county superintendent has received information from a survey, a complaint filed pursuant to the Uniform Complaint Procedures, or any other reliable source that the school does not have sufficient textbooks or that a facility of the school poses an emergency or urgent threat to the health or safety of pupils or staff or is not in good repair, as specified. By imposing new duties on county superintendents of schools, 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.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 1240 of the Education Code is amended to read:

1240. The county superintendent of schools shall do all of the following:

(a) Superintend the schools of that county.

(b) Maintain responsibility for the fiscal oversight of each school district in that county pursuant to the authority granted by this code.

(c) (1) Visit and examine each school in the county at reasonable intervals to observe its operation and to learn of its problems. The county superintendent of schools annually may present a report of the state of the schools in the county, and of the county office of education, including, but not limited to, observations from visiting the schools, to the board of education and the board of supervisors of the county.

(2) (A) (i) Commencing with the 2021–22 fiscal year, the Superintendent shall identify a list of schools, which shall include charter schools, for which the county superintendent, or a designee, shall inspect annually, and about which the county superintendent, or a designee, shall submit an annual report, at a regularly scheduled November board meeting, to the governing board of each school district under the jurisdiction of the county superintendent, the county board of education of that county, and the board of supervisors of that county, that describes the state of the schools in the county. The list established in the 2021–22 fiscal year shall also be used as the list established in the 2022–23 and 2023–24 fiscal years. The list of schools established pursuant to this section shall be reestablished in the 2024–25 fiscal year and again every three fiscal years thereafter. Each list shall be established in accordance with clause (ii), and shall be used for inspections beginning the following fiscal year.

(ii) The list of schools pursuant to clause (i) shall be compiled as follows:

(I) The Superintendent shall include on the list all schools that were most recently identified for comprehensive support and improvement and additional targeted support and improvement pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), or any subsequent amendments to that act. For the list established in the 2021–22, 2022–23, and 2023–24 fiscal years, the Superintendent shall use the list of schools identified in the 2019–20 fiscal year for comprehensive support and improvement and for additional targeted support and improvement.

(II) The Superintendent shall include on the list all schools where 15 percent or more of the teachers are holders of a permit or certificate, such as a temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. With the exception of alternative schools, all schools within a local educational agency that fail to meet the requirements of Sections 44258.9 and 60900 shall be included on the list for the applicable reporting cycle.

(III) The list of schools compiled pursuant to clause (i) shall exclude alternative schools within the meaning of subdivision (d) of Section 52052 and other schools accepted for participation in the Dashboard Alternative School Status program by the department.

(iii) The annual report shall include the determinations for each school made by the county superintendent, or the county superintendent's designee, regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, and the county superintendent, or the county superintendent's designee, shall use a standardized template to report the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, unless the current annual report being used by the county superintendent, or the county superintendent's designee, already includes those details with the same level of specificity that is otherwise required by this subdivision.

(B) The county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco shall contract with another county office of education or an independent auditor to conduct the required visits and make all reports required by this paragraph.

(C) On a quarterly basis, the county superintendent, or the county superintendent's designee, shall report the results of the visits and reviews conducted that quarter to the governing board of the school district at a regularly scheduled meeting held in accordance with public notification requirements. The results of the visits and reviews shall include the determinations of the county superintendent, or the county superintendent's designee, for each school regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section

44258.9. If the county superintendent, or the county superintendent's designee, conducts no visits or reviews in a quarter, the quarterly report shall report that fact.

(D) The visits made pursuant to this paragraph shall be conducted at least annually and shall meet the following criteria:

(i) Minimize disruption to the operation of the school.

(ii) Be performed by individuals who meet the requirements of Section 45125.1.

(iii) Consist of not less than 25 percent unannounced visits in each county. During unannounced visits in each county, the county superintendent shall not demand access to documents or specific school personnel. Unannounced visits shall only be used to observe the condition of school repair and maintenance, and the sufficiency of instructional materials, as defined by Section 60119.

(E) The priority objective of the visits made pursuant to this paragraph shall be to determine the status of all of the following circumstances:

(i) Sufficient textbooks, as defined in Section 60119 and as specified in subdivision (i).

(ii) The condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff, as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72.

(iii) The accuracy of data reported on the school accountability report card with respect to the availability of sufficient textbooks and instructional materials, as defined by Section 60119, and the safety, cleanliness, and adequacy of school facilities, including good repair, as required by Sections 17014, 17032.5, 17070.75, and 17089.

(F) The county superintendent may make the status determinations described in subparagraph (E) during a single visit or multiple visits. In determining whether to make a single visit or multiple visits for this purpose, the county superintendent shall take into consideration factors such as cost-effectiveness, disruption to the schoolsite, deadlines, and the availability of qualified reviewers.

