An act to amend Sections 8263, 17375, 41202, 41202.5, 41203.1, 44225.6, 44230.5, 44253.10, 44253.11, 44258.3, 47604.33, 47605, 47605.6, 47606.5, 47635, 48985, 51223, 52065, 52073, 52452, 53070, 53071, 53072, 53073, 53075, 64001, 88827, 88828, 88830, 88831, and 88833 of, to add Sections 14002.05, 41207.46, 41207.47, and 44226 to, to add Article 6.5 (commencing with Section 56836.39) to Chapter 7.2 of Part 30 of Division 4 of Title 2 of, and to repeal and add Section 44258.9 of, the Education Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

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

SECTION 1. Section 8263 of the Education Code, as amended by Section 6 of Chapter 945 of the Statutes of 2018, is amended to read:

8263. (a) (1) The Superintendent shall adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement this chapter. In order to be eligible for federal and state subsidized child development services, families shall meet at least one requirement in each of the following areas:

(A) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, or (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(B) A family needs the ~~child care~~ childcare services (i) because the child is 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 (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (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, or (V) incapacitated.

(2) A family shall be eligible for a California state preschool program without meeting the requirements of subparagraph (B) of paragraph (1).

~~(2)~~

(3) If only one parent has signed an application for enrollment in ~~child care~~ childcare services, as required by this chapter or regulations adopted to implement this chapter, and the information provided on the application indicates that there is a second parent who has not signed the application, the parent who has signed the application shall self-certify the presence or absence of the second parent under penalty of perjury. The parent who has signed the application shall not be required to submit additional information documenting the presence or absence of the second parent.

(b) Except as provided in Article 15.5 (commencing with Section 8350), priority for federal and state subsidized child development services is as follows:

(1) First priority shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If an agency is unable to enroll a child in the first priority category, the agency shall refer the family to local resource and referral services to locate services for the child.

(2) Second priority shall be given equally to eligible families, regardless of the number of parents in the home, who are income eligible. Within this priority, families with the lowest gross monthly income in relation to family size, as determined by a schedule adopted by the Superintendent, shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with exceptional needs shall be admitted first. If there is no family of the same priority with a child with exceptional needs, the same priority family that has been on the waiting list for the

longest time shall be admitted first. For purposes of determining order of admission, the grants of public assistance recipients shall be counted as income.

(3) The Superintendent shall set criteria for, and may grant specific waivers of, the priorities established in this subdivision for agencies that wish to serve specific populations, including children with exceptional needs or children of prisoners. These new waivers shall not include proposals to avoid appropriate fee schedules or admit ineligible families, but may include proposals to accept members of special populations in other than strict income order, as long as appropriate fees are paid.

(c) Notwithstanding any other law, in order to promote continuity of services, a family enrolled in a state or federally funded ~~child care~~ childcare and development program whose services would otherwise be terminated because the family no longer meets the program income, eligibility, or need criteria may continue to receive child development services in another state or federally funded ~~child care~~ childcare and development program if the contractor is able to transfer the family's enrollment to another program for which the family is eligible before the date of termination of services or to exchange the family's existing enrollment with the enrollment of a family in another program, provided that both families satisfy the eligibility requirements for the program in which they are being enrolled. The transfer of enrollment may be to another program within the same administrative agency or to another agency that administers state or federally funded ~~child care~~ childcare and development programs.

(d) A physical examination and evaluation, including age-appropriate immunization, shall be required before, or within six weeks of, enrollment. A standard, rule, or regulation shall not require medical examination or immunization for admission to a ~~child care~~ childcare and development program of a child whose parent or guardian files a letter with the governing board of the ~~child care~~ childcare and development program stating that the medical examination or immunization is contrary to ~~his or her~~ the parent's or guardian's religious beliefs, or provide for the exclusion of a child from the program because of a parent or guardian having filed the letter. However, if there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the program until the governing board of the ~~child care~~ childcare and development program is satisfied that the child is not suffering from that contagious or infectious disease.

(e) Regulations formulated and promulgated pursuant to this section shall include the recommendations of the State Department of Health Care Services relative to health care screening and the provision of health care services. The Superintendent shall seek the advice and assistance of these health authorities in situations where service under this chapter includes or requires care of children who are ill or children with exceptional needs.

(f) The Superintendent shall establish guidelines for the collection of employer-sponsored ~~child care~~ childcare benefit payments from a parent whose child receives subsidized ~~child care~~ childcare and development services. These guidelines shall provide for the collection of the full amount of the benefit payment, but not to exceed the actual cost of ~~child care~~ childcare and development services provided, notwithstanding the applicable fee based on the fee schedule.

(g) The Superintendent shall establish guidelines according to which the director or a duly authorized representative of the ~~child care~~ childcare and development program will certify children as eligible for state reimbursement pursuant to this section.

(h) (1) Except as provided in paragraphs (2) to (4), inclusive, upon establishing initial eligibility or ongoing eligibility for services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 12 months, shall receive those services for not less than 12 months before having their eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 12 months.

(2) 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 subdivision (b) of Section 8263.1, and the family's ongoing eligibility for services shall at that time be recertified.

(3) A family that establishes initial eligibility or ongoing eligibility on the basis of seeking employment shall receive services under this chapter as follows:

(A) If seeking employment is the basis for initial eligibility, the family shall receive services under this chapter for not less than six months.

(B) If, at the time of recertification, the only basis established for ongoing eligibility is a parent's need to seek employment, the family shall receive services for no less than six months.

(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.

(i) (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 (h), a payment made by a child development 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 ~~his or her~~ the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(j) (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 of this code, until regulations are filed with the Secretary of State to implement subdivision (h), the department shall implement subdivision (h) through management bulletins or similar letters of instruction on or before October 1, 2017.

(2) The department shall initiate a rulemaking action to implement subdivision (h) on or before December 31, 2018. The department shall convene a workgroup of parents, advocates, department staff, child development program representatives, and other stakeholders to develop recommendations regarding implementing subdivision (h).

(k) Public funds shall not be paid directly or indirectly to an agency that does not pay at least the minimum wage to each of its employees.

(*l*) This section shall become inoperative on July 1, 2019, and, as of January 1, 2020, is repealed.

SEC. 2. Section 8263 of the Education Code, as added by Section 7 of Chapter 945 of the Statutes of 2018, is amended to read:

8263. (a) (1) The Superintendent shall adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement this chapter. In order to be

eligible for federal and state subsidized child development services, families shall meet at least one requirement in each of the following areas:

(A) A family is (i) a current aid recipient, (ii) income eligible, (iii) homeless, or (iv) one whose children are recipients of protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

(B) A family needs the ~~child care~~ childcare services (i) because the child is 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 (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (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, or (V) incapacitated.

(2) A family shall be eligible for a California state preschool program without meeting the requirements of subparagraph (B) of paragraph (1).

~~(2)~~

(3) If only one parent has signed an application for enrollment in ~~child care~~ childcare services, as required by this chapter or regulations adopted to implement this chapter, and the information provided on the application indicates that there is a second parent who has not signed the application, the parent who has signed the application shall self-certify the presence or absence of the second parent under penalty of perjury. The parent who has signed the application shall not be required to submit additional information documenting the presence or absence of the second parent.

(b) Except as provided in Article 15.5 (commencing with Section 8350), priority for federal and state subsidized child development services is as follows:

(1) First priority shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If an agency is unable to enroll a child in the first priority category, the agency shall refer the family to local resource and referral services to locate services for the child.

(2) Second priority shall be given equally to eligible families, regardless of the number of parents in the home, who are income eligible. Within this priority, families with the lowest gross monthly income in relation to family size, as determined by a schedule adopted by the Superintendent, shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with exceptional needs shall be admitted first. If there is no family of the same priority with a child with exceptional needs, the same priority family that has been on the waiting list for the longest time shall be admitted first. For purposes of determining order of admission, the grants of public assistance recipients shall be counted as income.

(3) The Superintendent shall set criteria for, and may grant specific waivers of, the priorities established in this subdivision for agencies that wish to serve specific populations, including children with exceptional needs or children of prisoners. These new waivers shall not include proposals to avoid appropriate fee schedules or admit

ineligible families, but may include proposals to accept members of special populations in other than strict income order, as long as appropriate fees are paid.

(c) Notwithstanding any other law, in order to promote continuity of services, a family enrolled in a state or federally funded ~~child care~~ childcare and development program whose services would otherwise be terminated because the family no longer meets the program income, eligibility, or need criteria may continue to receive child development services in another state or federally funded ~~child care~~ childcare and development program if the contractor is able to transfer the family's enrollment to another program for which the family is eligible before the date of termination of services or to exchange the family's existing enrollment with the enrollment of a family in another program, provided that both families satisfy the eligibility requirements for the program in which they are being enrolled. The transfer of enrollment may be to another program within the same administrative agency or to another agency that administers state or federally funded ~~child care~~ childcare and development programs.

(d) A physical examination and evaluation, including age-appropriate immunization, shall be required before, or within six weeks of, enrollment. A standard, rule, or regulation shall not require medical examination or immunization for admission to a ~~child care~~ childcare and development program of a child whose parent or guardian files a letter with the governing board of the ~~child care~~ childcare and development program stating that the medical examination or immunization is contrary to ~~his or her~~ the parent's or guardian's religious beliefs, or provide for the exclusion of a child from the program because of a parent or guardian having filed the letter. However, if there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the program until the governing board of the ~~child care~~ childcare and development program is satisfied that the child is not suffering from that contagious or infectious disease.

(e) Regulations formulated and promulgated pursuant to this section shall include the recommendations of the State Department of Health Care Services relative to health care screening and the provision of health care services. The Superintendent shall seek the advice and assistance of these health authorities in situations where service under this chapter includes or requires care of children who are ill or children with exceptional needs.

(f) The Superintendent shall establish guidelines for the collection of employer-sponsored ~~child care~~ childcare benefit payments from a parent whose child receives subsidized ~~child care~~ childcare and development services. These guidelines shall provide for the collection of the full amount of the benefit payment, but not to exceed the actual cost of ~~child care~~ childcare and development services provided, notwithstanding the applicable fee based on the fee schedule.

(g) The Superintendent shall establish guidelines according to which the director or a duly authorized representative of the ~~child care~~ childcare and development program will certify children as eligible for state reimbursement pursuant to this section.

(h) (1) Except as provided in paragraphs (2) and (3), upon establishing initial eligibility or ongoing eligibility for services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 12 months, shall receive those services for not less than 12 months before having their eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 12 months.

(2) 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 subdivision (b) of Section 8263.1, and the family's ongoing eligibility for services shall at that time be recertified.

(3) 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.

(i) (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 (h), a payment made by a child development 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 ~~his or her~~ the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(j) (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 of this code, until regulations are filed with the Secretary of State to implement subdivision (h), the department shall implement subdivision (h) through management bulletins or similar letters of instruction on or before October 1, 2017.

(2) The department shall initiate a rulemaking action to implement subdivision (h) on or before December 31, 2018. The department shall convene a workgroup of parents, advocates, department staff, child development program representatives, and other stakeholders to develop recommendations regarding implementing subdivision (h).

(k) Public funds shall not be paid directly or indirectly to an agency that does not pay at least the minimum wage to each of its employees.

(*l*) This section shall become operative on July 1, 2019.

SEC. 3. Section 14002.05 is added to the Education Code, to read:

14002.05. Notwithstanding any other law, the following provisions govern transfers to Section A of the State School Fund:

(a) State moneys appropriated in support of the programs listed in subdivision (a) of Section 14041 and appropriated pursuant to Section 8.5 of Article XVI of the California Constitution and Section 41300.1 shall be transferred to Section A of the State School Fund for allocation in the amount and manner specified for each program. The moneys appropriated shall be applied to meet the requirements of Section 6 of Article IX of the California Constitution.

(b) State moneys appropriated in support of elementary and secondary education programs other than those described in subdivision (a) shall not be transferred to Section A of the State School Fund, but shall be deemed transferred to Section A of the State School Fund and shall be applied to meet the requirements of Section 6 of Article IX of the California Constitution, as specified in Section 41975.

SEC. 4. Section 17375 of the Education Code is amended to read:

17375. (a) ~~For~~ (1) The Full-Day Kindergarten Facilities Grant Program is hereby established, under the administration of the State Allocation Board pursuant to the requirements of this section, to provide one-time grants to school districts to construct

new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms pursuant to Section 8973.

(2) Moneys appropriated pursuant to this section shall be deposited in the Full-Day Kindergarten Facilities Account, hereby created in the State Treasury, administered by the State Allocation Board.

(3) For the 2018–19 fiscal year, the sum of one hundred million dollars ($100,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants ~~to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms pursuant to Section 8973. Funds appropriated pursuant to this subdivision shall be deposited in the Full-Day Kindergarten Facilities Account, hereby created in the State Treasury, administered by the State Allocation Board. The grant program shall be administered by the State Allocation Board.~~ as specified in this section.

(4) (A) For the 2019–20 fiscal year, the sum of seven hundred fifty million dollars ($750,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section.

(B) (i) Of the moneys allocated to a school district from the appropriation made pursuant to this paragraph, savings and interest achieved upon full completion of an approved project, and as a result of a school district's efficient and prudent expenditure of the moneys allocated, may be used for professional development or instructional materials to build capacity for the implementation of a full-day kindergarten program, or high priority capital outlay purposes identified by the school district and in accordance with subdivision (f), associated regulations, and any accompanying grant agreement.

(ii) Notwithstanding any other law, for purposes of the funds appropriated by this paragraph only, a school district may retain and use savings and interest pursuant to clause (i) even if it receives financial hardship assistance pursuant to Section 17075.10.

(b) (1) The State Allocation Board shall award grants to school districts that lack the facilities to provide full-day kindergarten as required for eligibility pursuant to Sections 17071.25 and 17072.10 or that lack facilities that satisfy the design requirements required for new kindergarten classrooms as specified in paragraph (2) of subdivision (h) of Section 14030 of Title 5 of the California Code of Regulations.

(2) Priority for grants shall be given to school districts that meet either of the following criteria:

(A) The school district is financially unable to contribute a portion of, or all of, the local matching share required pursuant to paragraph (3), and meets the requirements for financial hardship pursuant to Section 17075.10.

(B) The school district is located in an underserved community with a high population of pupils who are eligible for free or reduced-price meals pursuant to Section 42238.01.

(3) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10, a school district that applies for a grant pursuant to this section for new construction shall provide 50 percent of the cost of the project, and a school district that applies for a grant pursuant to this section for a retrofit project shall provide 40 percent of the cost of the project.

(4) A school district seeking a grant from moneys in the Full-Day Kindergarten Facilities Account shall provide the Office of Public School Construction with schoolsite

enrollment data for the year in which its application is processed and the three immediately preceding years. The Office of Public School Construction shall use this data to verify the schoolsite's overall need for funding pursuant to this section based on the schoolsite's enrollment patterns. As part of this verification, the Office of Public School Construction shall determine if the schoolsite's need for funding shall be limited to retrofit projects.

(c) (1) The State Allocation Board shall release disbursements of grant funds to school districts with approved applications for new construction, to the extent funds are available for the state's 50 percent matching share, if the school district has provided its 50 percent local matching share, unless the school district meets the requirements for financial hardship pursuant to Section 17075.10, and upon certification by the school district that the school district has entered into a binding contract for completion of the approved project.

(2) The State Allocation Board shall release disbursements of grant funds to school districts with approved applications for retrofit projects, to the extent funds are available for the state's 60 percent matching share, if the school district has provided its 40 percent local matching share, unless the school district meets the requirements for financial hardship pursuant to Section 17075.10, and upon certification by the school district that the school district has entered into a binding contract for completion of the approved project.

(d) The State Allocation Board shall allocate funds to school districts using the same maximum grant eligibility amounts that are used for purposes of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10), as set forth in Sections 17072.10 and 17072.11 for new construction, and as set forth in Section 17074.10 for retrofit projects.

(e) As a condition of receiving grant funds pursuant to this section, and before the release of those funds, the school district shall execute and submit a grant agreement consistent with the applicable sections of the grant agreement specified in Section 1859.90.4 of Title 2 of the California Code of Regulations.

