Governor Signs Bipartisan Smartphone and Social Media Bills.

Building off existing law which permits local educational agencies (LEAs) to regulate the use of smartphones, Governor Newsom signed AB 3216 (Hoover, R-Folsom), which requires the governing body of a school district, county office of education (COE), or charter school to adopt a policy limiting or prohibiting the use of smartphones on campus by July 1, 2026. The new law also requires boards to update their policies every five years. The legislation states that the goal 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."

As you recall, prior to the beginning of the 2024-25 school year, the Governor issued a letter to superintendents urging districts to restrict smartphone use in classrooms. In that letter, he acknowledged his ongoing work with the legislature to "further limit student smartphone use," so his signing of this bill came as little surprise. In authoring the bill, Assembly Member Josh Hoover organized an impressive and bipartisan group of co-authors, including Assembly Education Committee Chair Al Muratsuchi (D-Torrance) and Chair of the Assembly Budget Subcommittee on Education, David Alvarez (D-San Diego).

While the bill specifically targets smartphone use, it's clear that the Administration and many legislators were using that as a proxy to also curtail use of and addiction to social media apps, which have come under heavy fire for being harmful and purposefully addictive, especially to young people. In response, the Governor also signed SB 1283 by Senator Henry Stern (D-Los Angeles), which authorizes governing boards to adopt policies to limit or prohibit the use of social media while students are at school, or under the supervision of an employee of the LEA. Given the implications that LEAs could theoretically engage in content monitoring and regulation, the American Civil Liberties Union initially raised privacy concerns with the bill. However, in its final form, the bill makes clear that "… this section does not authorize monitoring, collecting, or otherwise accessing any information related to a pupil's online activities."

California Racial Mascots Act Expanded.

Since 2017, California law has prohibited public schools from using the term Redskins for their school or athletic team name, mascot or nickname. AB 3074 (Schiavo, D-San Fernando Valley), expands that law to also ban public schools from using any derogatory Native American term, beginning on July 1, 2026. The bill defines "derogatory Native American term" to include, but not be limited to, Apaches, Big Red, Braves, Chiefs, Chieftains, Chippewa, Comanches, Indians, Savages, Squaw, and Tribe.

Schools may continue to use their current names past July 1, 2026 if all the following conditions are met:

- Selection of a new mascot
- The school refrains from purchasing or acquiring, for the purpose of distribution or sale to pupils or school employees, any uniform that includes or bears the derogatory Native American term. Before January 1, 2028, a school using uniforms that bear the derogatory Native American term may purchase or acquire a number of uniforms equal to up to 20% of the total number of uniforms used by a team or band during the 2025–26 school year for the purposes of replacing damaged or lost uniforms.
- The school refrains from purchasing or acquiring, for the purpose of distribution or sale to pupils or school employees, any yearbook, newspaper, program, or other similar material that includes or bears the prohibited school or athletic team name, mascot, nickname, or related title in its logo or cover title.
- The school refrains from purchasing or constructing a marquee, sign, gymnasium floor, or other new or replacement fixture that includes or bears the prohibited school or athletic team name, mascot, or nickname. This requirement applies to facilities that bear the prohibited school or athletic team name, mascot, or nickname, in which case the school must remove the prohibited name, mascot, or nickname no later than the next time the associated part of the facility is replaced in the normal course of maintenance.

The bill also states the intent of the Legislature that the purchase or replacement of materials or fixtures due to implementation of a new school or athletic team name, mascot, or nickname under the California Racial Mascots Act occur before the 2028–29 school year.

There are a few exceptions. Schools operated by an Indian tribe or tribal organization are exempt, as are schools that receive written consent from a local federally recognized tribe.

Governor Newsom signed AB 3074 as part of a package of legislation during the state's commemoration of Native American Day on September 25th. As part of his bill signing, the Governor released the following statement:

> *"I'm proud of the progress California has made to reckon with the dark chapters of our past, and we're committed to continuing this important work to promote equity, inclusion and accountability for Native peoples. As we celebrate the many tribal communities in California today, we recommit to working with tribal partners to better address their unique needs and strengthen California for all."*

Suspensions Now Prohibited if a Student Voluntarily Discloses Use of an Illicit Substance.

In response to research suggesting that punishment for drug use is ineffective, Assembly Member James Ramos (D-Highland) authored AB 2711 to rethink how schools handle drug and alcohol related disciplinary issues. As signed, this bill prohibits the suspension of students who voluntarily disclose

their use of a tobacco product, controlled substance, alcohol or other intoxicant in order to seek help through services or supports.

