

An act to amend Sections 8208, 8244, 8250, 8263, 8263.1, 8263.2, 8263.3, 8279.3, 8357, 8447, 41202, 41203.1, 42920.5, 44259.1, 47604.32, 47604.33, 47606.5, 51747, 52052, 53070, 53076, 54749, and 56836.165 of, to add Sections 8262.7, 41207.42, and 60602.6 to, to add Article 7 (commencing with Section 17375) to Chapter 3 of Part 10.5 of Division 1 of Title 1 of, to repeal Article 7 (commencing with Section 69620) of Chapter 2 of Part 42 of Division 5 of Title 3 of, and to repeal and add Chapter 2.3 (commencing with Section 8499) of Part 6 of Division 1 of Title 1 of, the Education Code, and to amend Sections 17518.5 and 17581.9 of, and to add Section 17581.95 to, the Government Code, relating to school 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 8208 of the Education Code is amended to read:

8208. As used in this ~~chapter~~: chapter, the following terms have the following meanings:

(a) "Alternative payments" includes payments that are made by one child care agency to another agency or child care provider for the provision of child care and development services, and payments that are made by an agency to a parent for the parent's purchase of child care and development services.

(b) "Alternative payment program" means a local government agency or nonprofit organization that has contracted with the department pursuant to Section 8220.1 to provide alternative payments and to provide support services to parents and providers.

(c) "Applicant or contracting agency" means a school district, community college district, college or university, county superintendent of schools, county, city, public agency, private nontax-exempt agency, private tax-exempt agency, or other entity that is authorized to establish, maintain, or operate services pursuant to this chapter. Private agencies and parent cooperatives, duly licensed by law, shall receive the same consideration as any other authorized entity with no loss of parental decisionmaking prerogatives as consistent with the provisions of this chapter.

(d) "Assigned reimbursement rate" is that rate established by the contract with the agency and is derived by dividing the total dollar amount of the contract by the minimum child day of average daily enrollment level of service required.

(e) "Attendance" means the number of children present at a child care and development facility. "Attendance," for purposes of reimbursement, includes excused



absences by children because of illness, quarantine, illness or quarantine of their parent, family emergency, or to spend time with a parent or other relative as required by a court of law or that is clearly in the best interest of the child.

(f) "Capital outlay" means the amount paid for the renovation and repair of child care and development facilities to comply with state and local health and safety standards, and the amount paid for the state purchase of relocatable child care and development facilities for lease to qualifying contracting agencies.

(g) "Caregiver" means a person who provides direct care, supervision, and guidance to children in a child care and development facility.

(h) "Child care and development facility" means a residence or building or part thereof in which child care and development services are provided.

(i) "Child care and development programs" means those programs that offer a full range of services for children from infancy to 13 years of age, for any part of a day, by a public or private agency, in centers and family child care homes. These programs include, but are not limited to, all of the following:

- (1) General child care and development.
- (2) Migrant child care and development.
- (3) Child care provided by the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2).
- (4) California state preschool program.
- (5) Resource and referral.
- (6) Child care and development services for children with exceptional needs.



(7) Family child care home education network.

(8) Alternative payment.

(9) Schoolage community child care.

(j) "Child care and development services" means those services designed to meet a wide variety of needs of children and their families, while their parents or guardians are working, in training, seeking employment, incapacitated, or in need of respite. These services may include direct care and supervision, instructional activities, resource and referral programs, and alternative payment arrangements.

(k) "Children at risk of abuse, neglect, or exploitation" means children who are so identified in a written referral from a legal, medical, or social service agency, or emergency shelter.

(l) "Children with exceptional needs" means either of the following:

(1) Infants and toddlers under three years of age who have been determined to be eligible for early intervention services pursuant to the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) and its implementing regulations. These children include an infant or toddler with a developmental delay or established risk condition, or who is at high risk of having a substantial developmental disability, as defined in subdivision (a) of Section 95014 of the Government Code. These children shall have active individualized family service plans, shall be receiving early intervention services, and shall be children who require the special attention of adults in a child care setting.