(f) (1) A school district may use grant funds awarded for new construction on costs necessary to adequately house kindergarten pupils in an approved project, which may include only the following:

(A) The costs of design, engineering, testing, inspections, plan checking, construction management, site acquisition and development, evaluation and response action costs relating to hazardous substances at a new or existing schoolsite, demolition, construction, landscaping, necessary utility costs, utility connections and other related fees, equipment including telecommunication equipment to increase school security, furnishings, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

(B) The costs of acquiring an existing government-owned or privately owned building, or a privately financed school building, and the necessary costs of converting the government-owned or privately owned building for public school use.

(2) (A) A school district may use grant funds awarded for a retrofit project to retrofit an existing school facility to adequately house kindergarten pupils, which may only include the costs of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, necessary utility costs, utility connection and other related fees, the purchase and installation of air-conditioning

equipment and insulation materials and related costs, furniture and equipment, including telecommunication equipment to increase school security, fire safety improvements, playground safety improvements, the identification, assessment, or abatement of hazardous asbestos, seismic safety improvements, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

(B) Grant funds awarded for a retrofit project shall not be used for costs associated with acquisition and development of real property or for routine maintenance and repair.

(g) The State Allocation Board may adopt regulations to implement this section. Any regulations adopted pursuant to this section may be adopted as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of the Title 2 of the Government Code). The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

(h) Notwithstanding any other law, a school district shall be subject, with regard to this section, to audit conducted pursuant to Section 41024.

(i) The Office of Public School Construction shall report to the Director of Finance, and shall post on its ~~Internet Web site,~~ internet website, information regarding the use of grant funds that have been made available to school districts during the fiscal year pursuant to this section.

(j) The Department of General Services may charge its administrative costs against the Full-Day Kindergarten Facilities Account, which shall be subject to the approval of the Department of Finance and which shall not exceed 2.5 percent of the account.

(k) Funds made available to school districts pursuant to this article shall supplement, not supplant, existing funds available for school facilities construction.

SEC. 5. Section 41202 of the Education Code is amended to read:

41202. The words and phrases set forth in subdivision (b) of Section 8 of Article XVI of the Constitution of the State of California shall have the following meanings:

(a) "Moneys to be applied by the State," as used in subdivision (b) of Section 8 of Article XVI of the California Constitution, means appropriations from the General Fund that are made for allocation to school districts, as defined, or community college districts. An appropriation that is withheld, impounded, or made without provisions for its allocation to school districts or community college districts shall not be considered to be "moneys to be applied by the State."

(b) "General Fund revenues which may be appropriated pursuant to Article XIII B," as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means General Fund revenues that are the proceeds of taxes as defined by subdivision (c) of Section 8 of Article XIII B of the California Constitution, including, for the 1986–87 fiscal year only, any revenues that are determined to be in excess of the appropriations limit established pursuant to Article XIII B of the California Constitution for the fiscal year in which they are received. General Fund revenues for a fiscal year to which paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution is being applied shall include, in that computation, only General Fund revenues for that fiscal year that are the proceeds

of taxes, as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, and shall not include prior fiscal year revenues. Commencing with the 1995–96 fiscal year, and each fiscal year thereafter, "General Fund revenues that are the proceeds of taxes," as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, includes any portion of the proceeds of taxes received from the state sales tax that are transferred to the counties pursuant to, and only if, legislation is enacted during the 1995–96 fiscal year the purpose of which is to realign children's programs. The amount of the proceeds of taxes shall be computed for any fiscal year in a manner consistent with the manner in which the amount of the proceeds of taxes was computed by the Department of Finance for purposes of the Governor's Budget for the Budget Act of 1986 (Chapter 186 of the Statutes of 1986).

(c) "General Fund revenues appropriated for school districts," as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, regardless of whether those appropriations were made from the General Fund to the Superintendent, to the Controller, or to any other fund or state agency for the purpose of allocation to school districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(d) "General Fund revenues appropriated for community college districts," as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(e) "Total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, and community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Superintendent, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to school districts and community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(f) "General Fund revenues appropriated for school districts and community college districts, respectively" and "moneys to be applied by the state for the support of school districts and community college districts," as used in Section 8 of Article XVI of the California Constitution, shall include funds appropriated to local educational agencies, as defined in Section 8208, for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1, funds appropriated to local educational agencies, as defined in ~~subdivision (a) of~~ Section 8208, to create a full day of care for children participating in the California state preschool program, and funds appropriated for the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1, and shall not include any of the following:

(1) Any appropriation that is not made for allocation to a school district, as defined in Section 41302.5, or to a community college district, regardless of whether the appropriation is made for any purpose that may be considered to be for the benefit to a school district, as defined in Section 41302.5, or a community college district. This paragraph shall not be construed to exclude any funding appropriated to local educational agencies, as defined in Section 8208, for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1, to local educational agencies, as defined in Section 8208, to create a full day of care for children participating in the California state preschool program, or for the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1.

(2) Any appropriation made to the Teachers' Retirement Fund or to the Public Employees' Retirement Fund except those appropriations for reimbursable state mandates imposed on or before January 1, 1988.

(3) Any appropriation made to service any public debt approved by the voters of this state.

(4) With the exception of the programs identified in paragraph (1), commencing with the 2011–12 fiscal year, any funds appropriated for the Child Care and Development Services Act, pursuant to Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1.

(g) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for school districts as defined, those local revenues, except revenues identified pursuant to paragraph (5) of subdivision (j) of Section 42238.02, that are used to offset state aid for school districts in calculations performed pursuant to Sections 2558 and 42238 and Chapter 7.2 (commencing with Section 56836) of Part 30.

(h) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for community college districts, those local revenues that are used to offset state aid for community college districts. In no event shall the revenues or receipts derived from student fees be considered "allocated local proceeds of taxes."

(i) For purposes of calculating the 4-percent entitlement pursuant to subdivision (a) of Section 8.5 of Article XVI of the California Constitution, "the total amount required pursuant to Section 8(b)" shall mean the General Fund aid required for schools

pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, and shall not include allocated local proceeds of taxes.

(j) This section shall become inoperative on December 15, 2012, and, as of January 1, 2013, is repealed, only if the Schools and Local Public Safety Protection Act of 2012 (Attorney General reference number 12-0009) is not approved by the voters at the November 6, 2012, statewide general election, or if the provisions of that act that modify personal income tax rates do not become operative due to a conflict with another initiative measure that is approved at the same election and receives a greater number of affirmative votes.

SEC. 6. Section 41202.5 of the Education Code is amended to read:

41202.5. (a) The Legislature finds and declares both of the following:

(1) The Legislature acted to implement Proposition 98 soon after its passage by defining "total allocations to school districts and community college districts from General Fund proceeds of taxes" to include the entirety of programs funded under the Child Care and Development Services Act (Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1).

(2) In California Teachers Assn. v. Hayes (1992) 5 Cal.App.4th 1513, the Court of Appeal permitted the inclusion of child care within the Proposition 98 minimum funding guarantee but left open the possibility of excluding particular child care programs that did not directly advance and support the educational mission of school districts.

(b) It is the intent of the Legislature to clarify that the part-time state preschool programs and the After School Education and Safety Program fall within the Proposition 98 minimum guarantee and to fund other child care programs less directly associated with school districts from appropriations that do not count toward the Proposition 98 minimum guarantee.

(c) Notwithstanding any other law, for purposes of making the computations required by subdivision (b) of Section 8 of Article XVI of the California Constitution in the 2011–12 fiscal year and each subsequent fiscal year, both of the following apply:

(1) For purposes of paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, "General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87" does not include General Fund revenues appropriated for any program within Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1, with the exception of (A) funds appropriated to local educational agencies, as defined in Section 8208, for the part-day California state preschool programs set forth in Article 7 (commencing with Section 8235), (B) funds appropriated to local educational agencies, as defined in ~~subdivision (a) of~~ Section 8208, to create a full day of care for children participating in the California state preschool program, and (C) the After School Education and Safety Program in Article 22.5 (commencing with Section 8482). The Director of Finance shall adjust accordingly "the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87," for purposes of applying that percentage in the 2011–12 fiscal year and each subsequent fiscal year in making the calculations required under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(2) General Fund revenues appropriated in the 2010–11 fiscal year or any subsequent fiscal year for any program within Chapter 2 (commencing with Section

8200) of Part 6 of Division 1 of Title 1, with the exception of (A) funds appropriated to local educational agencies, as defined in Section 8208, for the part-day California state preschool programs set forth in Article 7 (commencing with Section 8235), (B) funds appropriated to local educational agencies, as defined in ~~subdivision (a)~~ of Section 8208, to create a full day of care for children participating in the California state preschool program, and (C) the After School Education and Safety Program in Article 22.5 (commencing with Section 8482), are not included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" for purposes of paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

SEC. 7. Section 41203.1 of the Education Code is amended to read:

41203.1. (a) For the 1990–91 fiscal year and each fiscal year thereafter, allocations calculated pursuant to Section 41203 shall be distributed in accordance with calculations provided in this section. Notwithstanding Section 41203, and for purposes of this section, school districts, community college districts, and direct elementary and secondary level instructional services provided by the State of California shall be regarded as separate segments of public education, and each of these three segments of public education shall be entitled to receive respective shares of the amount calculated pursuant to Section 41203 as though the calculation made pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution were to be applied separately to each segment and the base year for purposes of this calculation under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution were based on the 1989–90 fiscal year. Calculations made pursuant to this subdivision shall be made so that each segment of public education is entitled to the greater of the amounts calculated for that segment pursuant to paragraph (1) or (2) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

(b) If the single calculation made pursuant to Section 41203 yields a guaranteed amount of funding that is less than the sum of the amounts calculated pursuant to subdivision (a), the amount calculated pursuant to Section 41203 shall be prorated for the three segments of public education.

(c) Notwithstanding any other law, this section does not apply to the 1992–93 to the ~~2018–19~~ 2019–20 fiscal years, inclusive.

SEC. 8. Section 41207.46 is added to the Education Code, to read:

41207.46. (a) If the Superintendent and the Director of Finance jointly determine that, for the 2018–19 fiscal year, the state has applied moneys for the support of school districts and community college districts in an amount that exceeds the minimum funding obligation required for the 2018–19 fiscal year pursuant to Section 8 of Article XVI of the California Constitution, the excess, up to four hundred seventy-five million two hundred sixty-three thousand dollars ($475,263,000), shall be deemed, as of June 30, 2019, a payment in satisfaction of the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2009–10 and 2011–12 fiscal years.

(b) The amount described in subdivision (a) shall be allocated to school districts and community colleges, as described in subdivision (a) of Section 41203.1, in accordance with the following:

(1) Up to four hundred thirty-four million eight hundred ninety-two thousand dollars ($434,892,000) shall be deemed, as of June 30, 2019, a payment in satisfaction

of the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2009–10 fiscal year.

(2) Up to forty million three hundred seventy-one thousand dollars ($40,371,000) shall be deemed, as of June 30, 2019, a payment in satisfaction of the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2011–12 fiscal year.

SEC. 9. Section 41207.47 is added to the Education Code, to read:

41207.47. (a) (1) The sum of two hundred eleven million three hundred twenty-nine thousand dollars ($211,329,000) is hereby appropriated in the 2019–20 fiscal year from the General Fund to the Controller for allocation to school districts and community colleges for purposes of reducing the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the 2011–12, 2013–14, 2014–15, and 2016–17 fiscal years.

(2) The amount appropriated pursuant to paragraph (1) shall be allocated to school districts and community college districts, as described in subdivision (a) of Section 41203.1, in accordance with the following:

(A) One hundred seventy-seven million six hundred twelve thousand dollars ($177,612,000) to the Controller for allocation by the Superintendent for special education capacity building, infrastructure, and supports pursuant to Section 56836.41.

(B) Thirty-three million seven hundred seventeen thousand dollars ($33,717,000) to the Controller for allocation by the Chancellor of the California Community Colleges to community college districts for the Strong Workforce Program pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3.

(b) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), seven million two hundred forty-eight thousand dollars ($7,248,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2011–12 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

(c) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), one hundred seventy-one million nine hundred thirty-seven thousand dollars ($171,937,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2013–14 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

(d) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), thirty-one million five hundred eleven thousand dollars ($31,511,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2014–15

fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

(e) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), six hundred thirty-three thousand dollars ($633,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2016–17 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

SEC. 10. Section 44225.6 of the Education Code is amended to read:

44225.6. (a) By April 15 of each year, the commission shall report to the Legislature and the Governor on the availability of teachers in California. This report shall include all of the following information:

(1) The number of individuals recommended for credentials by institutions of higher education and each type of credential, certificate, or authorization for which they were recommended, including authorizations issued pursuant to Sections 44253.3 and 44253.4.

(2) The number of individuals recommended by school districts operating district internship programs and each type of credential, certificate, or authorization for which they were recommended, including authorizations issued pursuant to Sections 44253.3 and 44253.4.

(3) The number of individuals receiving an initial credential based on a program completed outside of California and each type of credential, certificate, or authorization for which they were recommended, including authorizations issued pursuant to Sections 44253.3 and 44253.4.

(4) The number of individuals receiving an emergency ~~permit, credential waiver, or other authorization that does not meet the definition of a highly qualified teacher under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).~~ permit or credential waiver.

(5) The number of individuals receiving the certificate of completion of staff development in methods of specially designed content instruction delivered in English ~~pursuant to subdivision (d) of Section 44253.10 and, separately,~~ pursuant to paragraph (1) of subdivision ~~(e)~~ (d) of Section 44253.11.

(6) Statewide, by county, and by school district, the number of individuals serving in the following capacities and as a percentage of the total number of individuals serving as teachers statewide, in the county, and in the school district:

(A) University internship.

(B) District internship.

~~(C) Preinternship.~~

~~(D)~~

(C) Emergency permit.

~~(E)~~

(D) Credential waiver.

~~(F)~~

(E) Preliminary or clear credential.

~~(G) An authorization, other than those listed in this paragraph, that does not meet the definition of a highly qualified teacher under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) by category of authorization.~~

~~(H)~~

(F) An authorization issued pursuant to Section 44253.3.

~~(I)~~

(G) Certificates or authorizations issued pursuant to Section 44253.3, 44253.4, 44253.10, or 44253.11, if available.

~~(J)~~

(H) The number of individuals serving English learner pupils in settings calling for English language development, in settings calling for specially designed academic instruction in English, or in primary language instruction, without the appropriate authorization under Section 44253.3, 44253.4, 44253.10, or 44253.11, or under another statute, if available. The commission may ~~utilize~~ use data from the department's Annual Language Census Survey to report the data required pursuant to this paragraph.

(7) The specific subjects and teaching areas in which there are a sufficient number of new holders of credentials to fill the positions currently held by individuals with emergency permits.

(b) The commission shall make this report available to school districts and county offices of education to assist them in the recruitment of credentialed teachers and shall make the report and supporting data publicly available on the commission's ~~Web site.~~ internet website.

(c) A common measure of whether teacher preparation programs are meeting the challenge of preparing increasing numbers of new teachers is the number of teaching credentials awarded. The number of teaching credentials recommended by these programs and awarded by the commission ~~are indicators~~ is an indicator of the productivity of teacher preparation programs. The commission shall include in the report prepared for the Legislature and the Governor pursuant to subdivision (a) the total number of teaching credentials recommended by all accredited teacher preparation programs authorized by the commission and the number recommended by each of the following:

(1) The University of California system.

(2) The California State University system.

(3) Independent colleges and universities that offer teacher preparation programs approved by the commission.

(4) Other institutions that offer teacher preparation programs approved by the commission.

(d) The commission may use information obtained from the department, including, but not necessarily limited to, information obtained pursuant to Section 44258.9 for the purposes of this section.

~~(d)~~

(e) For purposes of this section, "authorization" has the same meaning as defined in subdivision (d) of Section 44203.

SEC. 11. Section 44226 is added to the Education Code, to read:

44226. The commission may receive donations, bequests, grants, and philanthropic funding, subject to such conditions or restrictions as the Executive Director

may deem advisable, and subject to the approval of the Director of Finance as provided in Section 11005 of the Government Code.

SEC. 12. Section 44230.5 of the Education Code is amended to read:

44230.5. The commission shall establish a nonpersonally identifiable educator identification number for each educator to whom it issues a credential, certificate, permit, or other document authorizing that individual to provide a service in the public schools. The nonpersonally identifiable educator identification number shall be used for sharing data, including, but not limited to, information obtained pursuant to Section 44258.9, with local educational agencies and the department.

