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AB-1216 Elementary and secondary education: omnibus. (2025-2026)

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Assembly Bill No. 1216

CHAPTER 88

An act to amend Sections 8208, 44256, 48901.7, and 51222 of the Education Code, relating to elementary and secondary education.

[Approved by Governor July 30, 2025. Filed with Secretary of State July 30, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, Committee on Education. Elementary and secondary education: omnibus.

(1) Existing law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the holder of a single subject teaching credential or a standard secondary credential or a special secondary teaching credential who either (A) has completed specified coursework approved by the commission at a regionally accredited institution of higher education in any subject commonly taught in grades 7 to 12, inclusive, other than the subject for which the credentialholder is already certificated to teach, or (B) has been verified as having subject matter competence, as specified, for any subject commonly taught in grades 7 to 12, inclusive, other than the subject for which the credentialholder is already certificated to teach, to be eligible to have that subject appear on their credential as an authorization to teach that subject.

This bill would revise the above-described eligibility requirements for a credentialholder to have a subject appear on their credential as an authorized subject for the credentialholder teach by removing the qualification that the subject be one that the credentialholder is not already credentialed to teach.

(2) Existing law requires both the adopted course of study for grades 1 to 6, inclusive, to include physical education for a total period of time of not less of than 200 minutes each 10 schooldays, as specified, and the adopted course of study for grades 7 to 12, inclusive, to require all pupils to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays, unless an alternate term schedule described below has been adopted or the pupil has been excused or exempted, as provided.

Existing law authorizes the governing board of a school district maintaining any of grades 6 to 12, inclusive, to adopt a policy providing for an alternate term schedule for physical education courses if certain conditions are met, including, among others, that pupils in grade 6 receive no less than 400 minutes of instruction every 10 days for a semester of not fewer than 18 weeks during the regular school year, for a total of 3,600 instructional minutes for the school year, and that pupils in grades 7 to 12, inclusive, receive no less than 800 minutes of instruction every 10 days for a semester of not fewer than 18 weeks during the regular school year, for a total of 7,200 instructional minutes for the school year.

This bill would clarify that the alternative term schedule minimum minute requirements are required to be calculated instead by schooldays.

(3) This bill would correct cross references and references to entities.

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

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

SECTION 1. Section 8208 of the Education Code, as amended by Section 7 of Chapter 73 of the Statutes of 2024, is amended to read:

8208. (a) (1) A child is eligible for the part-day California state preschool program if both of the following requirements are met:

(A) The child is one of the following:

(i) A two-year-old child and the California state preschool program has chosen to enroll the two-year-old child in accordance with the guidance developed pursuant to Section 8207.1.

(ii) A three-year-old child.

(iii) A four-year-old child.

(iv) Enrolled in kindergarten pursuant to Section 48000.

(B) The child's family is one of the following:

(i) A current aid recipient.

(ii) Income eligible.

(iii) Homeless.

(iv) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(v) (I) One that has children with exceptional needs, as defined in Section 8205.

(II) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this clause. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in clauses (i) to (iv), inclusive.

(vi) One who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by the department. Children eligible for services pursuant to this subparagraph shall be prioritized by the income declared on the application for the means-tested government program.

(2) Notwithstanding any other law, a part-day California state preschool program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213, after all eligible two-, three-, and four-year-old children have been enrolled. No more than 10 percent of children enrolled, calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

(3) Notwithstanding Section 8213, after all otherwise eligible children have been enrolled as provided in paragraphs (1) and (2), a part-day California state preschool program may provide services to two-, three-, and four-year-old children in families whose income is above the income eligibility threshold if those children are children with exceptional needs. Children receiving services pursuant to this paragraph shall not count towards the 10-percent limit in paragraph (2).

(4) Notwithstanding any other law, after all otherwise eligible children have been enrolled as provided in paragraphs (1) to (3), inclusive, a provider operating a part-day state preschool program within the attendance boundary of a public school, as set forth in Section 8217, may enroll two-, three-, and four-year-old children.

(b) A part-day California state preschool program contracting agency shall certify eligibility and enroll families into their program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to enrollment, a child shall be deemed eligible for a part-day California state preschool program for the remainder of the program year and for the following program year, as long as applicable age-eligibility requirements are met, as specified in Sections 8205 and 48000.

(c) (1) Commencing July 1, 2022, at least 5 percent of a part-day California state preschool program contracting agency's funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205.

(2) (A) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in paragraph (1).