In its original form, this bill would have prohibited the suspension or expulsion of students for possessing illicit substances on campus, unless several conditions were met. Despite the strong support this bill garnered early on from groups like the ACLU, Children Now, and the National Center for Youth Law, concerns about the implications of allowing students to violate the laws around drug free school campuses were enough to force negotiations, ultimately resulting in the final bill language.

Following a Student Death, Governor Signs Total Ban on Prone Restraint.

Following the lead of several other states, Senator Dave Cortese (D-Santa Clara), authored SB 483 to implement a full ban on prone restraints, including prone containment. Known as Max Benson's law, the Senator ran the bill after Max, a 13-year old student at a school in El Dorado County, passed away after being held in prone restraint for over 90 minutes.

After the bill was signed, Max's mother, Stacia Langley, issued the following statement:

> *Today, California joins the majority of states in the Union in declaring that our children are too vulnerable and too precious to be subjected to dangerous and at times deadly restraints. Although it is too late to save my son and spare our family the grief of having lost him, this law will protect countless children in the future and ensure that Max's death was not in vain.*

The Governor signed the following governance and operations bills:

Brown Act

AB 2302 (Addis) - Open meetings: local agencies: teleconferences.
For local agency legislative bodies using alternative teleconferencing, this bill revises the number of times a member can participate remotely based on how often the legislative body meets, as follows: twice per year, if the body meets once per month or less; five times per year if the body meets twice per month, and seven times a year if the body meets more than three times per month. The bill also clarifies that meetings that commence on the same day shall be considered one meeting.
Chapter 389, Statutes of 2024

AB 2715 (Boerner) - Ralph M. Brown Act: closed sessions.
This bill authorizes a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.
Chapter 243, Statutes of 2024

District Boundaries/Student Transfers

SB 897 (Newman) - Pupil attendance: interdistrict attendance: school districts of choice.

This bill makes various changes to the school district of choice program, including extending the program indefinitely and prohibiting school districts of choice from targeting their communications to individual parents or residential neighborhoods on the basis of a pupil's or pupils' actual or perceived proficiency in English, family income, or characteristic that is contained in the definition of a hate crime. The bill also places additional requirements on the program's 10% cap requirement and subjects the program requirements to the annual audit.

Chapter 865, Statutes of 2024

Elections

AB 453 (Cervantes) - District-based elections.

AB 453 requires any public hearing concerning district-based elections that is consolidated with a meeting of the governing body of the political subdivision that includes other substantive agenda items begin at a fixed time regardless of its order on the agenda. The bill also requires the governing body to provide notice of the hearing to the public.

Chapter 195, Statutes of 2024

SCA 1 (Newman) - Elections: recall of state officers.

SCA 1 puts a measure before the voters at the next statewide election which asks if they think California should eliminate the successor election for a recalled state officer and instead provide, in the event an officer is removed in a recall election, that the office will remain vacant until it is filled in accordance with the Constitution and statute. The measure, if approved by voters, would repeal the prohibition against the officer subject to the recall being a candidate to fill the office in a special election, but would prohibit the appointment of the officer subject to the recall election to fill the vacancy. SCA 1 is slated to appear on the November 3, 2026 statewide ballot.

Chapter 204, Statutes of 2024

Governance/Operations

AB 1939 (Maienschein) - Pupil attendance: county and local school attendance review boards: pupil consultation.

This bill requires each county school attendance review board and each local school attendance review board to, at least annually, consult with specified pupils for the purpose of soliciting input that will assist board members in gaining a better understanding of, and proposing interventions for, pupil attendance challenges and behavioral challenges.

Chapter 13, Statutes of 2024

AB 2350 (Hoover) - Open meetings: school boards: emergencies: notifications by email.

This bill authorizes a school board holding an emergency meeting to fulfill its preempting requirement to notify certain press outlets by email instead of by telephone. If the internet and telephone services

are not functioning, the bill waives the premeeting notification requirement and instead requires a postmeeting notification as soon as possible.
Chapter 565, Statutes of 2024

AB 2631 (Fong, Mike) - Local agencies: ethics training.
AB 2631 requires the Fair Political Practices Commission, in consultation with the Attorney General, to create, maintain, and make available to local agency officials an ethics training course.
Chapter 201, Statutes of 2024

AB 3074 (Schiavo) - School or athletic team names: California Racial Mascots Act.
The California Racial Mascots Act prohibits public schools from using the term Redskins as a school or athletic team name, mascot, or nickname. This bill exempts public schools operated by an Indian tribe or a tribal organization from this prohibition. AB 3074 also prohibits, beginning July 1, 2026, public schools, except for public schools operated by an Indian tribe or tribal organization, from using any derogatory Native American term as a school or athletic team name, mascot, or nickname.
Chapter 665, Statutes of 2024

