

AMENDED IN ASSEMBLY APRIL 26, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 925

Introduced by Assembly Members Lara and Alejo

February 18, 2011

An act to amend Section 47610 of, and to add Section 47611.6 to, the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 925, as amended, Lara. Charter schools.

(1) The Charter Schools Act of 1992 permits teachers and parents to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. Existing law exempts charter schools from the laws governing school districts except those of the Charter Schools Act, those establishing minimum age for public school attendance, specified building code regulations, and other specified laws. Existing law requires a charter school to comply with its charter.

This bill would require a charter school to comply with specified laws governing school employees, including, among others, those governing classified employees. *The bill would require a charter school to give its employees employed in positions that would be classified positions in a school district sick leave and vacation time based on time served, in addition to 11 paid holidays, and would require a charter school to establish policies for paid sick leave and vacation time.* To the extent this bill would impose additional duties on charter schools, this bill would impose a state-mandated local program.

(2) 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 these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47610 of the Education Code is amended
2 to read:

3 47610. A charter school shall comply with this part and all of
4 the provisions set forth in its charter, but is otherwise exempt from
5 the laws governing school districts, except all of the following:

6 (a) All laws establishing minimum age for public school
7 attendance.

8 (b) The California Building Standards Code (Part 2
9 (commencing with Section 101) of Title 24 of the California Code
10 of Regulations), as adopted and enforced by the local building
11 enforcement agency with jurisdiction over the area in which the
12 charter school is located. Charter school facilities shall comply
13 with this subdivision by January 1, 2007.

14 (c) ~~Subdivision (a) of Section 45103, Sections 41365, 44031,~~
15 ~~44037, 45101, 45102, 45103.1, 45113, 45115, 45116, 45117,~~
16 ~~45127, 45128, 45131, 45132, 45133, 45136, 45166, 45167, 45169,~~
17 ~~and 47611, and Article 4 (commencing with Section 45190) of~~
18 ~~Chapter 5 of Part 25 of Division 3, except Sections 45191, 45197,~~
19 ~~45200, 45201, 45203, 45204, 45205, 45206, 45206.5, 45209, and~~
20 ~~45210 of that article.~~

21 SEC. 2. Section 47611.6 is added to the Education Code, to
22 read:

23 47611.6. (a) Notwithstanding any other law, a charter school
24 employee employed in a position that would be a classified position
25 in a school district shall earn sick leave and vacation time based
26 on time served. A charter school shall establish policies for paid
27 sick leave and vacation time.

1 **(b)** *Notwithstanding any other law, a charter school employee*
2 *employed in a position that would be a classified position in a*
3 *school district shall receive 11 paid holidays that shall be*
4 *comparable to the paid holidays provided to the classified*
5 *employees of school districts.*

6 ~~SEC. 2.~~

7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

O