(B) Agencies shall be fully funded for the percentage of enrollment specified in paragraph (1), inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the set aside specified in paragraph (1) at any point during the fiscal year. An agency not meeting the requirement to fill the percent of funded enrollment specified in paragraph (1) with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(C) (i) Any agency not meeting the applicable requirement described in clause (ii) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to clause (iii).

(ii) On and after July 1, 2026, any agency not meeting the 5-percent requirement pursuant to paragraph (1).

(iii) The Superintendent shall create an ongoing waiver process for an agency not able to meet the requirement described in paragraph (1).

(3) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(4) (A) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision, the department shall implement this subdivision through management bulletins or similar letters of instruction on or before December 31, 2022.

(B) The department shall initiate a rulemaking action to implement this subdivision on or before December 31, 2023.

(d) (1) A child is eligible for a full-day California state preschool program if all of the following requirements are met:

(A) The child is one of the following:

(i) A two-year-old child and the California state preschool program has chosen to enroll the two-year-old child in accordance with the guidance developed pursuant to Section 8207.1.

(ii) A three-year-old child.

(iii) A four-year-old child.

(B) The child's family is one of the following:

(i) A current aid recipient.

(ii) Income eligible.

(iii) Homeless.

(iv) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(v) (I) One that has children with exceptional needs, as defined in Section 8205.

(II) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this clause. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in clauses (i) to (iv), inclusive.

(vi) One who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by the department. Children eligible for services pursuant to this subparagraph shall be prioritized by the income declared on the application for the means-tested government program.

(C) The child's family needs the childcare services because of either of the following:

(i) The child has been identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a

Head Start program, or an emergency or transitional shelter as one of the following:

- (I) A recipient of protective services.
- (II) Being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation.
- (III) Being homeless.

(ii) The child's parents are one of the following:

- (I) Engaged in vocational training leading directly to a recognized trade, paraprofession, or profession.
- (II) Engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate.
- (III) Employed or seeking employment.
- (IV) Seeking permanent housing for family stability.
- (V) Incapacitated.

(2) (A) Commencing July 1, 2022, at least 5 percent of a full-day California state preschool program contracting agency's funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205.

(B) (i) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in subparagraph (A).

(ii) Agencies shall be fully funded for the percentage of enrollment specified in subparagraph (A), inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the set aside specified in subparagraph (A) at any point during the fiscal year. An agency not meeting the requirement to fill the percent of funded enrollment specified in subparagraph (A) with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(iii) (I) Any agency not meeting the applicable requirement described in subclause (II) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to subclause (III).

(II) On and after July 1, 2026, any agency not meeting the 5-percent requirement pursuant to subparagraph (A).

(III) The Superintendent shall create an ongoing waiver process for agencies not able to meet the requirement described in subparagraph (A).

(C) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(D) (i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this paragraph, the department shall implement this paragraph through management bulletins or similar letters of instruction on or before December 31, 2022.

(ii) The department shall initiate a rulemaking action to implement this paragraph on or before December 31, 2023.

(3) Notwithstanding any other law, a full-day California state preschool program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213, after all eligible two-, three-, and four-year-old children have been enrolled pursuant to paragraph (1). No more than 10 percent of children enrolled, as calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

(4) Notwithstanding paragraph (1), after all families meeting the criteria specified in paragraphs (1) and (3) have been enrolled, a full-day California state preschool program may provide services to two-, three-, and four-year-old children in families who do not meet at least one of the criteria specified in subparagraph (C) of paragraph (1).

(5) After all otherwise eligible children have been enrolled as provided in paragraphs (1), (3), and (4), a provider operating a full-day California state preschool program within the attendance boundary of a public school as set forth in Section 8217 may enroll any two-, three-, or four-year-old child.

(e) (1) With the exception of the age requirements and paragraphs (3) and (4), upon establishing initial eligibility or ongoing eligibility for full-day California state preschool program services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 24 months, shall receive those services for not less than 24 months before having their eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 24 months.

(2) In the event that the eligibility period as described in paragraph (1) ends before the end of a program year, eligibility shall be extended until the end of the program year, as long as applicable age-eligibility requirements are met, as specified in Section 8205.

(3) A family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Section 8213, and the family's ongoing eligibility for services shall at that time be recertified.

(4) A family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification.

(f) (1) Because a family that meets eligibility requirements at its most recent eligibility certification or recertification is considered eligible until the next recertification, as provided in subdivision (d), a payment made by a preschool program for a child during this period shall not be considered an error or an improper payment due to a change in the family's circumstances during that same period.

(2) Notwithstanding paragraph (1), the Superintendent or the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(g) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (e), the department shall implement subdivision (e) through management bulletins or similar letters of instruction on or before December 31, 2022.

