

# It's the Law Now!

**Inland Personnel Council  
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## Title IX – Court Decision and Anticipated Changes Under New Administration

- On August 1, 2024, the U.S. Department of Education implemented new regulations implementing Title IX of the Education Amendments of 1972.
- The 2024 Title IX Regulations significantly changed the 2020 Title IX Regulations, related to definitions, the grievance process, reporting obligations, and training requirements. This resulted in lawsuits being filed and multiple injunctions.
- On January 9, 2025, the United States District Court for the Eastern District of Kentucky issued a decision in Tennessee v. Cardona (Civil Action No. 2:24-072-DCR, vacating the 2024 Title IX Regulations.

## Title IX – Court Decision and Anticipated Changes Under New Administration Cont'd

- The Court determined the USDOE exceeded its authority and explained that the statutory text of Title IX suggests only that “recipients of federal funds under Title IX may not treat a person worse than another similarly situated individual on the basis of a person’s sex, i.e. male or female.” Therefore, under Title IX, “discrimination on the basis of sex” means “discrimination on the basis of male or female,” and not on the basis of gender identity.
- The Court also found 2024 Regulations violated 1st Amendment by requiring recipients “to use names and pronouns associated with a student’s asserted gender identity.”

## Title IX – Court Decision and Anticipated Changes Under New Administration Cont'd

- It is reasonable to conclude that the 2024 Title IX Regulations have been “set aside” or taken “off the books” nationwide.
- While the Court did not directly state that its opinion would cause a return to the 2020 Title IX Regulations, the Court’s opinion did not vacate the 2020 Title IX Regulations.
- Likely all recipients of federal funds must process matters in accordance with the 2020 Title IX Regulations.

# New HR Laws

## AB 1913 (Required Sexual Abuse / Mandated Reporter Training)

- Current law requires LEAs to provide annual training to employees and contractors on the mandated reporting requirements related to child abuse and encourages training on the prevention of abuse of children on school grounds by school personnel or in school-sponsored programs.
- Beginning July 1, 2025, LEAs must include child abuse prevention in the existing annual mandated reporter training requirement.
- The law also requires CDE to develop and disseminate information to all LEAs regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

# New HR Laws

## AB 2245 (Permanent Status for Single District ROP Teachers)

- Beginning July 1, 2025, service by an instructor in classes conducted at a regional occupation center or program operated by a single school district must be included in computing the service required as a prerequisite to the attainment of, or eligibility for, classification as a permanent employee of the single school district.
- This does not apply to CTE teachers generally - only impacts CTE teachers within Regional Occupational Centers and Programs (“ROCP”) operated by a single school district.

# New HR Laws

## AB 2123 (Amendment to State's Family Leave Program Requirements)

- Sunsets the authorization for an employer to require an employee to take two weeks of earned but unused vacation leave before, and as a condition of, accessing benefits under California's Paid Family Leave (PFL) program, making the authorization and related provisions inapplicable to any disability period commencing on or after January 1, 2025.

# New HR Laws

## AB 2499 (Protection for Employees Taking Leave for Victims of Violence)

- Prohibits an employer from discharging or in any manner discriminating or retaliating against an employee who is a victim or who has a family member who is a victim, for taking time off work for a prescribed purpose relating to a qualifying act of violence.
- Permits an employer to limit the total leave taken pursuant to these provisions.
- Also requires an employer to inform each employee of their rights under the bill as well as provide the information to new employees upon hire, to all employees annually, at any time upon request, and any time an employee informs an employer that the employee or the employee's family member is a victim.



# New HR Laws

## SB 729 (Health Care Coverage: Treatment for Infertility and Fertility Services)

- Requires large and small group health care service plan contracts and disability insurance policies to provide coverage for the diagnosis and treatment of infertility and fertility services, when those contracts and policies were issued, amended, or renewed on or after July 1, 2025.
- Revises the definition of infertility.
- Provides for coverage of in-vitro fertilization.
- Prohibits a health care service plan or disability insurer from placing coverage limitations on fertility medications, and the diagnosis and treatment of infertility as compared to similar benefits for services not related to fertility.
- Does not apply to religious employers or Medi-Cal managed health care.

# New HR Laws

## SB 399 (Employer Communications: Intimidation)

- Prohibits adverse employment actions by an employer against an employee because:
  - Employee declines to attend an employer-sponsored meeting, or
  - Employee affirmatively declines to participate in meetings whose purpose is to allow the employer to communicate its opinion about religious or political matters.
- Requires employers to continue to pay employees who refuse to attend such meetings during work hours.
- Exempts certain organizations, including some religious organizations and political organizations.

# New HR Laws

## AB 938 (Requirement that LEAs File Classified and Certificated J-90 Forms)

- By July 1, 2025, requires CDE to update the Salary and Benefits Schedule for the Certificated Bargaining Unit (Form J-90) to include salary data collection for classified school staff assigned to a schoolsite, in the same manner as collected for certificated staff assigned to a schoolsite, for secretaries or administrative assistants, custodians, bus drivers, school food service workers, and instructional aides.
- Also requires, beginning January 31, 2026 and annually thereafter, LEAs to submit certificated and classified staff salary data using the Form J-90 to CDE.
- Beginning August 31, 2026 and annually thereafter, also requires CDE to report the changes in school staff wages over time to the Legislature.

# New HR Laws

## AB 1997 (STRS Credible Compensation Calculations)

- Current law requires employers and employees to make contributions to the California State Teacher Retirement System (CalSTRS) based on the member's creditable compensation and defines "annualized pay rate" to mean the salary or wages a person could earn during a school term for an assignment if creditable service were performed for that assignment on a full-time basis.
- This bill redefines "annualized pay rate" to mean the salary a person could earn during a school term in a position subject to membership if creditable service were performed for that position on a full-time basis, to be determined pursuant to a publicly available pay schedule. Changes effective upon a date determined by the CalSTRS Board but no later than July 1, 2027.

