

Senate Bill No. 1413

CHAPTER 732

An act to add Part 14 (commencing with Section 53570) to Division 31 of the Health and Safety Code, relating to housing.

[Approved by Governor September 27, 2016. Filed with Secretary of State September 27, 2016.]

legislative counsel's digest

SB 1413, Leno. School districts: employee housing.

Existing law establishes various housing and home loan programs throughout the state to help low-income families and other specified groups. Existing law authorizes the governing board of any school district, when leasing a building for housing of school district employees, to lease the building for any period they deem necessary.

This bill would authorize a school district to establish and implement programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing.

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

SECTION 1. (a) The Legislature finds and declares that the changes made by this act are necessary in order to provide affordable housing opportunities to teachers and other school district employees.

(b) California places a high value on our public education system, and the stability of housing for school employees is critical to the overall success and stability of each school in California.

(c) The supply of new preschool through grade 12 teachers in California has hit a 12-year low, and enrollment in educator preparation programs has dropped by more than 70 percent over the last decade, and this shortage most impacts schools serving more low-income and minority students.

(d) Demand for teachers and staff is projected to grow further as school districts continue to recover from the recession and seek to replace previously eliminated programs and positions. Districts are also coping with attrition, which averages about 8 percent of all teachers annually. This attrition includes inevitable retirements, as fully one-third of California teachers are over 50 years of age and 10 percent are over 60 years of age, but most attrition is due to younger teachers leaving.

(e) A growing trend driving teacher turnover is the steadily increasing cost of housing in certain markets. In addition to the negative emotional and developmental impacts teacher turnover has on students, the costs borne by school districts to recruit, hire, and train new teachers each summer is

immense. In San Francisco alone, during the summer of 2015, the school district had to recruit, hire, and train 700 new teachers. Many cited housing costs as the reason why the teacher was leaving the school district.

(f) Students and the community at large are benefited by teachers living in the community in which they practice their profession. It ensures stability, community involvement, and stronger ties between teachers, their students, and their families.

(g) By creating affordable housing options for teachers near or on schoolsites, it also reduces vehicle miles traveled and time away from teachers' homes, thereby reducing or eliminating commute time.

SEC. 2. Part 14 (commencing with Section 53570) is added to Division 31 of the Health and Safety Code, to read:

PART 14. TEACHER HOUSING ACT OF 2016

53570. This part may be cited as the Teacher Housing Act of 2016.

53571. (a) The purpose of this part is to facilitate the acquisition, construction, rehabilitation, and preservation of affordable rental housing for teachers and school district employees to allow teachers or school district employees to access and maintain housing stability.

(b) A program established under this part shall be restricted to "teacher or school district employees."

53572. As used in this part:

(a) "Affordable rental housing" means a rental housing development, as defined in subdivision (d) of Section 50675.2, with a majority of its rents restricted to levels that are affordable to persons and families of low or moderate income, as defined in Section 50093, but neither definition is restrictive to only projects with five or more units.

(b) "Teacher or school district employee" means any person employed by a unified school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 12, inclusive, an elementary school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 8, inclusive, or a high school district maintaining grades 9 to 12, inclusive, including, but not limited to, certificated and classified staff.

53573. A school district may establish and implement programs that address the housing needs of teachers and school district employees who face challenges in securing affordable housing. To the extent feasible, the school district may establish and implement programs that, among other things, do the following:

(a) Leverage federal, state, and local public, private, and nonprofit programs and fiscal resources available to housing developers.

(b) Promote public and private partnerships.

(c) Foster innovative financing opportunities.

53574. This part specifically creates a state policy supporting housing for teachers and school district employees, as described in Section 42(g)(9) of the Internal Revenue Code, and, further, permits school districts and

developers in receipt of local or state funds or tax credits designated for affordable rental housing to restrict occupancy to teachers and school district employees on land owned by school districts, so long as that housing does not violate any other applicable laws.

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