(2) The department shall initiate a rulemaking action to implement subdivision (e) on or before December 31, 2023.

(h) The Superintendent shall establish guidelines according to which the director or a duly authorized representative of the California state preschool program will certify children as eligible for state reimbursement purposes.

(i) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 2. Section 8208 of the Education Code, as added by Section 8 of Chapter 73 of the Statutes of 2024, is amended to read:

8208. (a) (1) A child is eligible for the part-day California state preschool program if both of the following requirements are met:

(A) The child is one of the following:

(i) A three-year-old child.

(ii) A four-year-old child.

(iii) Enrolled in kindergarten pursuant to Section 48000.

(B) The child's family is one of the following:

(i) A current aid recipient.

(ii) Income eligible.

(iii) Homeless.

(iv) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(v) (I) One that has children with exceptional needs, as defined in Section 8205.

(II) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this clause. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in clauses (i) to (iv), inclusive.

(vi) One who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by the department. Children eligible for services pursuant to this subparagraph shall be prioritized by the income declared on the application for the means-tested government program.

(2) Notwithstanding any other law, a part-day California state preschool program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213, after all eligible three- and four-year-old children have been enrolled. No more than 10 percent of children enrolled, calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

(3) Notwithstanding Section 8213, after all otherwise eligible children have been enrolled as provided in paragraphs (1) and (2), a part-day California state preschool program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children are children with exceptional needs. Children receiving services pursuant to this paragraph shall not count towards the 10-percent limit in paragraph (2).

(4) Notwithstanding any other law, after all otherwise eligible children have been enrolled as provided in paragraphs (1) to (3), inclusive, a provider operating a part-day state preschool program within the attendance boundary of a public school, as set forth in Section 8217, may enroll three- and four-year-old children.

(b) A part-day California state preschool program contracting agency shall certify eligibility and enroll families into their program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to enrollment, a child shall be deemed eligible for a part-day California state preschool program for the remainder of the program year and for the following program year, as long as applicable age-eligibility requirements are met, as specified in Sections 8205 and 48000.

(c) (1) Commencing July 1, 2022, at least 5 percent of a part-day California state preschool program contracting agency's funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205.

(2) (A) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in paragraph (1).

(B) Agencies shall be fully funded for the percentage of enrollment specified in paragraph (1), inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the set aside specified in paragraph (1) at any point during the fiscal year. An agency not meeting the requirement to fill the percent of funded enrollment specified in paragraph (1) with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(C) (i) Any agency not meeting the applicable requirement described in clause (ii) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to clause (iii).

(ii) On and after July 1, 2026, any agency not meeting the 5-percent requirement pursuant to paragraph (1).

(iii) The Superintendent shall create an ongoing waiver process for an agency not able to meet the requirement described in paragraph (1).

(3) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(4) (A) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision, the department shall implement this subdivision through management bulletins or similar letters of instruction on or before December 31, 2022.

(B) The department shall initiate a rulemaking action to implement this subdivision on or before December 31, 2023.

(d) (1) A child is eligible for a full-day California state preschool program if all of the following requirements are met:

(A) The child is one of the following:

(i) A three-year-old child.

(ii) A four-year-old child.

(B) The child's family is one of the following:

(i) A current aid recipient.

(ii) Income eligible.

(iii) Homeless.

(iv) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(v) (I) One that has children with exceptional needs, as defined in Section 8205.

(II) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this clause. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in clauses (i) to (iv), inclusive.

(vi) One who has a member of its household who is certified to receive benefits from Medi-Cal, CalFresh, the California Food Assistance Program, the California Special Supplemental Nutrition Program for Women, Infants, and Children, the federal Food Distribution Program on Indian Reservations, Head Start, Early Head Start, or any other designated means-tested government program, as determined by the department. Children eligible for services pursuant to this subparagraph shall be prioritized by the income declared on the application for the means-tested government program.

(C) The child's family needs the childcare services because of either of the following:

(i) The child has been identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a Head Start program, or an emergency or transitional shelter as one of the following:

(I) A recipient of protective services.

(II) Being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation.

(III) Being homeless.

(ii) The child's parents are one of the following:

(I) Engaged in vocational training leading directly to a recognized trade, paraprofession, or profession.

(II) Engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate.

(III) Employed or seeking employment.

(IV) Seeking permanent housing for family stability.

(V) Incapacitated.

(2) (A) Commencing July 1, 2022, at least 5 percent of a full-day California state preschool program contracting agency's funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205.

(B) (i) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in subparagraph (A).