# New HR Laws

## SB 1263 (Teaching Performance Assessment)

- Requires the CTC to convene a workgroup to assess the current design and implementation of the state's TPAs. The workgroup must develop recommendations to be presented to the CTC by March 1, 2025, and the Commission must vote to adopt a set of recommendations by July 1, 2025. The adopted recommendations then have to be implemented by July 1, 2028.
- The bill also requires the CTC to report to the Legislature annually, beginning October 15, 2025, and through October 15, 2028, on the progress of the workgroup in making its recommendations and actions taken by the CTC to implement the adopted recommendations.

# New HR Laws

## AB 2299 (Posting Whistleblower Protections)

- Current law requires an employer to prominently display a list of employees' rights and responsibilities under the whistleblower laws.
- This bill requires the Labor Commissioner to develop a model list of employees' rights and responsibilities under the whistleblower laws. The bill also provides that an employer that posts the model list shall be deemed in compliance with the requirement to prominently display the list of employees' rights and responsibilities under the whistleblower laws.

# New HR Laws

## HR 5646 (Stop Campus Hazing Act)

- Amends the Clery Act (20 U.S.C. § 1092(f)) to require institutions of higher education (“Institutions”) participating in federal student aid programs to track and report hazing incidents to the public.
- Requires each Institution to develop a comprehensive program to prevent hazing and adopt/revise policies and procedures that comply with this new law.

# New HR Laws

## HR 5646

### (Stop Campus Hazing Act) Cont'd

- Defines hazing as any intentional, knowing, or reckless act committed by a person against another person regardless of the willingness of such other person to participate, that:
  - Is committed in the course of an initiation into, an affiliation with, or the maintenance of [related to] membership in, a student organization.
  - Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization, of physical or psychological injury including:
    - any activity against another person that includes a criminal violation of law.
    - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of law.



# New HR Laws

## HR 5646 (Stop Campus Hazing Act) Cont'd

- Reporting requirements:
  - As of January 1, 2025, Institutions must begin to collect statistics on hazing incidents.
  - Requires Institutions to develop and publish a Campus Hazing Transparency Report (“Report”) on their websites.

# New HR Laws

## AB 1971

### (Administration of Standardized Tests)

- Among other things, this bill prohibits a national assessment provider, defined as a person that develops, sponsors, or administers standardized tests, from knowingly disclosing covered information to a third party, including, but not limited to, social media providers through cookies, pixels, or similar tracking technologies on the national assessment provider's internet website.

# New Technology Laws

## AB 2481 (Social Media-Related Threats: Reporting)

- This bill, beginning January 1, 2026, requires a social media platform to disclose all social media-related threat reporting procedures for verified reporters in the social media platform's terms of service.
- “Social media-related threat” is defined as content posted on a social media platform that promotes, incites, facilitates, or perpetrates suicide, disordered eating, drug trafficking, substance abuse, fraud, human trafficking, sexual abuse, cyberbullying, harassment, or distribution of harmful matter.

# New Technology Laws

## AB 801 (Student Privacy: Online Personal Information)

- This bill requires an operator of an internet website, online service, online application, or mobile application to delete a student's information at the request of the student's parent or guardian, if the student is no longer attending the school district.

# New Technology Laws

## AB 764 (Minors: Online Platforms)

- This bill establishes protections for minors that perform in “vlogs”.
- Specifically, it requires all vloggers whose content features a minor to maintain and make available to the minor upon request, several types of records.
- The bill also requires that vloggers compensate minors by setting aside gross earnings on images or content containing the minor in a trust.

# New HR Laws

## AB 2534 (Certificated Applicant Employment History Disclosure and LEA Obligations)

- Applicants for Public School Employment
  - This bill requires a person applying for a certificated position at a new school district, COE, charter school, or state special school to provide the prospective employer with a complete list of every LEA that the applicant has previously been an employee.
- LEA Receiving Application
  - Requires the prospective employer to inquire with all previous employing LEAs whether the applicant had credible complaints of, substantial investigation into, or discipline for, egregious misconduct as defined in paragraph (1) of subdivision (a) of section 44932, that were required to be reported to the Commission on Teacher Credentialing (CTC).

# New HR Laws

## AB 2534 (Certificated Applicant Employment History Disclosure and LEA Obligations) Cont'd

- If an LEA made a report of an employee's egregious misconduct to the CTC:
  - LEA shall disclose this fact to the prospective LEA upon inquiry, and
  - Notwithstanding any other law, shall provide the inquiring LEA with a copy of all relevant information that was reported to the CTC that is within its possession.
- Form of Inquiry:
  - AB 2534 does not specify method of inquiry; recommendation would be sent U.S. Certified Mail, email, or via secure file transfer portal.

# New HR Laws

## AB 2534 (Certificated Applicant Employment History Disclosure and LEA Obligations) Cont'd

- When does the obligation to disclose such conduct arise:
  - Applies when an LEA has “made a report of egregious misconduct” to the CTC.
  - If no report was made, there is no obligation to provide information to prospective LEAs.
  - If there is an in-progress reporting of egregious misconduct, the LEA should finish the reporting then respond to the AB2534 request.
- Consequences:
  - Prospective Employer – exposure to liability, such as potential for Writ of Mandate under CCP §1085, attorney’s fees under CCP § 1021.5 for private enforcement, lawsuits if application commits misconduct leading to injury, and reputational damage.
  - Applicant – potential dismissal and further CTC reporting.



Question & Answer  
Session

# Thank You

For questions or comments, please contact:

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