SEC. 13. Section 44253.10 of the Education Code is amended to read:

44253.10. (a) A teacher with a basic teaching credential may be assigned to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2, to limited-English-proficient pupils only if both of the following conditions are met:

(1) The teacher, as of January 1, 1999, is a permanent employee of a school district, a county office of education, or a school administered under the authority of the ~~Superintendent of Public Instruction,~~ Superintendent, or was previously a permanent employee and then was employed in any California public school district within 39 months of the previous permanent status, or has been employed in a school district with an average daily attendance of not more than 250 for at least two years.

(2) The teacher completes 45 clock hours of staff development in methods of specially designed content instruction delivered in English ~~prior to~~ before January 1, 2008. The extension of the date by which a teacher is required to complete this staff development may not be construed as authorizing teachers to teach limited-English-proficient pupils without a certificate issued pursuant to this section or Sections 44253.3 and 44253.4.

(b) The commission, in consultation with the ~~Superintendent of Public Instruction,~~ Superintendent, shall establish guidelines for the provision of staff development pursuant to this section. The commission and the superintendent shall use their best efforts to establish these guidelines as soon as possible, but in no event later than January 1, 1996. Staff development pursuant to this section shall be consistent with the commission's guidelines.

(1) To ensure the highest standards of program quality and effectiveness, the guidelines shall include quality standards for the persons who train others to perform staff development training and for those who provide the training. The guidelines may require that teachers who qualify to provide instruction pursuant to paragraph (1) of subdivision (d) include a portion, within the total 45 clock hours of training provided in paragraph (2) of subdivision (a), in English language development.

(2) The guidelines for training to meet the requirements of paragraph (1) of subdivision (d) may provide for 20 hours, or fewer hours as the commission may specify, of training in any aspect of English language development or specially designed content instruction delivered in English.

(3) The guidelines shall require that the staff development offered pursuant to this section be aligned to the teacher preparation leading to the issuance of a certificate pursuant to Section 44253.3 and any amendments made to that section. This alignment, however, may not result in any increase in the number of hours of staff development necessary to meet the requirements of this section.

(4) The guidelines and standards established by the commission to implement this section shall require and maintain compliance with any requirements mandated by federal law for purposes of assuring continued federal financial assistance.

(5) The commission shall review staff development programs in relation to the guidelines and standards established pursuant to this section. The review shall include all programs offered pursuant to this section except programs previously approved pursuant to subdivision (c). If the commission finds that a program meets the applicable guidelines and standards, the commission shall forward a report of its findings to the chief executive officer of the sponsoring school district, county office of education, or regionally accredited college or university. If the commission finds that a program does not meet the applicable guidelines or standards, or both, the report of the commission shall specify the areas of noncompliance and the time period in which a second review shall occur. If a second review of a program by the commission reveals a pattern of continued noncompliance with the applicable guidelines or standards, or both, the sponsoring agency shall not offer the program to teachers who have not already enrolled in it. The effective date for ~~California Commission on Teacher Credentialing~~ commission approval of staff development programs not currently approved as of January 1, 2000, shall be on or before January 1, 2002, except for persons already enrolled in programs by January 1, 2002.

(6) By December 4, 2007, the commission shall report to the Legislature on the status of the 45-hour and the 90-hour alternative programs, including the strengths and weaknesses of the process and programs. In preparing the report, the commission shall include a summary of its review pursuant to paragraph (5) of the staff development programs.

(c) The staff development may be sponsored by any school district, county office of education, or regionally accredited college or university that meets the standards included in the guidelines established pursuant to this subdivision or any organization that meets those standards and is approved by the commission. Any equivalent three semester unit or four quarter unit class may be taken by the teacher at a regionally accredited college or university to satisfy the staff development requirement described in either subdivision (a) or (d), or both. Once the commission has made a determination that a college or university class is equivalent, no further review of the class shall be required pursuant to paragraph (5) of subdivision (b), regardless of the date of the initial review.

(d) (1) A teacher who completes the staff development described in subdivision (a) shall be awarded a certificate of completion of staff development in methods of specially designed content instruction delivered in English.

(2) A teacher who completes the staff development described in subdivision (a) may provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2, and instruction for English language development, as defined in subdivision (a) of Section 44253.2, in any departmentalized teaching assignment consistent with the authorization of the teacher's basic credential. This authorization also applies to teachers who completed the required staff development before the effective date of the amendments made to this section by the act adding this authorization.

(3) A teacher who completes the staff development described in subdivision (a) may not be assigned to provide content instruction delivered in the pupil's primary language, as defined in subdivision (c) of Section 44253.2.

(4) A teacher who completes the staff development described in subdivision (a) may be assigned to provide instruction for English language development, as defined in subdivision (a) of Section 44253.2, in a self-contained classroom under either of the following circumstances:

(A) The teacher has taught for at least nine years in California public schools, certifies that ~~he or she~~ the teacher has had experience or training in teaching limited-English-proficient pupils, and authorizes verification by the entity that issues the certificate of completion. The teacher shall be awarded a certificate of completion in methods of instruction for English language development in a self-contained classroom.

(B) The teacher has taught for less than nine years in California public schools, or has taught for at least nine years in California public schools but is unable to certify that ~~he or she~~ the teacher has had experience or training in teaching limited-English-proficient pupils, but has, within three years of completing the staff development described in subdivision (a), completed an additional 45 hours of staff development, including specially designed content instruction delivered in English and English language development training, as set forth in the guidelines developed pursuant to subdivision (b). Upon completion of this additional staff development, the teacher shall be awarded a certificate of completion in methods of instruction for English language development in a self-contained classroom.

(e) During the period in which a teacher is pursuing the training specified in paragraph (2) of subdivision (a) or subdivision (d), or both, including the period for the assessment and awarding of the certificate, the teacher may be provisionally assigned to provide instruction for English language development, as defined in subdivision (a) of Section 44253.2, or to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2.

(f) (1) A teacher who completes the staff development with any provider specified in subdivision (c), and who meets the requirements of subdivision (a) or (d) for a certificate of completion of staff development in methods of specially designed content instruction delivered in English or English language development in a self-contained classroom, or both, shall be issued the certificate or certificates.

(2) A teacher who completes a staff development program in methods of specially designed content instruction delivered in English or English language development in a self-contained classroom, or both, who has been determined by the commission to meet the applicable guidelines and standards, pursuant to paragraph (5) of subdivision (b), shall receive a certificate or certificates of completion from the commission upon submitting an application, a staff development verification form to be furnished by the commission, and payment of a fee to be set by the commission, not to exceed forty-five dollars ($45).

(3) A person who is enrolled in, or who has completed a staff development program not approved by the commission ~~prior to~~ before January 1, 2002, may, until the date of January 1, 2003, apply to any of the following agencies for the certificate or certificates, but the teacher shall be issued the certificate or certificates by only one of these agencies:

(A) The school district in which the teacher is a permanent employee.

(B) The county office of education in the county in which the teacher is an employee for an agency specified in paragraph (1) of subdivision (a).

(C) Any school district or county office of education that provides staff development pursuant to subdivision (c). Before issuing a certificate or certificates based on an equivalent class or classes, as provided for in subdivision (c), the issuing agency shall determine if the class or classes meet the guidelines established pursuant to subdivision (b).

(4) Any school district or county office of education that issues a certificate of completion shall forward a copy of the certificate to the ~~Commission on Teacher Credentialing~~ commission within 90 days of issuing the certificate.

(5) (A) An agency that issues a certificate or certificates of completion may charge the teacher requesting the certificate or certificates of completion a fee that will cover the actual costs of the agency in issuing, forwarding a copy to the commission, and paying any fee charged by the commission for receiving and servicing, the certificate or certificates of completion.

~~The~~

(B) The commission may charge the agency that forwards a copy of a certificate or certificates of completion a one-time fee to cover the actual costs to the commission to file the copy or copies, and to issue duplicates when requested by the teacher. The fee shall not exceed an amount equal to one-half the fee the commission charges for issuing a credential.

(g) The certificate of completion is valid in all California public schools. A teacher who has been issued a certificate of completion may be assigned indefinitely to provide the instructional services named on the certificate in any school district, county office of education, or school administered under the authority of the ~~Superintendent of Public Instruction.~~ Superintendent.

(h) Teacher assignments made in accordance with subdivision (a) of this section shall be included in the ~~reports required by subdivisions (a) and (c) of~~ report and data file prepared by the commission pursuant to Section 44258.9.

(i) The governing board of each school district shall make reasonable efforts to provide limited-English-proficient pupils in need of English language development instruction with teachers who hold appropriate credentials, language development specialist certificates, or cross-cultural language and academic development certificates that authorize English language development instruction. However, any teacher awarded a certificate or certificates of completion shall be deemed certificated and competent to provide the services listed on that certificate of completion. A teacher who completes staff development pursuant to this section may use those hours of staff development to meet the requirements of subdivision (b) of Section 44277.

(j) Any teacher completing staff development pursuant to this section shall be credited with three semester units or four quarter units for each block of 45 hours of staff development completed for the purpose of meeting the requirements set forth in subdivision (b) of Section 44253.3.

(k) Any school district may use funds allocated to it for the purposes of Chapter 3.1 (commencing with Section 44681) to provide staff development pursuant to this section.

SEC. 14. Section 44253.11 of the Education Code is amended to read:

44253.11. (a) A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a course that meets the minimum requirements of staff development in methods of specially designed content instruction delivered in English, as described in Section 44253.3, 44253.4, 44253.7, or 44253.10.

(b) The commission, in consultation with the Superintendent, shall establish guidelines for the provision of staff development pursuant to this section that are at least as rigorous as the guidelines established pursuant to Section 44253.10. The commission and the Superintendent may designate guidelines established pursuant to Section 44253.10 in satisfaction of this subdivision. Staff development pursuant to this section shall be consistent with the guidelines of the commission.

(1) To ensure the highest standards of program quality and effectiveness, the guidelines shall include quality standards applicable to persons who train others to perform staff development training, as well as for persons who provide the training.

(2) The guidelines shall require that staff development offered pursuant to this section be aligned with the teacher preparation that leads to the issuance of a certificate pursuant to Section 44253.3.

(3) The guidelines and standards established by the commission to implement this section shall comply with federal law.

(4) The commission shall review staff development programs in relation to the guidelines and standards established pursuant to this section. The review shall include all programs offered pursuant to this section. If the commission finds that a program meets the applicable guidelines and standards, the commission shall forward a report of its findings to the chief executive officer of the sponsoring school district, county office of education, or regionally accredited college or university. If the commission finds that a program does not meet the applicable guidelines or standards, or both, the report of the commission shall specify the areas of noncompliance and the time period in which a second review must occur. If a second review reveals a pattern of continued noncompliance with the applicable guidelines or standards, or both, the sponsoring agency shall be prohibited from continuing to offer the program to teachers.

(c) The staff development may be sponsored by a school district, county office of education, or regionally accredited college or university that meets the standards included in the guidelines established pursuant to this section or an organization that meets those standards and that is approved by the commission. An equivalent course may be taken by a teacher at a regionally accredited college or university in order to satisfy the staff development requirement. Once the commission makes a determination that a college or university class is equivalent, no further review of the class shall be required.

(d) (1) A teacher who completes the staff development described in this section shall be awarded a certificate of completion in methods of specially designed content instruction delivered in English.

(2) A teacher who completes the staff development described in this section is allowed to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2.

(3) A teacher who completes the staff development described in this section may not be assigned to provide content instruction delivered in the primary language of the pupil, as defined in subdivision (c) of Section 44253.2.

(e) A teacher who completes a staff development program in methods of specially designed content instruction delivered in English pursuant to this section shall receive a certificate of completion from the commission upon submitting an application, a staff development verification form to be furnished by the commission and payment of a fee, as determined by the commission, not to exceed forty-five dollars ($45).

(f) The certificate of completion is valid in all public schools. A teacher who has been issued a certificate of completion may be assigned indefinitely to provide the instructional services named on the certificate in a school district, county office of education, or school administered under the authority of the Superintendent.

(g) Teacher assignments made in accordance with this section shall be included in the ~~reports~~ report required by ~~Sections~~ Section 44225.6 and the report and data file prepared by the commission pursuant to Section 44258.9.

(h) The governing board of each school district shall make reasonable efforts to provide limited-English-proficient pupils in need of English language development instruction with teachers who hold appropriate credentials, language development specialist certificates, or cross-cultural language and academic development certificates that authorize English language development instruction. However, a teacher awarded a certificate or certificates of completion pursuant to this section shall be deemed certificated and competent to provide the services listed on that certificate of completion.

(i) A teacher completing staff development pursuant to this section shall be credited with three semester units or four quarter units for each block of 45 clock hours completed for the purpose of meeting the requirements set forth in subdivision (b) of Section 44253.3.

SEC. 15. Section 44258.3 of the Education Code is amended to read:

44258.3. (a) The governing board of a school district may assign the holder of ~~a credential,~~ credential, other than an emergency permit, to teach any subjects in departmentalized classes in kindergarten or any of grades 1 to 12, inclusive, ~~provided that~~ if the governing board verifies, ~~prior to~~ before making the assignment, that the teacher has adequate knowledge of each subject to be taught and the teacher consents to that assignment. The governing board shall adopt policies and procedures for the purpose of verifying the adequacy of subject knowledge on the part of each of those teachers. The governing board shall involve subject matter specialists in the subjects commonly taught in the district in the development and implementation of the policies and procedures, and shall include in those policies and procedures both of the following:

(1) One or more of the following ways to assess subject matter competence:

(A) Observation by subject matter specialists, as defined in subdivision (d).

(B) Oral interviews.

(C) Demonstration lessons.

(D) Presentation of curricular portfolios.

(E) Written examinations.

(2) Specific criteria and standards for verifying adequacy of subject matter knowledge using any of the methods in paragraph ~~(1).~~ (1). The criteria shall include, but need not be limited to, evidence of the candidate's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject to be taught and the specific content of the course of study in the school district for the subject, at the grade level to be taught.

(b) Teaching assignments made pursuant to this section shall be valid only in that school district. The principal of the school, or other appropriate administrator, shall notify the exclusive representative of the certificated employees for that school district, as provided under Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, of each instance in which a teacher is assigned to teach classes pursuant to this section. ~~Any school district policy or procedures adopted and teaching assignments made pursuant to this section shall be included in the report required by subdivisions (a) and (c) of Section 44258.9.~~ The Commission on Teacher Credentialing may suspend the authority of a school district to use the teaching assignment option authorized by this section upon a finding that the school district has violated ~~the provisions of~~ this section.

(c) Nothing in this section shall be construed to alter the effect of Section 44955 with regard to the reduction by a school district governing board of the number of certificated employees.

(d) For ~~the~~ purposes of this section, "subject matter specialists" are mentor teachers, curriculum specialists, resource teachers, classroom teachers certified to teach a subject, staff to regional subject matter projects or curriculum institutes, or college faculty.

SEC. 16. Section 44258.9 of the Education Code is repealed.