(ii) Agencies shall be fully funded for the percentage of enrollment specified in subparagraph (A), inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the set aside specified in subparagraph (A) at any point during the fiscal year. An agency not meeting the requirement to fill the percent of funded enrollment specified in subparagraph (A) with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(iii) (I) Any agency not meeting the applicable requirement described in subclause (II) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to subclause (III).

(II) On and after July 1, 2026, any agency not meeting the 5-percent requirement pursuant to subparagraph (A).

(III) The Superintendent shall create an ongoing waiver process for agencies not able to meet the requirement described in subparagraph (A).

(C) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(D) (i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this paragraph, the department shall implement this paragraph through management bulletins or similar letters of instruction on or before December 31, 2022.

(ii) The department shall initiate a rulemaking action to implement this paragraph on or before December 31, 2023.

(3) Notwithstanding any other law, a full-day California state preschool program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213, after all eligible three- and four-year-old children have been enrolled pursuant to paragraph (1). No more than 10 percent of children enrolled, as calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

(4) Notwithstanding paragraph (1), after all families meeting the criteria specified in paragraphs (1) and (3) have been enrolled, a full-day California state preschool program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria specified in subparagraph (C) of paragraph (1).

(5) After all otherwise eligible children have been enrolled as provided in paragraphs (1), (3), and (4), a provider operating a full-day California state preschool program within the attendance boundary of a public school as set forth in Section 8217 may enroll any three- or four-year-old child.

(e) (1) With the exception of the age requirements and paragraphs (3) and (4), upon establishing initial eligibility or ongoing eligibility for full-day California state preschool program services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 24 months, shall receive those services for not less than 24 months before having their eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 24 months.

(2) In the event that the eligibility period as described in paragraph (1) ends before the end of a program year, eligibility shall be extended until the end of the program year, as long as applicable age-eligibility requirements are met, as specified in Section 8205.

(3) A family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Section 8213, and the family's ongoing eligibility for services shall at that time be recertified.

(4) A family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification.

(f) (1) Because a family that meets eligibility requirements at its most recent eligibility certification or recertification is considered eligible until the next recertification, as provided in subdivision (d), a payment made by a preschool program for a child during this period shall not be considered an error or an improper payment due to a change in the family's circumstances during that same period.

(2) Notwithstanding paragraph (1), the Superintendent or the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(g) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (e), the department shall implement subdivision (e) through management bulletins or similar letters of instruction on or before December 31, 2022.

(2) The department shall initiate a rulemaking action to implement subdivision (e) on or before December 31, 2023.

(h) The Superintendent shall establish guidelines according to which the director or a duly authorized representative of the California state preschool program will certify children as eligible for state reimbursement purposes.

(i) This section shall become operative on July 1, 2027.

SEC. 3. Section 44256 of the Education Code is amended to read:

44256. Authorization for teaching credentials shall be of four basic kinds, as defined below:

(a) (1) "Single subject instruction" means the practice of assignment of teachers and students to specified subject matter courses, as is commonly practiced in California high schools and most California junior high schools. The holder of a single subject teaching credential or a standard secondary credential or a special secondary teaching credential, as defined in this subdivision, who either (A) has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework approved by the commission at a regionally accredited institution of higher education in any subject commonly taught in grades 7 to 12, inclusive, or (B) has been verified as having subject matter competence pursuant to paragraph (5) of subdivision (b) of Section 44259 for any subject commonly taught in grades 7 to 12, inclusive, shall be eligible to have this subject appear on the credential as an authorization to teach this subject. The commission, by regulation, may require that evidence of additional competence is a condition for instruction in particular subjects, including, but not limited to, world languages. The commission may establish and implement alternative requirements for additional authorizations to the single subject credential on the basis of specialized needs. For purposes of this subdivision, a special secondary teaching credential means a special secondary teaching credential issued on the basis of at least a baccalaureate degree, a student teaching requirement, and 24 semester units of coursework in the subject specialty of the credential.

(2) For purposes of this subdivision, coursework completed at a community or junior college that is regionally accredited by an accrediting agency listed in subparagraph (A) of paragraph (1) of subdivision (g) of Section 44203 or by the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges may count toward the 20 semester hours requirement.

(b) (1) "Multiple subject instruction" means the practice of assignment of teachers and students for multiple subject matter instruction, as is commonly practiced in California elementary schools and as is commonly practiced in early childhood education.