(G) If the county superintendent determines that the condition of a facility poses an emergency or urgent threat to the health or safety of pupils or staff as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72, or is not in good repair, as specified in subdivision (d) of Section 17002 and required by Sections 17014, 17032.5, 17070.75, and 17089, the county superintendent, among other things, may do any of the following:

(i) Return to the school to verify repairs.

(ii) Prepare a report that specifically identifies and documents the areas or instances of noncompliance if the school district has not provided evidence of successful repairs within 30 days of the visit of the county superintendent or, for major projects, has not provided evidence that the repairs will be conducted in a timely manner. The report may be provided to the governing board of the school district. If the report is provided to the school district, it shall be presented at a regularly scheduled meeting held in accordance with public notification requirements. The county superintendent shall post the report on the internet website of the county superintendent. The report shall be removed from the internet website when the county superintendent verifies the repairs have been completed.

(H) For schools that are identified on the list established in the 2024–25 fiscal year pursuant to subparagraph (A), and only in the fiscal years in which that list is used, a county superintendent shall complete the textbook and instructional materials review conducted for purposes of this paragraph and subparagraph (A) of paragraph (3) of subdivision (i) by the eighth week of the school year. The county superintendent shall prioritize reviewing, within the first four weeks of the school year where practicable, schools for which the county superintendent has received information from a survey, a complaint filed pursuant to Section 35186, or any other reliable source that the school does not have sufficient textbooks, as defined in Section 60119 and as specified in subdivision (i), or that a facility of the school poses an emergency or urgent threat to the health or safety of pupils or staff as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72, or is not in good repair, as specified in subdivision (d) of Section 17002 and required by Sections 17014, 17032.5, 17070.75, and 17089.

(d) Distribute all laws, reports, circulars, instructions, and blanks that the county superintendent may receive for the use of the school officers.

(e) Annually, on or before September 15, present a report to the governing board of the school district and the Superintendent regarding the fiscal solvency of a school district with a disapproved budget, qualified interim certification, or a negative interim certification, or that is determined to be in a position of fiscal uncertainty pursuant to Section 42127.6.

(f) Keep in the office of the county superintendent the reports of the Superintendent.

(g) Keep a record of the official acts of the county superintendent and of all the proceedings of the county board of education, including a record of the standing, in each study, of all applicants for certificates who have been examined, which shall be open to the inspection of an applicant or an authorized agent of the applicant.

(h) Enforce the course of study.

(i) (1) Enforce the use of state textbooks and instructional materials and of high school textbooks and instructional materials regularly adopted by the proper authority in accordance with Section 51050.

(2) For purposes of this subdivision, sufficient textbooks or instructional materials has the same meaning as in subdivision (c) of Section 60119.

(3) (A) Commencing with the 2022–23 school year, if a school is identified as specified in subparagraph (A) of paragraph (2) of subdivision (c), the county superintendent specifically shall review that school at least annually as a priority school. A review conducted for purposes of this paragraph shall be completed by the fourth week of the school year, except as specified in subparagraph (H) of paragraph (2) of subdivision (c).

(B) In order to facilitate the review of instructional materials before the fourth week of the school year, the county superintendent in a county with 200 or more schools that are identified as specified in subparagraph (A) of paragraph (2) of subdivision (c) may use a combination of visits and written surveys of teachers for the purpose of determining sufficiency of textbooks and instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined in subdivision (c) of Section 60119. If a county superintendent elects to conduct written surveys of teachers, the county superintendent shall visit the schools surveyed within the same academic year to verify the accuracy of the information reported on the surveys. If a county superintendent surveys teachers at a school in which the county superintendent has found sufficient textbooks and instructional materials for the previous two consecutive years and determines that the school does not have sufficient textbooks or instructional materials, the county superintendent shall, within 10 business days, provide a copy of the insufficiency report to the school district as set forth in paragraph (4).

(C) For purposes of this paragraph, "written surveys" may include paper and electronic or online surveys.

(4) If the county superintendent of schools determines that a school does not have sufficient textbooks or instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, the county superintendent shall do all of the following:

(A) Prepare a report that specifically identifies and documents the areas or instances of noncompliance.

(B) Provide within five business days of the review, a copy of the report to the school district, as provided in subdivision (c), or, if applicable, provide a copy of the report to the school district within 10 business days pursuant to subparagraph (B) of paragraph (3).

(C) Provide the school district with the opportunity to remedy the deficiency. The county superintendent shall ensure that the deficiency is remedied no later than the second month of the school term.

(D) If the deficiency is not remedied as required pursuant to subparagraph (C), the county superintendent shall request the department to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement of this subdivision. If the department purchases textbooks or instructional materials for the school district, the department shall issue a public statement at the first regularly scheduled meeting of the state board occurring immediately after the department receives the request of the county superintendent and that meets the applicable public notice requirements, indicating that the district superintendent and the governing board of the school district failed to provide pupils with sufficient textbooks or instructional materials as required by this subdivision. Before purchasing the textbooks or instructional materials, the department shall consult with the school district to determine which textbooks or instructional materials to purchase. The amount of funds necessary for the purchase of the textbooks and materials is a loan to the school district receiving the textbooks or instructional materials. Unless the school district repays the amount owed based upon an agreed-upon repayment schedule with the Superintendent, the Superintendent shall notify the Controller and the Controller shall deduct an amount equal to the total amount used to purchase the textbooks and materials from the next principal apportionment of the school district or from another apportionment of state funds.