~~44258.9. (a) The Legislature finds that continued monitoring of teacher assignments by county superintendents of schools will ensure that the rate of teacher misassignment remains low. To the extent possible and with funds provided for that purpose, each county superintendent of schools shall perform the duties specified in subdivisions (b) and (c).~~

~~(b) (1) Each county superintendent of schools shall monitor and review school district certificated employee assignment practices in accordance with the following:~~

~~(A) Annually monitor and review schools and school districts that are likely to have problems with teacher misassignments and teacher vacancies, as defined in subparagraphs (A) and (B) of paragraph (5) of subdivision (b) of Section 33126, based on past experience or other available information.~~

~~(B) Annually monitor and review schools ranked in deciles 1 to 3, inclusive, of the base Academic Performance Index, as specified in paragraph (2) of subdivision (c) of Section 1240, if those schools are not currently under review through a state or federal intervention program. If a review completed pursuant to this subparagraph finds that a school has no teacher misassignments or teacher vacancies for two consecutive years, the next review of that school may be conducted according to the cycle specified in subparagraph (C), unless the school meets the criteria of subparagraph (A).~~

~~(C) All other schools on a four-year cycle.~~

~~(2) Each county superintendent of schools shall investigate school and district efforts to ensure that a credentialed teacher serving in an assignment requiring a certificate issued pursuant to Section 44253.3, 44253.4, or 44253.7 or training pursuant to Section 44253.10 completes the necessary requirements for these certificates or completes the required training.~~

~~(3) The Commission on Teacher Credentialing shall be responsible for the monitoring and review of those counties or cities and counties in which there is a single school district, including the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco. All information related to the~~

~~misassignment of certificated personnel and teacher vacancies shall be submitted to each affected district within 30 calendar days of the monitoring activity.~~

~~(c) County superintendents of schools shall submit an annual report to the Commission on Teacher Credentialing and the department summarizing the results of all assignment monitoring and reviews. These reports shall include, but need not be limited to, the following:~~

~~(1) The numbers of teachers assigned and types of assignments made by the governing board of a school district under the authority of Sections 44256, 44258.2, and 44263.~~

~~(2) Information on actions taken by local committees on assignment, including the number of assignments authorized, subject areas into which committee-authorized teachers are assigned, and evidence of departures from the implementation plans presented to the county superintendent by school districts.~~

~~(3) Information on each school district reviewed regarding misassignments of certificated personnel, including efforts to eliminate these misassignments.~~

~~(4) (A) Information on certificated employee assignment practices in schools ranked in deciles 1 to 3, inclusive, of the base Academic Performance Index, as specified in paragraph (2) of subdivision (c) of Section 1240, to ensure that, at a minimum, in any class in these schools in which 20 percent or more pupils are English learners, the assigned teacher possesses a certificate issued pursuant to Section 44253.3 or 44253.4, or has completed training pursuant to Section 44253.10, or is otherwise authorized by statute.~~

~~(B) This paragraph shall not relieve a school district from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of "misassignment" in subparagraph (B) of paragraph (5) of subdivision (b) of Section 33126.~~

~~(5) After consultation with representatives of county superintendents of schools, other information as may be determined to be needed by the Commission on Teacher Credentialing.~~

~~(d) The Commission on Teacher Credentialing shall submit biennial reports to the Legislature concerning teacher assignments and misassignments that shall be based, in part, on the annual reports of the county superintendents of schools.~~

~~(e) (1) The Commission on Teacher Credentialing shall establish reasonable sanctions for the misassignment of credentialholders.~~

~~Prior to the implementation of regulations establishing sanctions, the Commission on Teacher Credentialing shall engage in a variety of activities designed to inform school administrators, teachers, and personnel within the offices of county superintendents of schools of the regulations and statutes affecting the assignment of certificated personnel. These activities shall include the preparation of instructive brochures and the holding of regional workshops.~~

~~(2) Commencing July 1, 1989, a certificated person who is required by an administrative superior to accept an assignment for which he or she has no legal authorization, after exhausting existing local remedies, shall notify the county superintendent of schools in writing of the illegal assignment. The county superintendent of schools, within 15 working days, shall advise the affected certificated person concerning the legality of his or her assignment. There shall be no adverse action taken against a certificated person who files a notification of misassignment with the county~~

~~superintendent of schools. During the period of the misassignment, the certificated person who files a written notification with the county superintendent of schools shall be exempt from Section 45034. If it is determined that a misassignment has taken place, any performance evaluation of the employee under Sections 44660 to 44664, inclusive, in any misassigned subject shall be nullified.~~

~~(3) The county superintendent of schools shall notify, through the office of the school district superintendent, a certificated school administrator responsible for the assignment of a certificated person to a position for which he or she has no legal authorization of the misassignment and shall advise him or her to correct the assignment within 30 calendar days. The county superintendent of schools shall notify the Commission on Teacher Credentialing of the misassignment if the certificated school administrator has not corrected the misassignment within 30 days of the initial notification, or if the certificated school administrator has not described, in writing, within the 30-day period, to the county superintendent of schools the extraordinary circumstances which make this correction impossible.~~

~~(4) The county superintendent of schools shall notify the superintendent of a school district in which 5 percent or more of all certificated teachers in the secondary schools are found to be misassigned of the misassignments and shall advise him or her to correct the misassignments within 120 calendar days. The county superintendent of schools shall notify the Commission on Teacher Credentialing of the misassignments if the school district superintendent has not corrected the misassignments within 120 days of the initial notification, or if the school district superintendent of schools has not described, in writing, within the 120-day period, to the county superintendent of schools the extraordinary circumstances that make this correction impossible.~~

~~(f) An applicant for a professional administrative service credential shall be required to demonstrate knowledge of existing credentialing laws, including knowledge of assignment authorizations.~~

~~(g) The Superintendent shall submit a summary of the reports submitted by county superintendents pursuant to subdivision (e) to the Legislature. The Legislature may hold, within a reasonable period after receipt of the summary, public hearings on pupil access to teachers and to related statutory provisions. The Legislature also may assign one or more of the standing committees or a joint committee, to determine the following:~~

~~(1) The effectiveness of the reviews required pursuant to this section.~~

~~(2) The extent, if any, of vacancies and misassignments, as defined in subparagraphs (A) and (B) of paragraph (5) of subdivision (b) of Section 33126.~~

~~(3) The need, if any, to assist schools ranked in deciles 1 to 3, inclusive, of the base Academic Performance Index, as defined in paragraph (2) of subdivision (c) of Section 1240, to eliminate vacancies and misassignments.~~

SEC. 17. Section 44258.9 is added to the Education Code, to read:

44258.9. (a) (1) The Legislature finds and declares that continued monitoring of certificated employee assignments by the commission to confirm that local educational agencies are in compliance with the requirements outlined in subdivision (g) of Section 35035, subdivision (*l*) of Section 47605, subdivision (*l*) of Section 47605.6, and subdivision (a) of Section 47605.8 will ensure that the rate of certificated employee misassignments remains low.

(2) To the extent possible, and with funds provided for that purpose, the commission and the department, beginning July 1, 2019, shall perform the duties specified in this section.

(b) For purposes of this section, the following definitions apply:

(1) "Legally authorized" means assignments authorized by a local committee, types of assignments made by the governing board of a school district pursuant to Sections 44256, 44258.2, and 44263, and assignments made at charter schools pursuant to subdivision (*l*) of Section 47605 and subdivision (*l*) of Section 47605.6.

(2) "Local educational agency" means a school district, county office of education, or charter school.

(3) "Misassignment" means the placement of a certificated employee, which has the same meaning as "certificated person" as that term is defined in Section 44006, in a teaching or services position at a local educational agency for which the certificated employee does not hold a legally recognized certificate or credential, as defined in Section 44002, or the placement of a certificated employee in a teaching or services position that the certificated employee is not otherwise authorized by statute to hold.

(4) "Vacant position" means a position to which a single-designated certificated employee has not been assigned.

(c) The commission and the department shall enter into a data sharing agreement to provide the commission with certificated employee assignment data necessary to annually identify misassignments and vacant positions at local educational agencies. The data sharing agreement shall also require the commission to make certificated employee credential, misassignment, and other relevant data available to the department to support reporting consistent with the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act (Public Law 114-95) or any other federal law that effectively replaces that act.

(d) (1) The commission may engage in a variety of activities designed to inform school administrators, teachers, and personnel within the offices of county superintendents of schools of the regulations and statutes affecting the assignment of certificated employees. These activities may include the preparation of instructive brochures and the holding of regional workshops.

(2) A certificated employee who is required by an administrative superior to accept an assignment for which the certificated employee has no legal authorization, after exhausting existing local remedies, shall notify the county superintendent of schools in writing of the illegal assignment. The county superintendent of schools, within 15 working days, shall advise the affected certificated employee concerning the legality of the certificated employee's assignment. There shall be no adverse action taken against a certificated employee who files a notification of misassignment with the county superintendent of schools. During the period of the misassignment, the certificated employee who files a written notification with the county superintendent of schools shall be exempt from Section 45034. If it is determined that a misassignment has taken place, any performance evaluation of the certificated employee pursuant to Article 11 (commencing with Section 44660) of Chapter 3 in any misassigned subject shall be nullified.

(e) (1) The commission shall use the data provided by the department pursuant to subdivision (c) to produce a data file of vacant positions and certificated employee assignments that do not have a clear match of credential to assignment. The commission

shall notify local educational agencies of the opportunity to review the initial data file and do any of the following:

(A) Determine if each certificated employee included in the data file is otherwise legally authorized for the assignment.

(B) Provide documentation to the commission verifying that the certificated employee is otherwise legally authorized for the assignment.

(C) Provide documentation to the commission that a position identified in the data file as vacant was miscoded and that a legally authorized certificated employee was assigned to the position.

(2) If the commission does not receive documentation from the local educational agency verifying that the certificated employee is otherwise legally authorized for the assignment from the local educational agency within 60 days following the notification, the assignment shall be included in the commission's reporting for that year as a misassignment.

(3) If the commission does not receive documentation from the local educational agency within 60 days following the notification to correct a position incorrectly identified in the data file as vacant, the position shall be included in the commission's reporting for that year as a vacant position.

(4) For purposes of paragraph (1), "noncore" courses for purposes of charter schools, as provided in Section 47605, do not include courses in English, mathematics, science, and social science, and a certificated employee is not otherwise lawfully authorized for an assignment to a course in one of these subjects unless the certificated employee holds a credential for that subject.

(f) Commencing in the 2019–20 school year, and each school year thereafter, following the 60-day verification period provided for local educational agencies to provide documentation to address misassignments and vacant positions identified in the initial data file described in subdivision (e), the commission shall make publicly available on its internet website a report and data file of misassignments and vacant positions. The commission shall maintain each year's data for no less than five years.

(g) An applicant for an administrative services credential shall be required to demonstrate knowledge of existing credentialing laws, including knowledge of assignment authorizations.

(h) The Legislature may hold public hearings, within a reasonable period after the public availability of the report and data provided by the commission pursuant to subdivision (f), on pupil access to teachers and related statutory provisions. The Legislature also may assign one or more of its standing committees, or a joint committee, to determine any of the following:

(1) The effectiveness of the monitoring performed pursuant to this section.

(2) The extent, if any, of vacant positions and misassignments.

(3) The need, if any, to assist local educational agencies to eliminate vacant positions and misassignments.

(i) This section shall not relieve a local educational agency from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of "misassignment" in Section 33126.

SEC. 18. Section 47604.33 of the Education Code is amended to read:

47604.33. (a) Each charter school shall annually prepare and submit the following reports to its chartering authority and the county superintendent of schools,

or only to the county superintendent of schools if the county board of education is the chartering authority:

(1) On or before July 1, a preliminary budget. For a charter school in its first year of operation, the information submitted pursuant to subdivision (g) of Section 47605 satisfies this requirement.

(2) On or before July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Section 47606.5.

(3) On or before December 15, an interim financial report. This report shall reflect changes through October 31.

(4) On or before March 15, a second interim financial report. This report shall reflect changes through January 31.

(5) On or before September 15, a final unaudited report for the full prior year.

(b) The chartering authority shall use any financial or other information it obtains from the charter school, including, but not limited to, the reports required by this section, to ~~assess the fiscal condition of the charter school pursuant to paragraph (4) of subdivision (a) of Section 47604.32.~~ perform the duties described in subdivision (a) of Section 47604.32, including monitoring the fiscal condition of the charter school.

(c) The cost of performing the duties required by this section shall be funded with supervisorial oversight fees collected pursuant to Section 47613.

SEC. 19. Section 47605 of the Education Code is amended to read:

47605. (a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having ~~his or her~~ their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to

its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels ~~served, or the nature of the program operated,~~ served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels ~~served, or the nature of the program operated,~~ served by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(G) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission policies and procedures, consistent with subdivision (d).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present ~~his or her~~ the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform ~~him or her~~ the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of ~~his or her~~ the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined

by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter

school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering ~~agency,~~ authority, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisorial and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering ~~agency,~~ authority, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.

(*l*) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph

(5) of subdivision (b), to its chartering ~~entity,~~ authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering ~~entity,~~ authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering ~~entity~~ authority pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 20. Section 47605.6 of the Education Code is amended to read:

47605.6. (a) (1) In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. The petition may be submitted to the county board of education for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or guardians of pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(2) An existing public school shall not be converted to a charter school in accordance with this section.

(3) After receiving approval of its petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify the school districts where those sites will be located. The charter school shall also request a material revision of its charter by the county board of education that approved its charter and the county board of education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school's approved charter.

(4) A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having ~~his or her~~ their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the county board of education shall hold a public hearing on the provisions of the charter, at which time the county board of education shall consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities. Following review of the petition and the public hearing, the county board of education shall either grant or deny the charter within 90 days of receipt of the petition. However, this date may be extended by an additional 30 days if both parties agree to the extension. A county board of education may impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school. A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. The county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those pupils whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels ~~served, or the nature of the program operated,~~ served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited

by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.

(iv) If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and aptitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels ~~served, or the nature of the program operated,~~ served by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The location of each charter school facility that the petitioner proposes to operate.

(E) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(F) The qualifications to be met by individuals to be employed by the charter school.

(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(H) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(I) The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation

of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present ~~his or her~~ the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform ~~him or her~~ the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

(M) Admission policy and procedures, consistent with subdivision (e).

(N) The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

(O) The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employment of the charter school.

(P) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.

(6) A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

(7) Any other basis that the county board of education finds justifies the denial of the petition.

(c) A county board of education that approves a petition for the operation of a countywide charter may, as a condition of charter approval, enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report to the county board of education on the operations of the charter school. The county board of education may prescribe the aspects of the charter school's operations to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the charter school to the county board of education.

(d) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall on a regular basis consult with their parents and teachers regarding the charter school's educational programs.

(e) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of ~~his or her~~ the pupil's parent or guardian, within this state.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the county board of education shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(f) The county board of education shall not require an employee of the county or a school district to be employed in a charter school.

(g) The county board of education shall not require a pupil enrolled in a county program to attend a charter school.

(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, and upon the county board of education. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(i) In reviewing petitions for the establishment of charter schools within the county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(j) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the school districts within the county, the Superintendent, and the state board.

(k) If a county board of education denies a petition, the petitioner shall not elect to submit the petition for the establishment of the charter school to the state board.

(*l*) Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.

(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit

of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 21. Section 47606.5 of the Education Code is amended to read:

47606.5. (a) On or before July 1, 2015, and each year thereafter, the governing body of a charter school shall hold a public hearing to adopt a local control and accountability plan using a template adopted by the state board. The governing body of a charter school shall update the goals and annual actions to achieve those goals identified in the charter petition pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, using the template for the local control and accountability plan and annual update to the local control and accountability plan adopted by the state board pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.

(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(c) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(d) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.

(e) The governing body of a charter school shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing, and the local control and accountability plan or annual update to the local control and accountability plan shall be made available for public inspection at each site operated by the charter school.

(f) The governing body of a charter school may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The governing body of a charter school may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and

accountability plan pursuant to this section and the revisions are adopted in a public meeting.

(g) Pursuant to Section 47604.33, the charter school shall submit the adopted or revised local control and accountability plan pursuant to this section to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority.

(h) The charter school shall prominently post on the homepage of the internet website of the charter school any local control and accountability plan adopted by the governing body of the charter school, and any updates or revisions to a local control and accountability plan approved by the governing body of the charter school.

SEC. 22. Section 47635 of the Education Code is amended to read:

47635. (a) A sponsoring local educational agency shall annually transfer to each of its charter schools funding in lieu of property taxes equal to the lesser of the following two amounts:

(1) The average amount of property taxes per unit of average daily attendance, including average daily attendance attributable to charter schools, received by the local educational agency, multiplied by the charter school's average daily attendance.

(2) The local control funding formula grant funding computed pursuant to subdivision (d) of Section 42238.02, per unit of average daily attendance, multiplied by the charter school's average daily attendance in each of the four corresponding grade level ranges: kindergarten and grades 1, 2, and 3; grades 4, 5, and 6; grades 7 and 8; and grades 9 to 12, inclusive.

(3) Notwithstanding paragraph (2), until the Superintendent determines that a charter school is funded pursuant to Section 42238.02, the Superintendent shall apportion funding per unit of average daily attendance pursuant to this article. The base grant for purposes of paragraph (2) shall be the lesser of the amount calculated pursuant to paragraph (2) or the sum of the entitlements for the charter school in the specified fiscal year as computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, multiplied by the ratio of local control funding formula base grant funding computed pursuant to subdivision (d) of Section 42238.02 to the local control funding formula amount for the fiscal year computed pursuant to Section 42238.02.

(4) If the sum of the funding transferred pursuant to this subdivision and the funding calculated pursuant to subdivision (e) of Section 42238.03 exceeds the sum of the amounts calculated pursuant to subdivisions ~~(a) and (b) of Section 42238.03,~~ (e), (f), and (i) of Section 42238.02, the excess funding shall be used to offset funding calculated pursuant to subdivision (e) of Section 42238.03.