AB 3216 (Hoover) - Pupils: use of smartphones.
AB 3216 requires the governing body of a school district, a COE, or a charter school to, by July 1, 2026, develop and adopt, and to update every 5 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, COE, or charter school.
Chapter 500, Statutes of 2024

SB 920 (Seyarto) - California Purple Star School Designation Program.
This bill codifies the California Purple Star School Designation Program (CPSSDP) within the California Department of Education (CDE) to reduce the burden on military-connected pupils and their families and to publicly recognize and designate public schools that meet certain requirements related to supporting military-connected pupils and their families' unique needs. SB 920 requires CDE to develop an annual application process and adopt application criteria for the CPSSDP, and requires schools that earn the award to apply for recertification every 3 years.
Chapter 923, Statutes of 2024

SB 991 (Gonzalez) - School districts: Los Angeles Unified School District: inspector general.
This bill extends the authority of the inspector general of the Los Angeles Unified School District indefinitely, and requires the inspector general to submit an annual report to the Legislature on or before July 1 of each year.
Chapter 871, Statutes of 2024

SB 1283 (Stern) - Pupils: use of social media.
This bill explicitly authorizes the governing board of a school district, a county board of education, or the governing body of a charter school to limit or prohibit the use by its pupils of social media 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, COE, or charter school.
Chapter 891, Statutes of 2024

SB 1440 (Laird) - School operations: 4-day school week.

SB 1440 authorizes, commencing with the 2025–26 school year, the Stony Creek Joint Unified School District to operate one or more schools in the district on a 4-day school week in accordance with certain requirements. Stony Creek Joint Unified School District will also be required to (1) include in its plan an annual school calendar with at least 5 additional days of instruction than is otherwise needed to meet the minimum instructional minute requirements in the event that one or more of the schools in the school district is prevented from operating for specified reasons and (2) make a nutritionally adequate breakfast, and a nutritionally adequate lunch, available 5 days per week to any pupil who requests a meal, free of charge, and without consideration of the pupil's eligibility for federally funded free or reduced-price meals.

Chapter 478, Statutes of 2024

SB 1445 (Cortese) - Governing boards: pupil members: expulsion hearing recommendations.

This bill authorizes school district governing boards, charter school governing bodies, and the governing bodies of entities managing multiple charter schools to allow each of their respective pupil members to make restorative justice recommendations that would be considered in closed session expulsion hearings. The bill requires, if these governing boards authorize those pupil member recommendations, limited case information that pertains to those closed session items to be disclosed to each pupil member, subject to pupil and parental consent.

Chapter 327, Statutes of 2024

PRA/Gov. Code 1090

AB 1785 (Pacheco) - California Public Records Act.

The California Public Records Act prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual. AB 1785 instead prohibits a state or local agency from publicly posting the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual.

Chapter 551, Statutes of 2024

SB 1034 (Seyarto) - California Public Records Act: state of emergency.

The California Public Records Act requires state and local agencies to provide public access to records, with some exceptions. Currently, agencies must determine if requested records are disclosable and notify the requester within 10 days, with a possible extension of up to 14 days under certain "unusual circumstances." This bill would expand those "unusual circumstances" to include the need to search for, collect, and appropriately exam records during a state of emergency, where the agency's ability to respond is impacted by staffing shortages or facility closures.

Chapter 161, Statutes of 2024

State Board of Education

SB 691 (Portantino) - Pupil attendance: truancy notifications.

Commencing July 1, 2025, SB 691 amends the pieces of information that are included in the notification sent to the parent or guardian of a student designated as truant. On that date, the notification must include that mental health and supportive services may be available to the pupil and the family and that school personnel are available to meet with the pupil and family to develop strategies to support the pupil's attendance at school.

Chapter 863, Statutes of 2024

Student Discipline

AB 2711 (Ramos) - Suspensions and expulsions: voluntary disclosures.

This bill prohibits the suspension of a pupil who voluntarily discloses their use of a controlled substance, alcohol, intoxicants of any kind, or a tobacco product, solely for that disclosure, in order to seek help through services or supports.

Chapter 840, Statutes of 2024

SB 483 (Cortese) - Pupil rights: prone restraint.

SB 483 prohibits the use of prone restraint, defined to include prone containment, by an educational provider, defined to mean a person who provides educational or related services, support, or other assistance to a pupil enrolled in an educational program provided by a LEA or a nonpublic school or agency.

Chapter 857, Statutes of 2024

Capitol Advisors Group has produced a set of comprehensive client briefs detailing new education laws that were passed by the Legislature and signed into law by Governor Newsom in 2024. Each brief is organized by subject area and includes an executive summary highlighting major changes we think you should know about. Bills signed by the Governor take effect on January 1, 2025, unless the bill specifically states otherwise.