(5) If the county superintendent of schools determines that there are insufficient textbooks or instructional materials pursuant to a resolution received in accordance with subparagraph (A) of paragraph (2) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, or as a result of receiving a report of an unresolved complaint pursuant to subdivision (e) of

Section 35186 or an audit exception pursuant to subdivision (i) of Section 41020, the county superintendent shall do both of the following:

(A) Provide the school district with the opportunity to remedy the deficiency. The county superintendent shall ensure that the deficiency is remedied no later than the second month of the school term.

(B) If the deficiency is not remedied as required pursuant to subparagraph (A), the county superintendent shall request the department to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement of this subdivision. If the department purchases the textbooks or instructional materials for the school district, the department shall issue a public statement at the first regularly scheduled meeting of the state board occurring immediately after the department receives the request of the county superintendent and that meets the applicable public notice requirements, indicating that the district superintendent and the governing board of the school district failed to provide pupils with sufficient textbooks or instructional materials as required by this subdivision. Before purchasing the textbooks or instructional materials, the department shall consult with the school district when determining which textbooks or instructional materials to purchase. The amount of funds necessary for the purchase of the textbooks and materials is a loan to the school district receiving the textbooks or instructional materials. Unless the school district repays the amount owed based upon an agreed-upon repayment schedule with the Superintendent, the Superintendent shall notify the Controller and the Controller shall deduct an amount equal to the total amount used to purchase the textbooks and materials from the next principal apportionment of the school district or from another apportionment of state funds.

(j) Preserve carefully all reports of school officers and teachers.

(k) Deliver to the county superintendent's successor, at the close of the county superintendent's official term, all records, books, documents, and papers belonging to the office, taking a receipt for them, which shall be filed with the department.

(l) (1) Submit two reports during the fiscal year to the county board of education in accordance with the following:

(A) The first report shall cover the financial and budgetary status of the county office of education for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be reviewed by the county board of education and approved by the county superintendent no later than 45 days after the close of the period being reported.

(B) As part of each report, the county superintendent shall certify in writing whether or not the county office of education is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for two subsequent fiscal years. The certifications shall be classified as positive, qualified, or negative, pursuant to standards prescribed by the Superintendent, for purposes of determining subsequent state agency actions pursuant to Section 1240.1. For purposes of this subdivision, a negative certification shall be assigned to a county office of education that, based upon current projections, will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year. A qualified certification shall be assigned to a county office of education that may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to a county office of education that will meet its financial obligations for the current fiscal year and subsequent two fiscal years. In accordance with those standards, the Superintendent may reclassify a certification. If a county office of education receives a negative certification, the Superintendent, or the Superintendent's designee, may exercise the authority set forth in subdivision (d) of Section 1630. Copies of each certification, and of the report containing that certification, shall be sent to the Superintendent at the time the certification is submitted to the county board of education. Copies of each qualified or negative certification and the report containing that certification shall be sent to the Controller at the time the certification is submitted to the county board of education.

(2) All reports and certifications required under this subdivision shall be in a format or on forms prescribed by the Superintendent, and shall be based on standards and criteria for fiscal stability adopted by the state board pursuant to Section 33127. The reports and supporting data shall be made available by the county superintendent to an interested party upon request.

(3) This subdivision does not preclude the submission of additional budgetary or financial reports by the county superintendent to the county board of education or to the Superintendent.

(4) The county superintendent is not responsible for the fiscal oversight of the community colleges in the county, however, the county superintendent may perform financial services on behalf of those community colleges.

(5) A county office of education having a negative or qualified certification, or classified as qualified or negative by the Superintendent, shall continue to be classified as qualified or negative until the next report required under this subdivision is filed.

(m) If requested, act as agent for the purchase of supplies for the city and high school districts of that county.

(n) For purposes of Section 44421.5, report to the Commission on Teacher Credentialing the identity of a certificated person who knowingly and willingly reports false fiscal expenditure data relative to the conduct of an educational program. This requirement applies only if, in the course of normal duties, the county superintendent discovers information that gives the county superintendent reasonable cause to believe that false fiscal expenditure data relative to the conduct of an educational program has been reported.

(o) If any activities authorized pursuant to this section are found to be a state reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution, funding provided for school districts and county offices of education pursuant to Sections 2574, 2575, 42238.02, and 42238.03 shall be used to directly offset any mandated costs.

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.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure a sufficient timeframe to conduct the annual inspection of schools beginning in the 2025–26 school year, it is necessary for this act to take effect immediately.