(b) The sponsoring local educational agency shall transfer funding in lieu of property taxes to the charter school in monthly installments, by no later than the 15th of each month.

(1) For the months of August to February, inclusive, a charter school's funding in lieu of property taxes shall be computed based on the amount of property taxes received by the sponsoring local educational agency during the preceding fiscal year, as reported to the Superintendent for purposes of the second principal apportionment. A sponsoring local educational agency shall transfer to the charter school the charter school's estimated annual entitlement to funding in lieu of property taxes as follows:

(A) Six percent in August.

(B) Twelve percent in September.

(C) Eight percent each month in October, November, December, January, and February.

(2) For the months of March to June, inclusive, a charter school's funding in lieu of property taxes shall be computed based on the amount of property taxes estimated to be received by the sponsoring local educational agency during the fiscal year, as reported to the Superintendent for purposes of the first principal apportionment. A sponsoring local educational agency shall transfer to each of its charter schools an amount equal to one-sixth of the difference between the school's estimated annual entitlement to funding in lieu of property taxes and the amounts provided pursuant to paragraph (1). An additional one-sixth of this difference shall be included in the amount transferred in the month of March.

(3) For the month of July, a charter school's funding in lieu of property taxes shall be computed based on the amount of property taxes estimated to be received by the sponsoring local educational agency during the prior fiscal year, as reported to the Superintendent for purposes of the second principal apportionment. A sponsoring local educational agency shall transfer to each of its charter schools an amount equal to the remaining difference between the school's estimated annual entitlement to funding in lieu of property taxes and the amounts provided pursuant to paragraphs (1) and (2).

(4) Final adjustments to the amount of funding in lieu of property taxes allocated to a charter school shall be made in June, in conjunction with the third recertification of annual apportionments to schools.

(5) Subdivision (a) and paragraphs (1) to (4), inclusive, do not apply for pupils who reside in, and are otherwise eligible to attend a school in, a basic aid school district, but who attend a charter school in a nonbasic aid school district. With regard to these pupils, the sponsoring basic aid school district shall transfer to the charter school an amount of funds equivalent to the local control funding formula grant pursuant to Section 42238.02, as implemented by Section 42238.03, earned through average daily attendance by the charter school for each pupil's attendance, not to exceed the average property tax share per unit of average daily attendance for pupils residing and attending in the basic aid school district. The transfer of funds shall be made in not fewer than two installments at the request of the charter school, the first occurring not later than February 1 and the second not later than June 1 of each school year. Payments shall reflect the average daily attendance certified for the time periods of the first and second principal apportionments, respectively. The Superintendent may not apportion any funds for the attendance of pupils described in this subdivision unless the amount transferred by the basic aid school district is less than the local control funding formula grant pursuant to Section 42238.02, as implemented by Section 42238.03, earned by the charter school, in which event the Superintendent shall apportion the difference to the charter school from state funds.

SEC. 23. Section 48985 of the Education Code is amended to read:

48985. (a) If 15 percent or more of the pupils enrolled in a public ~~school~~ school, including a charter school, that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the public school or school district shall, in addition to being

written in English, be written in the primary language, and may be responded to either in English or the primary language.

(b) Pursuant to subdivision ~~(b)~~ (e) of Section 64001, the department shall monitor adherence to the requirements of subdivision (a) as part of its regular monitoring and review of public schools and school ~~districts, commonly known as the Categorical Program Monitoring process,~~ districts and shall determine the types of documents and languages a public school or school district translates to a primary language other than English, the availability of these documents to parents or guardians who speak a primary language other than English, and the gaps in translations of these documents.

(c) Based on census data submitted to the department pursuant to Section 52164 in the preceding fiscal year, the department shall notify a school district, by August 1 of each year, of the schools within the school district, and the primary language other than English, for which the translation of documents is required pursuant to subdivision (a). The department shall provide the same notice to a charter school for which the translation of documents is required pursuant to subdivision (a). The department shall make that notification using electronic methods.

(d) The department shall use existing resources to comply with subdivisions (b) and (c).

SEC. 24. Section 51223 of the Education Code is amended to read:

51223. (a) Notwithstanding Sections 51210 and 51222, instruction in physical education in an elementary school maintaining any of grades 1 to 8, inclusive, shall be for a total period of time of not less than 200 minutes each 10 schooldays, exclusive of recesses and the lunch period.

(b) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of subdivision (a) or subdivision (a) of Section 51222 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.

(c) 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.

SEC. 25. Section 52065 of the Education Code is amended to read:

52065. (a) The superintendent of a school district shall ~~post prominently~~ do both of the following:

(1) Prominently post on the homepage of the ~~Internet Web site~~ internet website of the school district any local control and accountability plan approved by the governing board of the school district, and any updates or revisions to a local control and accountability plan approved by the governing board of the school district.

(2) Prominently post all local control and accountability plans submitted by charter schools that were authorized by the school district, or links to those plans, on the internet website of the school district.

(b) A county superintendent of schools shall do all of the following:

(1) ~~Post prominently~~ Prominently post on the homepage of the ~~Internet Web site~~ internet website of the county office of education any local control and accountability plan approved by the county board of education, and any updates or revisions to a local control and accountability plan approved by the county board of education.

(2) ~~Post~~ Prominently post all local control and accountability plans submitted by school ~~districts,~~ districts and charter schools, or links to those plans, on the ~~Internet Web site~~ internet website of the county office of education.

(3) Transmit or otherwise make available to the Superintendent all local control and accountability plans submitted to the county superintendent of schools by school districts and charter schools, and the local control and accountability plan approved by the county board of education.

(c) The Superintendent shall post links to all local control and accountability plans approved by the governing boards of school ~~districts and~~ districts, county boards of ~~education~~ education, and the governing bodies of charter schools, on the ~~Internet Web site~~ internet website of the department.

SEC. 26. Section 52073 of the Education Code is amended to read:

52073. (a) (1) By September 1, 2018, the California Collaborative for Educational Excellence and the department shall establish a process, administered by the department, to select, subject to approval by the executive director of the state board, county offices of education to serve as geographic lead agencies to conduct the activities required pursuant to this section.

(2) (A) The department, the California Collaborative for Educational Excellence, and the geographic lead agencies shall work collaboratively to advance the purpose of the statewide system of support specified in subdivision (b) of Section 52059.5.

(B) The department and the California Collaborative for Educational Excellence shall establish a formal process to ensure that the department, the California Collaborative for Educational Excellence, and the geographic lead agencies communicate with each other regularly.

(C) The department and the California Collaborative for Educational Excellence shall establish a process for the department, the California Collaborative for Educational Excellence, and the geographic lead agencies to engage with stakeholders to inform each entity's work within the statewide system of support established by Section 52059.5.

(D) The California Collaborative for Educational Excellence and the department, in consultation with the executive director of the state board, shall establish a formal process to coordinate the activities of the department, the California Collaborative for Educational Excellence, geographic lead agencies established pursuant to this section, expert lead agencies established pursuant to Section 52073.1, and special education resource leads established pursuant to Section 52073.2 to provide coherent and effective

support to local educational agencies. The California Collaborative for Educational Excellence, in consultation with the department, shall facilitate this formal process.

(3) The process to select geographic lead agencies shall ensure that no fewer than six and no more than 10 geographic lead agencies are selected in a manner to ensure statewide coverage. Geographic lead agencies shall be selected for a term not to exceed five years.

(4) The process to select geographic lead agencies shall, at a minimum, specify that a county office of education applying to be a geographic lead agency demonstrate all of the following:

(A) Appropriate expertise with the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066 and with federal programs, which may include a plan to partner or subcontract, as appropriate, with other county offices of education or other entities for that expertise.

(B) Ability to build the capacity of county offices of education within a defined geographic area to provide effective assistance and support to school districts under the state priorities identified in subdivision (d) of Section 52060 and federal programs.

(C) Demonstrated capacity to provide assistance to school districts on improving pupil performance and closing achievement gaps for pupil subgroups identified pursuant to Section 52052.

(D) Capacity and willingness to provide necessary assistance and support to other county offices of education.

(E) Ability to coordinate and calibrate assistance and support provided to local educational agencies within a defined geographic area and with other geographic lead agencies, the California Collaborative for Educational Excellence, and the department.

(F) Willingness to establish goals and be held accountable for improved performance across multiple measures within a defined geographic area.

(5) A county office of education may partner as a consortium with other local educational agencies, institutions of higher education, or nonprofit educational services providers to submit a proposal to serve as a geographic lead agency.

(b) (1) A geographic lead agency shall have all of the following responsibilities:

(A) Assist in building the capacity of county offices of education within the geographic lead agency's defined geographic area to provide effective assistance and support to school districts under the state priorities identified in subdivision (d) of Section 52060 and federal programs.

(B) Coordinate and calibrate assistance and support provided to local educational agencies within its defined geographic area and with other geographic lead agencies, expert lead agencies identified pursuant to Section 52073.1, special education resource leads identified pursuant to Section 52073.2, the California Collaborative for Educational Excellence, and the department.

(C) Provide assistance and support if another county office of education within the geographic lead agency's defined geographic area is unable to provide appropriate assistance and support to one or more school districts in that county office of education's boundaries, or at the request of a school district or county superintendent of schools pursuant to subdivision (d) of Section 52071.

(D) Identify existing resources, professional development activities, and other efforts currently available within its designated geographic area to assist school districts and county offices of education to improve outcomes under the state priorities identified

in subdivision (d) of Section 52060 and subdivision (d) of Section 52066, and upon request, share information about these existing resources.

(E) Upon request by the department and the California Collaborative for Educational Excellence, develop new resources and activities, designed to build capacity within school districts and county offices of education across the state under the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066 or other areas of identified need.

(F) Other duties as specified by the department and the California Collaborative for Educational Excellence as part of the process to select geographic lead agencies.

(2) A geographic lead agency may enter into subcontracts with one or more local educational agencies, institutions of higher education, or nonprofit educational services providers to assist in fulfilling the responsibilities described in this subdivision.

(c) The California Collaborative for Educational Excellence, in consultation with the department, shall assist the geographic lead agencies in fulfilling the responsibilities described in subdivision (b).

(d) (1) At the conclusion of the term for each selected geographic lead agency, the department and the California Collaborative for Educational Excellence may renew the selection of the existing geographic lead agency or reopen the selection of a geographic lead agency in a manner consistent with subdivision (a).

(2) Before renewing the selection of an existing geographic lead agency, the department and the California Collaborative for Educational Excellence shall evaluate the geographic lead agency's success in doing both of the following:

(A) Meeting the goals established pursuant to subparagraph (F) of paragraph (4) of subdivision (a).

(B) Fulfilling the responsibilities described in subdivision (b), including, but not limited to, progress in building the capacity of county offices of education within the geographic lead agency's defined geographic area as demonstrated by trends within the geographic lead agency's defined geographic area in the number of school districts receiving technical assistance pursuant to subdivision (c) of Section 52071 and the number of school districts that stopped receiving technical assistance pursuant to subdivision (c) of Section 52071 due to improved performance on the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5.

(3) As part of the request for renewal, an existing geographic lead agency shall provide a description of efforts the geographic lead agency has made to fulfill the responsibilities described in subdivision (b).

(e) Commencing with the 2018–19 fiscal year, the sum of four million dollars ($4,000,000) shall be appropriated annually to the department from the General Fund to be awarded to county offices of education serving as geographic lead agencies pursuant to this section.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount appropriated in subdivision (e) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202.

SEC. 27. Section 52452 of the Education Code is amended to read:

52452. (a) There is hereby created within the ~~State Department of Education~~ department an agricultural career technical education unit to assist school districts in the establishment and maintenance of educational programs established pursuant to ~~the provisions of~~ this article.

(b) The staffing of the unit shall at all times be ~~comprised~~ composed of an appropriate number of full-time ~~employees; provided, that any decrease in federal support of this staffing unit shall be applied in direct proportion to all other staffs so funded,~~ employees, including the State Supervisor of Agricultural Career Technical Education ~~who~~ and the Assistant State Supervisor of Agricultural Career Technical Education. The State Supervisor of Agricultural Career Technical Education shall, under the direction of the ~~Superintendent of Public Instruction,~~ Superintendent, assume responsibility for the administration of the state program adopted under this article throughout the public school system as well as the articulation of the state program to the requirements and mandates of federally assisted career technical education. The Assistant State Supervisor of Agricultural Career Technical Education shall, under the direction of the State Supervisor of Agricultural Career Technical Education, assume responsibility for the coordination of the state program of agricultural career technical education adopted under this article and the coordination of the activities of student agricultural organizations and associations.

(c) (1) An appropriate number of employees of the department shall serve as regional program consultants in agricultural career technical education ~~and shall be available to provide assistance to local school districts. To the extent that it is possible, the~~ in a manner that ensures statewide coverage. Duties of a regional program consultant in agricultural career technical education include, but are not limited to, all of the following:

(A) Providing technical assistance to school districts, including teachers, counselors, principals, superintendents, and others as needed to develop, maintain, and strengthen local agricultural programs.

(B) Assisting with the administration of local agricultural programs, including collecting information relating to program participation, interacting with and serving as a point of contact for local educational agencies, participating in regional or state meetings, and serving on committees and task forces, as assigned.

(C) Identifying, conducting, or overseeing professional development opportunities for teachers to improve teacher performance and better integrate agriculture into the curriculum.

(D) Organizing career technical student organization activities that promote leadership development for all pupils, including serving as a regional advisor for pupil officers.

(E) Acting as a liaison between the department, local educational agencies, postsecondary educational institutions, business and industry groups in agriculture-related fields, and other agencies providing agricultural education.

(2) Each regional program ~~consultants~~ consultant shall be geographically located within the region for which the regional program consultant is assigned, and to the extent possible, geographically located in those areas most readily accessible to the school districts they assist. ~~At least one consultant shall be responsible for the coordination of the state program. At least one consultant shall be responsible for the coordination of the activities of student agricultural organizations and associations.~~

(d) The ~~State Department of Education~~ department shall accomplish the staffing of the agricultural career technical education unit in compliance with this article by prioritizing the use of funding provided pursuant to the federal Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224) for this purpose and by reassigning priorities in staff assignments within the department in a manner that will not result in new costs to the state as a consequence.

SEC. 28. Section 53070 of the Education Code is amended to read:

53070. (a) The California Career Technical Education Incentive Grant Program is hereby established as a state education, economic, and workforce development initiative with the goal of providing pupils in kindergarten and grades 1 to 12, inclusive, with the knowledge and skills necessary to transition to employment and postsecondary education. The purpose of this program is to ~~encourage and maintain~~ encourage, maintain, and strengthen the delivery of high-quality career technical education programs.

(b) There is hereby appropriated to the department from the General Fund for the program established pursuant to this chapter the following amounts:

(1) For the 2015–16 fiscal year, four hundred million dollars ($400,000,000).

(2) For the 2016–17 fiscal year, three hundred million dollars ($300,000,000).

(3) For the 2017–18 fiscal year, two hundred million dollars ($200,000,000).

(c) For the 2018–19 fiscal year and each fiscal year thereafter, one hundred fifty million dollars ($150,000,000) shall be made available to the department, upon appropriation by the Legislature in the annual Budget Act or another statute, for the program established pursuant to this chapter.

(d) Of the amounts appropriated pursuant to subdivisions (b) and (c), 4 percent is designated for applicants with average daily attendance of less than or equal to 140, 8 percent is designated for applicants with average daily attendance of more than 140 and less than or equal to 550, and 88 percent is designated for applicants with average daily attendance of more than 550, unless otherwise determined by the Superintendent in collaboration with the executive director of the state board. For purposes of this section, average daily attendance shall be those figures that are reported at the time of the second principal apportionment for the previous fiscal year for pupils in grades 7 to 12, inclusive. For any applicant consisting of more than one school district, county office of education, charter school, or regional occupational center or program (ROCP) operated by a joint powers ~~authority,~~ authority or county office of education, or of any combination of those entities, the sum of the average daily attendance for each of the constituent entities shall be used for purposes of this subdivision.

SEC. 29. Section 53071 of the Education Code is amended to read:

53071. The department shall administer this program as a competitive grant program. An applicant shall demonstrate all of the following to be considered for a grant award:

(a) (1) A proportional dollar-for-dollar match as follows for any funding received from this program:

(A) For the fiscal year beginning July 1, 2015, one dollar ($1) for every one dollar ($1) received from this program.

(B) For the fiscal year beginning July 1, 2016, one dollar and fifty cents ($1.50) for every one dollar ($1) received from this program.