(2) The holder of a multiple subject teaching credential or a standard elementary credential who either (A) has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework approved by the commission at a regionally accredited institution of higher education in any subject commonly taught in grades 9 and below, or (B) has been verified as having subject matter competence pursuant to paragraph (5) of subdivision (b) of Section 44259 for any subject commonly taught in grades 9 and below, shall be eligible to have that subject appear on the credential as authorization to teach the subject in departmentalized classes in grades 9 and below. The governing board of a school district by resolution may authorize the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of pupils below grade 9, provided that the teacher has completed at least 12 semester units, or 6 upper division or graduate units, of coursework at a regionally accredited institution of higher education in each subject to be taught. The authorization shall be with the teacher's consent. However, the commission, by regulation, may provide that evidence of additional competence is necessary for instruction in particular subjects, including, but not limited to, world languages. The commission may establish and implement alternative requirements for additional authorizations to the multiple subject credential on the basis of specialized needs.

(3) For purposes of this subdivision, coursework completed at a community or junior college that is regionally accredited by an accrediting agency listed in subparagraph (A) of paragraph (1) of subdivision (g) of Section 44203 or by the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges may count toward the 20 semester hours or 12 semester units requirements.

(c) "Specialist instruction" means any specialty requiring advanced preparation or special competence, including, but not limited to, reading specialist, mathematics specialist, specialist in special education, or early childhood education, and such other specialties as the commission may determine.

(d) "Designated subjects" means the practice of assignment of teachers and pupils to designated technical, trade, or career technical courses which courses may be part of a program of trade, technical, or career technical education.

SEC. 4. Section 48901.7 of the Education Code is amended to read:

48901.7. (a) The governing board of a school district, a county board of education, and the governing body of a charter school shall, no later than July 1, 2026, develop and adopt, and shall update every five years, a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a schoolsite or while the pupils are under the supervision and control of an employee or employees of that school district, county office of education, or charter school. The goal of the policy shall be to promote evidence-based use of smartphone practices to support pupil learning and well-being. The development of the policy shall involve significant stakeholder participation in order to ensure that the policies are responsive to the unique needs and desires of pupils, parents, and educators in each community. The policy may also include enforcement mechanisms that limit access to smartphones.

(b) Notwithstanding subdivision (a), a pupil shall not be prohibited from possessing or using a smartphone under any of the following circumstances:

(1) In the case of an emergency, or in response to a perceived threat of danger.

(2) When a teacher or administrator of the school district, county office of education, or charter school grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.

(3) When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil.

(4) When the possession or use of a smartphone is required in a pupil's individualized education program.

(c) This section does not authorize monitoring, collecting, or otherwise accessing any information related to a pupil's online activities.

SEC. 5. Section 51222 of the Education Code is amended to read:

51222. (a) All pupils, except pupils excused or exempted pursuant to Section 51241, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays, except as provided in subdivision (c). Any pupil may be excused from physical education classes during one of grades 10, 11, or 12 for not to exceed 24 clock hours in order to participate in automobile driver training. A pupil who is excused from physical education classes to enroll in driver training shall attend upon a minimum of 7,000 minutes of physical education instruction during such school year.

(b) The governing board of each school district that maintains a high school and that elects to exempt pupils from required attendance in physical education courses pursuant to paragraph (1) or (2) or both of subdivision (b) of Section 51241 shall offer those pupils so exempted a variety of elective physical education courses of not less than 400 minutes each 10 schooldays.

(c) The governing board of a school district that maintains any of grades 6 to 12, inclusive, may adopt a policy providing for an alternate term schedule for physical education courses, which shall be deemed to satisfy the requirements of a course in physical education for purposes of subparagraph (F) of paragraph (1) of subdivision (a) of Section 51225.3, if all of the following conditions are met:

(1) (A) For a pupil in grade 6, the pupil receives no less than 400 minutes of instruction every 10 schooldays for a semester of not fewer than 18 weeks during the regular school year, for a total of 3,600 instructional minutes for the school year.

(B) For a pupil in grades 7 to 12, inclusive, the pupil receives no less than 800 minutes of instruction every 10 schooldays for a semester of not fewer than 18 weeks during the regular school year, for a total of 7,200 instructional minutes for the school year.

(2) The physical education program is aligned with the physical education framework adopted by the state board in that it provides a sequential, articulated, age-appropriate program.

(3) The physical education program complies with the course of study requirements of high school physical education programs specified in Article 3.1 (commencing with Section 10060) of Subchapter 1 of Chapter 10 of Division 1 of Title 5 of the California Code of Regulations, as applicable.

(4) Pupils are prepared for, and participate in, the physical performance testing required pursuant to Section 60800.

(d) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of subdivision (a) or (c) may be filed with a school district or county superintendent of schools pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department's receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(e) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.