(C) For the fiscal year beginning July 1, 2017, two dollars ($2) for every one dollar ($1) received from this program.

(D) For the fiscal year beginning July 1, 2018, and each fiscal year thereafter, two dollars ($2) for every one dollar ($1) received from this program.

(2) That local match may include funding from school district and charter school local control funding formula apportionments pursuant to Section 42238.02, the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006, or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224), the California Partnership Academies, the Agricultural Career Technical Education Incentive Grant, or any other allowable source except as provided in paragraph (3).

(3) That local match shall not include funding from the California Career Pathways Trust established pursuant to Section ~~53010 or~~ 53010, the K–12 component of the Strong Workforce Program established pursuant to Section ~~88827.~~ 88827, or the Career Technical Education Facilities Program established pursuant to Section 17078.72.

(4) An applicant's matching funds shall be used to support the program or programs for which the applicant was awarded a grant.

(b) A three-year plan for continued financial and administrative support of career technical education programs that demonstrates a financial commitment of no less than the amount expended on those programs in the previous fiscal year. The plan, at a minimum, shall include the identification of available funding within an applicant's current or projected budget to continue to support career technical education programs and a written commitment to do so. If an applicant consisting of more than one school district, county office of education, charter school, or regional occupational center or program operated by a joint powers authority, or any combination of these entities, is applying for grant funding from this program, identification of available funding and a written commitment shall be demonstrated by each participating constituent entity.

(c) The applicant, or the applicant's career technical education program, as applicable, meets all of the following minimum eligibility standards:

(1) Offers high quality curriculum and instruction aligned with the California Career Technical Education Model Curriculum Standards, including, but not limited to, providing a coherent sequence of career technical education courses that enable pupils to transition to postsecondary education programs that lead to a career pathway or attain employment upon graduation from high school.

(2) Provides pupils with quality career exploration and guidance.

(3) Provides pupil support services, including counseling and leadership development.

(4) Provides for system alignment, coherence, and articulation, including ongoing and structural regional or local partnerships with postsecondary educational institutions, documented through formal written agreements.

(5) Forms ongoing and meaningful industry and labor partnerships, evidenced by written agreements and through participation on advisory committees and collaboration with business and labor organizations to provide opportunities for pupils to gain access to preapprenticeships, internships, industry certifications, and work-based learning opportunities as well as opportunities for industry to provide input to the career technical education programs and curriculum.

(6) Provides opportunities for pupils to participate in after school, extended day, and out-of-school internships, competitions, leadership development opportunities, career and technical education student organizations, and other work-based learning opportunities.

(7) Reflects regional or local labor market demands, and focuses on current or emerging high-skill, high-wage, or high-demand occupations, and is informed by the regional plan of the local Strong Workforce Program consortium.

(8) Leads to an industry-recognized credential or certificate, or appropriate postsecondary education or training, employment, or a postsecondary degree.

(9) Is staffed by skilled teachers or faculty, and provides professional development opportunities for those teachers or faculty members.

(10) Provides opportunities for pupils who are individuals with exceptional needs to participate in all programs.

(11) (A) Reports data to the Superintendent, no later than November 1 of each fiscal year, as a program participation requirement, to allow for an evaluation of the program.

(B) Data reported pursuant to this paragraph shall include, but not be limited to, the quality indicators described in the California State Plan for Career Technical Education required by the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006, or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V), and each of the following metrics:

(i) The high school ~~cohort~~ graduation rate.

(ii) The number of pupils completing career technical education coursework.

(iii) The number of pupils meeting academic and career-readiness standards as defined in the College/Career Indicator associated with the California School Dashboard.

(iv) The number of pupils obtaining an industry-recognized credential, certificate, license, or other measure of technical skill attainment.

(v) The number of former pupils employed and the types of businesses in which they are employed.

(vi) The number of former pupils enrolled in ~~any~~ each of the following:

(I) A postsecondary educational institution.

(II) A state apprenticeship program.

(III) A form of job training other than a state apprenticeship program.

(C) No later than November 30 of each fiscal year, the California Workforce Pathways Joint Advisory Committee, established pursuant to Section 12053, shall review the data metrics specified in subparagraph (B) and make recommendations to the Department of Finance, the Governor, and the appropriate policy and fiscal committees of the Legislature as to both of the following topics:

(i) Whether these data metrics remain the most appropriate metrics to measure and evaluate program outcomes for both new and renewal applicants.

(ii) Whether other metrics should be included.

(D) The department shall make the data reported pursuant to subparagraph (B) available to the office of the Chancellor of the California Community Colleges on a date to be determined jointly by the department and the chancellor's office to ensure that data is included in the California Community Colleges LaunchBoard data platform.

SEC. 30. Section 53072 of the Education Code is amended to read:

53072. A grant recipient under this chapter may consist of one or more, or any combination, of the following:

(a) School districts.

(b) County offices of education.

(c) Charter schools.

(d) Regional occupational centers or programs operated by joint powers ~~authorities,~~ authorities or county offices of education, provided that the application has the written consent of each participating local educational agency.

SEC. 31. Section 53073 of the Education Code is amended to read:

53073. (a) An applicant receiving a grant from this program in a prior fiscal year shall be eligible to apply to receive a renewal grant if the applicant's career technical education program meets the requirements specified in Section 53071, and has been evaluated and deemed successful by the Superintendent, in collaboration with the state board, based on the metrics specified in paragraph (1) of subdivision (b).

(b) (1) The department, in collaboration with the state board, shall determine reporting requirements and renewal grant eligibility using metrics identified pursuant to paragraph (11) of subdivision (c) of Section 53071.

(2) If an applicant for a renewal grant is subject to the requirements of Sections 52060 and 52061, Sections 52066 and 52067, or Section 47606.5, the inclusion of career technical education programs in the applicant's local control and accountability plan and annual update shall be required to be eligible for a renewal grant.

SEC. 32. Section 53075 of the Education Code is amended to read:

53075. (a) When determining grant recipients, the department and the state board shall do both of the following:

(1) Give positive consideration to each of the following characteristics in an applicant:

(A) Serving unduplicated pupils as defined in Section 42238.02.

(B) Serving pupil subgroups that have higher than average dropout rates as identified by the Superintendent.

(C) Located in an area of the state with a high unemployment rate.

(2) Give positive consideration to programs to the extent they do any of the following:

(A) Successfully leverage one or both of the following:

(i) Existing structures, requirements, and resources of the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006, or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224), California Partnership Academies, California Career Pathways Trust, or Agricultural Career Technical Education Incentive Grants.

(ii) Contributions from industry, labor, and philanthropic sources.

(B) Engage in regional collaboration with postsecondary educational institutions, including the Strong Workforce Program consortium operating in their respective geographic areas, or other local educational agencies to align career pathway instruction with postsecondary program requirements.

(C) Make significant investment in career technical education infrastructure, equipment, and facilities.

(D) Operate within rural school districts.

(E) Offer an existing high-quality regional-based career technical education program as a joint powers agency.

(b) When determining grant recipients, the department and the state board shall give greatest weight to the applicant characteristics included in paragraph (1) of subdivision (a).

SEC. 33. Article 6.5 (commencing with Section 56836.39) is added to Chapter 7.2 of Part 30 of Division 4 of Title 2 of the Education Code, to read:

Article 6.5. Special Education Concentration Grants

56836.39. The Legislature finds and declares all of the following:

(a) Pupil success in school is not only driven by educational experiences but is deeply connected to other factors that impact a child's life, such as poverty, housing, access to health care, and safe environments.

(b) A quality education ensures that pupils receive appropriate interventions and services as needed before the pupil falls behind academically.

(c) Intervention services and supports provided to children who are at risk of falling significantly behind, including children with disabilities, can reduce the need for additional services in future years.

(d) Pupils with disabilities who are taught within the general education classroom with supports and systematic instruction achieve better outcomes in the areas of academics, communication, and behavior.

(e) In order to ensure the success of pupils with disabilities, additional resources for interventions and support should be focused in high-need schools, including those with high concentrations of pupils living in poverty, pupils who are English learners, and youth in foster care.

56836.40. (a) Commencing with the 2019–20 fiscal year, and for each fiscal year thereafter, the Superintendent shall make the following computations to determine the amount of funding for local educational agencies for the purposes specified in this section:

(1) Determine the percentage of unduplicated pupils for each school district and charter school pursuant to subdivision (b) of Section 42238.02 and for county offices of education pursuant to subdivision (b) of Section 2574.

(2) (A) Determine the total number of pupils enrolled in kindergarten and grades 1 to 12, inclusive, that have been identified as individuals with exceptional needs pursuant to Section 56026 for each local educational agency for the current fiscal year and the two immediately preceding fiscal years.

(B) The sum of the totals determined pursuant to subparagraph (A) is the total statewide enrollment of individuals with exceptional needs in kindergarten and grades 1 to 12, inclusive, for the current fiscal year and the two immediately preceding fiscal years.

(3) Compute the enrollment percentage of individuals with exceptional needs for each local educational agency by dividing the sum of the enrollment of individuals with exceptional needs in each local educational agency determined in subparagraph (A) of paragraph (2) by the sum of the total enrollment in each local educational agency in the current fiscal year and the two immediately preceding fiscal years.

(4) Compute the statewide average enrollment percentage of individuals with exceptional needs for the state by dividing the sum of the enrollment of individuals with exceptional needs in all local educational agencies determined in subparagraph (B) of paragraph (2) by the sum of the total enrollment in all local educational agencies in the current fiscal year and the two immediately preceding fiscal years.

(5) Identify the local educational agencies that meet both of the following conditions:

(A) The percentage of individuals with exceptional needs in the local educational agency, as computed in paragraph (3), is greater than the statewide average enrollment percentage of individuals with exceptional needs computed in paragraph (4).

(B) The percentage of unduplicated pupils exceeds 55 percent.

(6) For a local educational agency that meets the requirements specified in paragraph (5), subtract the statewide average enrollment percentage of individuals with exceptional needs computed in paragraph (4) from the enrollment percentage of individuals with exceptional needs in the local educational agency computed in paragraph (3). Multiply the difference by the total pupil enrollment for the local educational agency. The resulting product is the number of individuals with exceptional needs attending the local educational agency in excess of the statewide average of individuals with exceptional needs. The sum of each local educational agency's number of individuals with exceptional needs in excess of the statewide average of individuals with exceptional needs is the total statewide number of individuals with exceptional needs in excess of the statewide average.

(7) Calculate a per-pupil special education concentration grant by dividing the amount appropriated for this purpose in Item 6100-161-0001 of the annual Budget Act by the total statewide number of individuals with exceptional needs in excess of the statewide average calculated in paragraph (6).

(8) Calculate the special education concentration grant for a local educational agency that meets the requirements specified in paragraph (5) by multiplying the per pupil special education concentration grant calculated in paragraph (7) by the number of individuals with exceptional needs attending the local educational agency in excess of the statewide average calculated in paragraph (6).

(9) The Superintendent shall allocate the amount of funds calculated in paragraph (8) to each eligible local educational agency.

(b) Commencing with the 2020–21 fiscal year, and for each fiscal year thereafter, the appropriation for purposes of the concentration grant provided in Item 6100-161-0001 of the Budget Act of the previous fiscal year shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, consistent with the adjustment in Section 42238.02.

(c) It is the intent of the Legislature that funds allocated in this section supplement existing special education resources currently required to be provided pursuant to federal and state law. This funding may be used to provide services and supports determined to improve school readiness and long-term outcomes for individuals with exceptional needs including, but not limited to, all of the following:

(1) Early intervention services, including preschool and supportive services for young children who are not meeting age-appropriate developmental milestones, or other supports or services that are not identified in an individualized education program

or individualized family service plan, but are determined to benefit the future educational outcomes of the child.

(2) One-time programs or resources for individuals with exceptional needs that are not medically or educationally necessary as to be outlined in an individualized education program, but which a local educational agency believes will have a positive impact on an individual with exceptional needs.

(3) Strategies to improve pupil outcomes identified through the statewide system of support and other activities to build upon or expand local multi-tiered systems of support, including educational programming that ensures a pupil's right to placement in the least restrictive educational environment.

(4) Wraparound services for individuals with exceptional needs that are not required by federal or state law.

(5) Professional development activities and the coordination of services with other educational agencies, programs, resources, and professional development providers in order to provide special education training and development to school employees.

(d) For purposes of this article, "local educational agency" means a school district, county office of education, or charter school.

56836.41. (a) For the 2019–20 fiscal year, the Superintendent shall make the following computation to determine the amount of funding for each local educational agency eligible for one-time concentration grant funding provided for this purpose in Items 6100-485 and 6100-488 of the Budget Act of 2019 and subparagraph (A) of paragraph (2) of subdivision (a) of Section 41207.47:

(1) Identify the local educational agencies that meet the requirements specified in paragraph (5) of subdivision (a) of Section 56836.40.

(2) Calculate a one-time per-pupil special education concentration grant by dividing one hundred eighty-six million five hundred eighty-nine thousand dollars ($186,589,000) by the total statewide number of individuals with exceptional needs in excess of the statewide average calculated in paragraph (6) of subdivision (a) of Section 56836.40.

(3) Calculate the one-time special education concentration grant for a local educational agency identified in paragraph (1), by multiplying the one-time per pupil special education concentration grant calculated in paragraph (2) by the number of individuals with exceptional needs attending the local educational agency in excess of the statewide average calculated in paragraph (6) of subdivision (a) of Section 56836.40.

(4) The Superintendent shall allocate the amount of funds calculated in paragraph (3) to each local educational agency identified in paragraph (1).

(b) This funding may be used for one-time services, supports, and infrastructure investments developed to improve the long-term outcomes for individuals with exceptional needs or to increase access to general education classes.

SEC. 34. Section 64001 of the Education Code is amended to read:

64001. (a) Notwithstanding any other law, as a condition of receiving funding for a program under Part 36 (commencing with Section 64000), a local educational agency shall ensure that each school of the local educational agency that operates any programs subject to Part 36 (commencing with Section 64000) consolidates any plans that are required by those programs into a single plan, unless otherwise prohibited by law. That plan shall be known as the School Plan for Student Achievement (SPSA). ~~In the case that~~ If a plan is not required by a program subject to Part 36 (commencing

with Section 64000), the governing board or body of a local educational agency may require any school that receives funding from the consolidated application to develop a SPSA.

(b) A local educational agency shall not be required to submit the SPSA to the department as part of the consolidated application.

(c) A local educational agency shall ensure, in the consolidated application, that the SPSA has been prepared in accordance with law, that schoolsite councils have developed and approved a SPSA for each school participating in programs funded through the consolidated application process, and that SPSAs were developed with the review, certification, and advice of the school English learner advisory committee, if required.

(d) The department shall monitor and review to ensure that the consolidated application and the SPSA were developed in accordance with law and with the involvement of applicable advisory committees and schoolsite councils.

(e) Onsite school and district compliance reviews of categorical programs shall continue, and SPSAs shall be required and reviewed as part of these onsite visits and compliance reviews. The Superintendent shall monitor such compliance. To that end, the Superintendent shall develop monitoring instruments and establish the process and frequency for conducting reviews of school district achievement and compliance with state and federal categorical program requirements. The state board shall review the content of these instruments for consistency with state board policy.

(f) (1) A complaint that a local educational agency has not complied with the requirements of Part 36 (commencing with Section 64000), this part, or Part 38 (commencing with Section 65000) may be filed with a local educational agency 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) The department may require submission of the SPSA for any school that is the specific subject of a complaint involving any program or service subject to this part.

(3) The department may require a local educational agency to submit other data or information as may be necessary for the department to effectively administer any program subject to this part.

(g) (1) Notwithstanding any other law, the schoolsite council shall develop the content of the SPSA. SPSAs shall be reviewed in accordance with paragraph (4) of subdivision (a) of Section 52062.

(2) The development of the SPSA shall include both of the following actions:

(A) Administration of a comprehensive needs assessment pursuant to Section 1114(b)(6) of the federal Every Student Succeeds Act (Public Law 114-95) that forms the basis of the school's goals contained in the SPSA. The comprehensive needs assessment shall include an analysis of verifiable state data, consistent with all state priorities as noted in Sections 52060 and 52066, and informed by all indicators described in Section 1111(c)(4)(B) of the federal Every Student Succeeds Act, including pupil performance against state-determined long-term goals. The school may include any data voluntarily developed by school districts to measure pupil outcomes. ~~In the case that~~ If the plan is required by the local governing board or body of the local educational agency only, the local governing board or body of the local educational agency may determine the extent to which the needs assessment ~~is applicable.~~ applies.

(B) Identification of the process for evaluating and monitoring the implementation of the SPSA and progress towards accomplishing the goals set forth in the SPSA.

(3) The SPSA shall include all of the following:

(A) Goals set to improve pupil outcomes, including addressing the needs of pupil groups as identified through the needs assessment in subparagraph (A) of paragraph (2).

(B) Evidence-based strategies, actions, or services.

(C) Proposed expenditures, based on the projected resource allocation from the governing board or body of the local educational agency, to address the findings of the needs assessment consistent with the state priorities, including identifying resource inequities, which may include a review of the local educational agency's budgeting, its local control and accountability plan, and school-level budgeting, if applicable.

(h) SPSAs created under this part may serve as school improvement plans required under federal law for schools identified for targeted support as described in Section 1003(e)(1)(A) of the federal Every Student Succeeds Act (Public Law 114-95) or comprehensive support as described in Section 1003(e)(1)(B) of the federal Every Student Succeeds Act, as long as the SPSAs also meet the requirements as established by the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), as amended by the federal Every Student Succeeds Act. A local educational agency may ~~utilize~~ use the schoolsite council to meet the stakeholder requirements established in Section 1111(d)(1)(B) and Section 1111(d)(2)(B) of the federal Every Student Succeeds Act.

(i) The SPSA required by this section shall be reviewed annually and updated, including proposed expenditure of funds allocated to the school through the consolidated application and the local control and accountability plan, if any, by the schoolsite council. The SPSAs shall be reviewed and approved by the governing board or body of the local educational agency at a regularly scheduled meeting whenever there are material changes that affect the academic programs for pupils covered by programs identified in this part. If a SPSA is not approved by the governing board or body of the local educational agency, specific reasons for that action shall be communicated to the schoolsite council. Modifications to any SPSA shall be developed, recommended, and approved or disapproved by the governing board or body of the local educational agency in the same manner.

(j) Single school districts and charter schools may ~~utilize~~ use the local control and accountability plan to serve as the SPSA, provided that the local control and accountability plan meets federal school planning requirements and the stakeholder requirements established in subdivision (a) of Section ~~52062.~~ 52062, and is adopted at a public hearing pursuant to Section 52062 or 47606.5, as applicable.

SEC. 35. Section 88827 of the Education Code is amended to read:

88827. (a) This section applies to the K–12 component only.

(b) Commencing with the 2018–19 fiscal year, the amount appropriated in the annual Budget Act for the K–12 component of the Strong Workforce Program is provided to create, support, or expand high-quality career technical education programs at the K–12 level that are aligned with the workforce development efforts occurring through the Strong Workforce Program.

(c) (1) Pursuant to subdivision (b), one hundred fifty million dollars ($150,000,000) shall be apportioned by the chancellor's office to the fiscal agent of each consortium based on the following weighted factors in each region:

(A) The unemployment rate. This factor shall comprise 33 percent of the allocation formula.

(B) The region's total average daily attendance for pupils in grades 7 to 12, inclusive. This factor shall comprise 33 percent of the allocation formula. For purposes of this section, average daily attendance shall be those figures that are reported at the time of the second principal apportionment for the previous fiscal year.

(C) The proportion of projected job openings. This factor shall comprise 34 percent of the allocation formula.

(2) Of the amounts apportioned to each consortium pursuant to paragraph (1), 4 percent is designated for applicants with total average daily attendance of less than or equal to 140, 8 percent is designated for applicants with total average daily attendance of more than 140 and less than or equal to 550, and 88 percent is designated for applicants with total average daily attendance of more than 550, unless otherwise determined by the ~~K-12~~ K–12 Selection Committee formed pursuant to Section 88829, in consultation with the consortium. For any applicant consisting of more than one school district, county office of education, charter school, or regional occupational center or program (ROCP) operated by a joint powers ~~authority,~~ authority or county office of education, or any combination of those entities, the sum of the average daily attendance for each of the constituent entities shall be used for purposes of this subdivision.

(3) The chancellor's office shall provide to the Superintendent of Public Instruction, the Department of Finance, and the Legislative ~~Analyst~~ Analyst's Office a schedule of proposed allocations, as determined pursuant to paragraph (1), for each consortium no later than August 30 of each year. The Department of Finance shall approve the allocation plan before the release of funding.

(d) Funds appropriated in the annual Budget Act to support consortia administrative costs shall be apportioned by the chancellor's office in an amount equal to 1 percent of each consortium's K–12 allocation pursuant to this section to support the costs to administer the regional grant process and to support the duties of the K–12 Selection Committee.

SEC. 36. Section 88828 of the Education Code is amended to read:

88828. This section applies to the K–12 component only. Each consortium shall administer a competitive grant program to distribute funding allocated pursuant to subdivision (c) of Section 88827 to eligible grant recipients. Consortia are encouraged to collaboratively develop a uniform grant application process that includes a process for grant renewals and for a grant applicant to appeal a grant award decision of the K–12 Selection Committee. As part of the application process, each consortium shall ask applicants to indicate whether they have received a grant under the California Career Technical Education Incentive Grant Program established pursuant to Chapter 16.5 (commencing with Section 53070) of Part 28 of Division 4 of Title 2. For each fiscal year, the chancellor's office shall work with the State Department of Education to produce a list of grant recipients that receive funding under this program as well as through the California Career Technical Education Incentive Grant Program, including the grant amounts awarded through each program and the purpose for which each grant

was awarded. Local educational agencies applying to receive a grant from a consortium shall comply with all of the following:

(a) The local educational agency shall be located within the geographical boundaries of the consortium, and engage in regional efforts to align workforce, employment, and education services.

(b) The local educational agency shall use its consortium's plan developed pursuant to Section 88823 to inform their efforts to create, support, implement or expand upon career technical education courses, course sequences, programs, and pathways, and to the extent possible, integrate available local, regional, state, and private resources to improve the successful outcomes of pupils enrolled in career technical education courses, course sequences, programs, and pathways. To the extent an applicant's career technical education program, or programs, offered in the 2018–19 fiscal year do not align with its consortium's plan developed pursuant to Section 88823, the applicant shall be deemed to meet this requirement by including in its grant application the steps that it will take during the 2018–19 fiscal year to align its career technical education program, or programs, with its consortium's plan.

(c) (1) The local educational agency shall provide matching funds for any grant funding received from this program as follows:

(A) For regional occupational centers or programs operated by a joint powers ~~authority,~~ authority or county office of education, one dollar ($1) for every one dollar ($1) received from this program.

(B) For local educational agencies, two dollars ($2) for every one dollar ($1) received from this program.

(2) The local match may include funding from school district and charter school local control funding formula apportionments pursuant to Section 42238.02, the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. Sec. 2301 et seq.), or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224), the partnership academies program pursuant to Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2, the agricultural career technical education incentive program pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2, or any other allowable source, except as provided in paragraph (3).

(3) The local match described in this subdivision shall not include any funding received by the applicant from the California Career Pathways Trust established pursuant to Section 53010, ~~or~~ the California Career Technical Education Incentive Grant Program established pursuant to Section ~~53070.~~ 53070, or the Career Technical Education Facilities Program established pursuant to Section 17078.72.

(4) An applicant's matching funds shall be used to support the program, or programs, for which the applicant was awarded a grant.

(d) The applicant, or the applicant's career technical education program, as applicable, shall meet all of the following minimum eligibility standards:

(1) Is informed by, aligned with, and expands upon regional plans and planning efforts occurring through the Strong Workforce Program.

(2) Offers high-quality curriculum and instruction aligned with the California Career Technical Education Model Curriculum Standards adopted by the State Board of Education pursuant to Section 51226, including, but not limited to, providing a

coherent sequence of career technical education courses that enable pupils to transition to postsecondary education or training programs that lead to a career pathway or attain employment upon graduation from high school.

(3) Provides pupils with quality career exploration and guidance.

(4) Provides pupil support services, including, but not limited to, counseling and leadership development.

(5) Provides opportunities for pupils to participate in after-school, extended-day, and out-of-school internships, competitions, and other work-based learning opportunities.

(6) Leads to an industry-recognized credential or certificate, appropriate postsecondary training or employment, or a postsecondary degree.

(7) Is staffed by skilled teachers or faculty and provides professional development opportunities for those teachers or faculty members.

(8) (A) Reports data that can be used by policymakers, local educational agencies, community college districts, and their regional partners to support and evaluate the program, including, to the extent possible, demographic data used to evaluate progress in closing equity gaps in program access and completion, and earnings of underserved demographic groups.

(B) Data reported pursuant to this paragraph shall include, but is not limited to, metrics aligned with the core metrics required by the federal Workforce Innovation and Opportunity Act (Public Law 113-128), the College/Career Indicator included in the California School Dashboard, and the quality indicators described in the California State Plan for Career Technical Education required by the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. Sec. 2301 et seq.), or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V), and the following metrics:

(i) The ~~number of pupils completing high school.~~ high school graduation rate.

(ii) The number of pupils completing career technical education coursework.

(iii) The number of pupils obtaining an industry-recognized credential, certificate, license, or other measure of technical skill attainment.

(iv) The number of former pupils employed and the types of businesses in which they are employed.

(v) The number of former pupils enrolled in each of the following:

(I) A postsecondary educational institution, disaggregated by public, private nonprofit, and private for-profit institutions.

(II) A state apprenticeship program.

(III) Another form of job training.

(C) No later than November 30 of each fiscal year, the Workforce Pathways Joint Advisory Committee established pursuant to Section 12053 shall review the data metrics specified in subparagraph (B) and make recommendations to the fiscal and appropriate policy committees of both houses of the Legislature and to the Department of Finance as to whether they are the most appropriate metrics to measure and evaluate program outcomes for both new and renewal applicants, and whether other metrics should be included.

(D) Data collected pursuant to this section shall be reported by the grant recipient to the State Department of Education and their ~~K-14~~ K–14 Technical Assistance Provider by November 1 immediately following the fiscal year for which the data is

being reported. The ~~K-14~~ K–14 Technical Assistance Provider shall annually notify the ~~K-12~~ K–12 Selection Committee in each region of any grant recipient that fails to provide the required outcome data. The ~~K-12~~ K–12 Selection Committee, in consultation with the consortium, may terminate or rescind contracts and grants from grantees that fail to provide the required outcome-based data pursuant to this paragraph.

(E) The State Department of Education shall make the data reported pursuant to subparagraph (D) available to the chancellor's office on a date to be jointly determined by the State Department of Education and the chancellor's office, to ensure the data is included on the California Community Colleges LaunchBoard data platform.

(F) No later than January 31, 2024, and on or before January 31 every five years thereafter, the State Department of Education shall submit a report, pursuant to Section 53076.5 and this section, to the Department of Finance, the Governor, and the appropriate policy and fiscal committees of the Legislature evaluating the progress that local educational agencies have made in expanding the availability of high-quality, industry-valued career technical education and workforce development opportunities; improving coordination and alignment with postsecondary educational institutions and workforce agencies and programs; and, to the extent possible, the progress in closing equity gaps in program access and completion.

SEC. 37. Section 88830 of the Education Code is amended to read:

88830. (a) When determining grant recipients under the K–12 component of the Strong Workforce Program, the K–12 Selection Committee shall consider past performance of grantees before awarding additional funds to those reapplying for grants.

(b) (1) The K–12 Selection Committee shall give positive consideration to each of the following characteristics in an applicant:

(A) Aligned programs serving unduplicated pupils, as defined in Section 42238.02.

(B) Programs that the K–12 Selection Committee, in consultation with the consortium, determines most effectively meet the needs of the local and regional economies.

(C) Programs serving pupil subgroups that have higher than average dropout rates as identified by the Superintendent of Public Instruction.

(D) Programs located in an area of the state with a high unemployment rate.

(2) When determining grant recipients, the K–12 Selection Committee shall give greatest weight to the applicant characteristics included in this subdivision.

(c) The K–12 Selection Committee shall also give positive consideration to programs to the extent they do any of the following:

(1) Successfully leverage one or both of the following:

(A) Existing structures, requirements, and resources of the federal ~~Carl D. Perkins Career and Technical Education Improvement Act of 2006 (20 U.S.C. Sec. 2301 et seq.), or its successor,~~ Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224), the partnership academies program pursuant to Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2, or the agricultural career technical education incentive program pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2.

(B) Contributions from industry, labor, and philanthropic sources.

(2) Make significant investments in career technical education infrastructure, equipment, and facilities.

(3) Operate within rural school districts.

SEC. 38. Section 88831 of the Education Code is amended to read:

88831. (a) A grant recipient for purposes of the K–12 component may consist of one or more, or any combination, of the following:

(1) School districts.

(2) County offices of education.

(3) Charter schools.

(4) Regional occupational centers or programs operated by a joint powers ~~authority, provided that~~ authority or county office of education, if the application has the written consent of each participating local educational agency.

(b) Each consortium shall work with its K–14 Technical Assistance Provider to provide notice to county offices of education, other local educational agencies, middle schools, high schools, and regional occupational centers and programs eligible for grants under this section of the availability of contracts and grants and the process for submitting an application.

SEC. 39. Section 88833 of the Education Code is amended to read:

88833. (a) (1) Commencing with the 2018–19 fiscal year, the amount appropriated in the annual Budget Act for support of the K–12 Workforce Pathway Coordinators and the K–14 Technical Assistance Providers shall be used to establish a K–12 Workforce Pathway Coordinator within the geographical boundaries of each community college district, unless otherwise determined by the Superintendent of Public Instruction and the chancellor's office. K–12 Workforce Pathway Coordinators shall be selected through a competitive process jointly administered by the Superintendent of Public Instruction and the chancellor's office, for the provision of technical assistance and support to local educational agencies in implementing career technical education courses, programs, and pathways under both the California Career Technical Education Incentive Grant Program established pursuant to Section 53070 and the K–12 component of the Strong Workforce Program. Duties of the K–12 Workforce Pathway Coordinators selected pursuant to this section include, but are not limited to, all of the following:

(A) Providing technical assistance and support to local educational agencies to implement career technical education courses, programs, and pathways and integrate available local, regional, state, and private resources to ensure that pupils will achieve successful workforce outcomes. As part of this duty, each K–12 Workforce Pathway Coordinator, in consultation with the State Department of Education, shall ensure that K–12 career technical education programs are aligned with the California Career Technical Education Model Curriculum Standards adopted by the State Board of Education pursuant to Section 51226.

(B) Collaborating on behalf of the local educational agencies within the region with local community colleges, industry partners, local workforce investment boards, and other relevant agencies or organizations to support and align K–12 career technical education programs. As part of this duty, each K–12 Workforce Pathway Coordinator shall stay current with the needs of K–12 career technical education programs and their regional and local labor markets in order to provide guidance, in collaboration with

local educational agencies, to the chancellor's office, the Strong Workforce regional consortium, and industry representatives.

(C) Acting as first point of contact for local educational agencies, industry representatives, and employers with the intent of assisting local educational agencies to respond to industry needs and facilitating industry connection with K–12 career technical education programs.

(D) Cultivating collaborative communities so that local educational agencies and industry can collaborate and provide peer-to-peer knowledge exchange in areas of common interest to inform the development of high-quality education programs.

(E) Working in conjunction with the Deputy Sector Navigators and State Department of Education Industry Sector Leads to improve linkages and alignment of career education pathways between middle schools, high schools, public postsecondary institutions, and the workforce.

(2) An individual associated with any of the following may apply to serve as a K–12 Workforce Pathway Coordinator, or any of the following may subcontract with an individual with expertise in K–12 education and workforce development to serve as a K–12 Workforce Pathway Coordinator:

(A) School districts.

(B) County offices of education.

(C) Charter schools.

(D) Regional occupational centers or programs operated by a joint powers ~~authority.~~ authority or county office of education.

(3) The Superintendent of Public Instruction and the chancellor's office shall agree upon an outcome-based assessment that allows for an evaluation of the K–12 Workforce Pathway Coordinators' ability to perform the duties identified in paragraph (1). Data required for purposes of this evaluation shall be submitted by the K–12 Workforce Pathway Coordinators to the Superintendent of Public Instruction and the chancellor's office at least annually, commencing in the 2019–20 fiscal year.

(b) (1) Commencing with the 2018–19 fiscal year, the amount appropriated in the annual Budget Act for support of the K–12 Workforce Pathway Coordinators and the K–14 Technical Assistance Providers shall be used to support the activities of the K–14 Technical Assistance Providers established under the California Career Pathways Trust. One K–14 Technical Assistance Provider shall be selected for each consortium through a competitive process jointly administered by the Superintendent of Public Instruction and the chancellor's office, for the provision of technical assistance and support to local educational agencies in implementing career technical education courses, programs, and pathways under both the California Career Technical Education Incentive Grant Program established pursuant to Section 53070 and the K–12 component of the Strong Workforce Program. Duties of the K–14 Technical Assistance Providers selected pursuant to this section include, but are not limited to, all of the following:

(A) Providing leadership, guidance, and technical assistance to create, support, expand, and improve career technical education opportunities for local educational agencies. As part of this duty, each K–14 Technical Assistance Provider, in consultation with the State Department of Education, shall ensure that K–12 career technical education programs are aligned with the California Career Technical Education Model Curriculum Standards adopted by the State Board of Education pursuant to Section 51226.

(B) Acting as a liaison between the consortium and the State Department of Education, and serving as a consultant to the K–12 Selection Committee.

(C) Interacting with the K–12 Workforce Pathway Coordinators, the Deputy Sector Navigators, and the State Department of Education Industry Sector Leads to improve linkages and career education pathways between middle schools, high schools, public postsecondary institutions, and the workforce.

(D) Identifying professional development opportunities for the K–12 Workforce Pathway Coordinators and educational entities, including educational leaders and counselors.

(E) Regularly facilitating the convening of grantees to develop a network of educators to share best practices and cultivate state resources that can be used by agencies charged with providing assistance within the statewide system of support authorized pursuant to Section 52059.5.

(2) Any of the following may apply to serve as a K–14 Technical Assistance Provider, or subcontract with an individual with expertise in K–12 education and workforce development to serve as a K–14 Technical Assistance Provider:

(A) School districts.

(B) County offices of education.

(C) Charter schools.

(D) Regional occupational centers or programs operated by a joint powers ~~authority.~~ authority or county office of education.

(E) Community college districts.

(3) The Superintendent of Public Instruction and the chancellor's office shall agree upon an outcome-based assessment that allows for an evaluation of the K–14 Technical Assistance Providers' ability to perform the duties identified in paragraph (1). Data required for purposes of this evaluation shall be submitted by the K–14 Technical Assistance Providers to the Superintendent of Public Instruction and the chancellor's office at least annually, commencing in the 2019–20 fiscal year.

(4) In selecting the K–14 Technical Assistance Providers, the Superintendent of Public Instruction and the chancellor's office shall give priority to applicants who served as a K–14 Technical Assistance Provider under the California Career Pathways Trust pursuant to paragraph (2) of subdivision (e) of Section 53015.

(c) To promote the successful transition to the K–12 Strong Workforce Program, notwithstanding subdivisions (a) and (b), for the 2018–19 fiscal year only, the amount appropriated in the annual Budget Act for support of the K–12 Workforce Pathway Coordinators and the K–14 Technical Assistance Providers shall also be available for the purposes of integrating the K–12 component into the regional consortia and hiring and developing the K–12 Workforce Pathway Coordinators and K–14 Technical Assistance Providers.

(d) Any funds not ~~utilized~~ used for the purposes identified in subdivision (a), (b), or (c) shall be added to the amount appropriated in the annual Budget Act for the K–12 component of the Strong Workforce Program, and provided to each consortium to create, support, or expand career technical education programs at the K–12 level that are aligned with the workforce development efforts occurring through the Strong Workforce Program.

SEC. 40. (a) For the 2019–20 fiscal year, the sum of three hundred fifty thousand dollars ($350,000) is hereby appropriated from the General Fund to the State Department

of Education to support the alignment and integration of the online platforms supporting the California School Dashboard, the Local Control and Accountability Plan Electronic Template System, and the School Accountability Report Card. In performing this work, every effort shall be made to maximize the consistency of school-level data reported through the School Accountability Report Card with the state priorities described in subdivision (d) of Section 52060 of the Education Code and included in California's accountability system and reported through the California School Dashboard.

(b) (1) For the purposes specified in subdivision (a), the State Department of Education, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, shall enter into contracts with the San Joaquin County Office of Education.

(2) When performing these activities, the San Joaquin County Office of Education may enter into appropriate contracts for the provision of support and services, as necessary.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2019–20 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2019–20 fiscal year.

SEC. 41. (a) For the 2019–20 fiscal year, the sum of three million nine thousand dollars ($3,009,000) is hereby appropriated from the General Fund to the State Department of Education for the purposes set forth in subdivision (c).

(b) For the 2019–20 fiscal year, the sum of six hundred seven thousand dollars ($607,000) is hereby appropriated from the Educational Telecommunication Fund established pursuant to Section 10554 of the Education Code to the State Department of Education for the purposes set forth in subdivision (c).

(c) The State Department of Education shall allocate the funds appropriated pursuant to subdivisions (a) and (b) to the Kern County Superintendent of Schools for the County Office Fiscal Crisis and Management Assistance Team for the Standardized Account Code Structure system replacement project.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2019–20 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Sect ion 41202 of the Education Code, for the 2019–20 fiscal year.

SEC. 42. The sum of four million dollars ($4,000,000) appropriated for allocation to the San Francisco Unified School District pursuant to Section 150 of Chapter 32 of the Statutes of 2018 shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within "total allocations to school districts and community college districts from General Fund proceeds of taxes

appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 43. The sum of two million dollars ($2,000,000) appropriated for allocation to the Sweetwater Union High School District pursuant to Section 151 of Chapter 32 of the Statutes of 2018 shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 44. The sum of one million seven hundred thousand dollars ($1,700,000) appropriated for allocation pursuant to Section 216 of the Education Code, as provided in Section 130 of Chapter 32 of the Statutes of 2018, shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 45. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 46. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Education finance: education omnibus budget trailer bill.

(1) The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer childcare and development programs that offer a full range of services to eligible children from infancy to 13 years of age, inclusive. Existing law requires the Superintendent to administer all California state preschool programs, which include part-day age and developmentally appropriate programs for 3- and 4-year-old children, as provided. Existing law provides that 3- and 4-year-old children are eligible for the state part-day preschool program if the family meets specified eligibility requirements, including the family needs childcare services for specified reasons.

This bill would make a family eligible for a California state preschool program without meeting the requirements relating to the need for childcare services.

(2) Existing law requires the Controller to draw warrants on the State Treasury in favor of the county treasurer of each county at specified times in each fiscal year, as prescribed, so as to provide in each warrant a portion of the total amount certified by the Superintendent of Public Instruction as apportioned under specified programs from the State School Fund to the school districts and charter schools under the jurisdiction of the county superintendent of schools of that county, to the county school service fund, and to the county school tuition fund of that county.

This bill would require state moneys appropriated in support of those specified programs to be transferred to Section A of the State School Fund for allocation in the amount and manner specified for each program, and would require those moneys to be applied to meet certain requirements of the California Constitution. The bill would prohibit state moneys appropriated in support of all other elementary and secondary education programs from being transferred to Section A of the State School Fund, but would deem those state moneys as transferred to Section A of the State School Fund and applied to meet the same requirements of the California Constitution.

(3) Existing law, the Full-Day Kindergarten Facilities Grant Program, appropriates $100,000,000 for the 2018–19 fiscal year from the General Fund to the State Allocation Board to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms, as specified.

This bill would appropriate $750,000,000 for the 2019–20 fiscal year from the General Fund to the State Allocation Board to provide one-time grants for purposes of the program. The bill would require a school district seeking a program grant to provide the Office of Public School Construction with 4 years of schoolsite enrollment data, as provided.

(4) Section 8 of Article XVI of the California Constitution sets forth a formula for computing the minimum amount of revenues that the state is required to appropriate for the support of school districts and community college districts for each fiscal year. Existing law specifies that funds appropriated for part-day California state preschool programs apply toward that minimum funding obligation, as provided.

This bill would instead specify that only funds appropriated to local educational agencies for part-day California state preschool programs apply toward the minimum funding obligation.

If the Superintendent of Public Instruction and the Director of Finance jointly determine that, for the 2018–19 fiscal year, the state has applied moneys for the support of school districts and community college districts in an amount that exceeds the minimum funding obligation required for the 2018–19 fiscal year, this bill would require the excess, up to $475,263,000, to be deemed a payment in satisfaction of the outstanding balance of the minimum funding obligation in the 2009–10 and 2011–12 fiscal years.

The bill would appropriate $211,329,000 from the General Fund to the Controller in the 2019–20 fiscal year for allocation to school districts and community college districts for the purpose of reducing the outstanding balance of the minimum funding obligation in the 2011–12, 2013–14, 2014–15, and 2016–17 fiscal years, as specified.

(5) For the 1990–91 fiscal year and each fiscal year thereafter, existing law requires that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the 1992–93 to 2018–19 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2019–20 fiscal year.

(6) Existing law requires a county superintendent of schools to monitor and review school district certificated employee assignment practices, as provided. Existing law requires a county superintendent of schools to submit an annual report to the commission and the State Department of Education summarizing the results of all assignment monitoring and reviews. Existing law requires the Commission on Teacher Credentialing to submit biennial reports to the Legislature concerning teacher assignments and misassignments based, in part, on the annual reports of the county superintendents of schools.

This bill would repeal those provisions relating to teacher assignment monitoring. The bill would require the commission and the department to enter into a data sharing agreement to provide the commission with certificated employee assignment data necessary to annually identify misassignments and vacant positions at local educational agencies, as provided. The bill would require the commission to use that data to produce a data file of vacant positions and certificated employee assignments that do not have a clear match of credential to assignment. The bill would require the commission to

make publicly available on its internet website a report and data file of misassignments and vacant positions.

(7) Existing law requires governing boards of school districts, county boards of education, and charter schools to adopt a local control and accountability plan, as provided. Existing law requires the governing board of a school district and a county board of education to hold at least one public hearing regarding its local control and accountability plan or annual update to the local control and accountability plan. Existing law authorizes the governing board of a school district and the county superintendent of schools to adopt revisions to a local control and accountability plan during the period it is in effect and requires those revisions to be adopted in a public meeting.

This bill would apply the public hearing and meeting provisions to charter schools. By requiring charter schools to hold a public hearing or meeting as part of its adoption of a local control and accountability plan, the bill would impose a state-mandated local program.

(8) Existing law establishes a public school financing system that requires state funding for school districts and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons, as specified. Existing law requires the Superintendent of Public Instruction to make specified calculations for each school district and charter school for the transition to the local control funding formula. Existing law requires, commencing with the 2013–14 fiscal year, a school district or charter school to receive a minimum amount of state-aid funding, as provided.

Existing law requires a sponsoring local educational agency to annually transfer to each of its charter schools funding in lieu of property taxes, as specified. Existing law requires, if the funding transferred in lieu of property taxes exceeds the calculations for the transition to the local control funding formula, the excess funding to offset the minimum amount of state-aid funding for the charter school.

This bill would instead require, if the funding transferred in lieu of property taxes exceeds the sum of the amounts of the charter school's local control funding formula supplemental and concentration grants, as adjusted, the excess funding to offset the minimum amount of state-aid funding for the charter school.

(9) If 15% or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, existing law requires all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district to be written in English and the primary language, and authorizes the parent or guardian to respond either in English or the primary language.

This bill would apply those provisions to charter schools. By requiring charter schools to provide certain notices, reports, statements, or records to be written in English and a primary language other than English, the bill would impose a state-mandated local program.

(10) Existing law requires the superintendent of a school district to post on the homepage of the internet website of the school district any local control and accountability plan approved by the governing board of the school district. Existing law requires a county superintendent of schools to post all local control and

accountability plans submitted by school districts, or links to those plans, on the internet website of the county office of education. Existing law requires the Superintendent of Public Instruction to post links to all local control and accountability plans approved by the governing boards of school districts and county boards of education on the internet website of the department.

This bill would also require the superintendent of a school district, county superintendent of schools, and Superintendent to post or link to the local control and accountability plans of charter schools in the same manner as described above, as specified. By requiring local educational agencies to post additional information on their internet websites, the bill would impose a state-mandated local program.

(11) Existing law establishes the California Collaborative for Educational Excellence to advise and assist school districts, county superintendents of schools, and charter schools in achieving their local control and accountability plan goals, as provided.

This bill would require the collaborative and the State Department of Education, in consultation with the executive director of the State Board of Education, to establish a formal process to coordinate the activities of the department, the collaborative, and lead agencies established for specified purposes to provide coherent and effective support to local educational agencies.

(12) Existing law creates within the State Department of Education an agricultural career technical education unit to assist school districts in establishing and maintaining career technical education programs in agriculture, as provided.

This bill would establish within the unit the position of Assistant State Supervisor of Agricultural Career Technical Education, and would require the Assistant State Supervisor of Agricultural Career Technical Education to assume responsibility for the coordination of the state program of agricultural career technical education, as provided. The bill would require an appropriate number of employees of the department to serve as regional program consultants in agricultural career technical education, and would specify the duties of a regional program consultant.

(13) Existing law establishes the California Career Technical Education Incentive Grant Program, administered by the State Department of Education, with the purpose of encouraging and maintaining the delivery of high-quality career technical education programs. Existing law requires the department to award competitive grants under the program to a school district, county office of education, charter school, or regional occupational center or program operated by a joint powers authority, or any combination of those entities, if the entity or combination of entities meets certain requirements, including providing a local funding match. Existing law prohibits using funding from certain sources for the local funding match.

Existing law establishes a Strong Workforce Program, and a K–12 component of the Strong Workforce Program for purposes of creating, supporting, or expanding high-quality career technical education programs at the K–12 level that are aligned with the workforce development efforts occurring through the community college component of the program. Existing law authorizes a school district, county office of education, charter school, or regional occupational center or program operated by a joint powers authority, or any combination of those entities, to apply for a grant under the program if the entity or combination of entities meets certain requirements, including

providing a local funding match. Existing law prohibits using funding from certain sources for the local funding match.

This bill would make a regional occupational center or program operated by a county office of education eligible for a grant under both of these programs. The bill would prohibit using funding from the Career Technical Education Facilities Program for the local funding match for both of these programs.

(14) Existing law requires apportionments for special education programs and services to be computed in a specified manner.

This bill would require the Superintendent of Public Instruction, commencing with the 2019–20 fiscal year and each fiscal year thereafter, to make specified calculations for purposes of providing a special education concentration grant to local educational agencies to supplement existing special education costs. The bill would make a local educational agency eligible for a special education concentration grant if it has a percentage of individuals with exceptional needs that exceeds the statewide average and more than 55% of its enrollment is composed of English learners, pupils eligible for a free or reduced-price meal, and foster youth.

The bill would require the Superintendent, for the 2019–20 fiscal year, to make an additional computation, as specified, to determine the amount of funding allocated to each local educational agency eligible for a one-time special education concentration grant.

(15) Existing law requires, as a condition of receiving specified state and federal funding, a local educational agency to ensure that each school of the local educational agency that operates specified programs consolidates any plans that are required by those programs into a single plan, known as the School Plan for Student Achievement (SPSA). Existing law authorizes single school districts and charter schools to use the local control and accountability plan to serve as the SPSA, as provided.

This bill would authorize single school districts and charter schools to use the local control and accountability plan to serve as the SPSA only if the local control and accountability plan is adopted at a public hearing.

(16) This bill would appropriate $350,000 from the General Fund to the State Department of Education for the 2019–20 fiscal year to support the alignment and integration of the online platforms supporting the California School Dashboard, the Local Control and Accountability Plan Electronic Template System, and the School Accountability Report Card, as provided.

(17) This bill would appropriate $3,009,000 from the General Fund and $607,000 from the Educational Telecommunication Fund to the State Department of Education for the 2019–20 fiscal year for allocation to the Kern County Superintendent of Schools for the County Office Fiscal Crisis and Management Assistance Team for the Standardized Account Code Structure system replacement project.

(18) Existing law appropriates $4,000,000 for allocation to the San Francisco Unified School District to support a middle school facilities project, $2,000,000 for allocation to the Sweetwater Union High School District to support a high school facilities project, and $1,700,000 for allocation for online training programs on pupil suicide prevention.

This bill would specify that those appropriations shall be applied toward the minimum funding requirements for school districts and community college districts

imposed by Section 8 of Article XVI of the California Constitution for the 2018–19 fiscal year.

(19) 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 the statutory provisions noted above.

(20) Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(21) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.