(2) Children 3 to 21 years of age, inclusive, who have been determined to be eligible for special education and related services by an individualized education



program team according to the special education requirements contained in Part 30 (commencing with Section 56000) of Division 4 of Title 2, and who meet eligibility criteria described in Section 56026 and, Article 2.5 (commencing with Section 56333) of Chapter 4 of Part 30 of Division 4 of Title 2, and Sections 3030 and 3031 of Title 5 of the California Code of Regulations. These children shall have an active individualized education program, shall be receiving early intervention services or appropriate special education and related services, and shall be children who require the special attention of adults in a child care setting. These children include children with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (also referred to as emotional disturbance), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, who need special education and related services consistent with Section 1401(3)(A) of Title 20 of the United States Code.

(m) "Closedown costs" means reimbursements for all approved activities associated with the closing of operations at the end of each growing season for migrant child development programs only.

(n) "Cost" includes, but is not limited to, expenditures that are related to the operation of child care and development programs. "Cost" may include a reasonable amount for state and local contributions to employee benefits, including approved retirement programs, agency administration, and any other reasonable program operational costs. "Cost" may also include amounts for licensable facilities in the community served by the program, including lease payments or depreciation,



downpayments, and payments of principal and interest on loans incurred to acquire, rehabilitate, or construct licensable facilities, but these costs shall not exceed fair market rents existing in the community in which the facility is located. "Reasonable and necessary costs" are costs that, in nature and amount, do not exceed what an ordinary prudent person would incur in the conduct of a competitive business.

(o) "Elementary school," as contained in former Section 425 of Title 20 of the United States Code (the National Defense Education Act of 1958, Public Law 85-864, as amended), includes early childhood education programs and all child development programs, for the purpose of the cancellation provisions of loans to students in institutions of higher learning.

(p) "Family child care home education network" means an entity organized under law that contracts with the department pursuant to Section 8245 to make payments to licensed family child care home providers and to provide educational and support services to those providers and to children and families eligible for state-subsidized child care and development services. A family child care home education network may also be referred to as a family child care home system.

(q) "Health services" include, but are not limited to, all of the following:

(1) Referral, whenever possible, to appropriate health care providers able to provide continuity of medical care.

(2) Health screening and health treatment, including a full range of immunization recorded on the appropriate state immunization form to the extent provided by the Medi-Cal Act (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code) and the Child Health and Disability Prevention



Program (Article 6 (commencing with Section 124025) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code), but only to the extent that ongoing care cannot be obtained utilizing community resources.

(3) Health education and training for children, parents, staff, and providers.

(4) Followup treatment through referral to appropriate health care agencies or individual health care professionals.

(r) "Higher educational institutions" means the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges, and the governing bodies of any accredited private nonprofit institution of postsecondary education.

(s) "Intergenerational staff" means persons of various generations.

(t) "Limited-English-speaking-proficient and non-English-speaking-proficient children" means children who are unable to benefit fully from an English-only child care and development program as a result of either of the following:

(1) Having used a language other than English when they first began to speak.

(2) Having a language other than English predominantly or exclusively spoken at home.

(u) "Local educational agency" means a school district, a county office of education, a community college district, or a school district on behalf of one or more schools within the school district.

(v) "Notice of action, application for services" means a written statement of specific information issued by a contractor that informs the applicant of the contractor's decision to approve or deny child care services.



(w) "Notice of action, recipient of services" means a written statement of specific information issued by a contractor informing the family receiving child care services that a change has been made to their service agreement. These changes may include, but are not limited to, need and eligibility requirements that are no longer being met, fees that have not been paid, or the proposed modification of the fee or amount of services provided by the contractor.

(u)

(x) "Parent" means a biological parent, stepparent, adoptive parent, foster parent, caretaker relative, or any other adult living with a child who has responsibility for the care and welfare of the child.

(v)

(y) "Program director" means a person who, pursuant to Sections 8244 and 8360.1, is qualified to serve as a program director.

(w)

(z) "Proprietary child care agency" means an organization or facility providing child care, which is operated for profit.

(x)

(aa) "Resource and referral programs" means programs that provide information to parents, including referrals and coordination of community resources for parents and public or private providers of care. Services frequently include, but are not limited to: technical assistance for providers, toy-lending libraries, equipment-lending libraries, toy- and equipment-lending libraries, staff development programs, health and nutrition education, and referrals to social services.



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(y)

(ab) "Severely disabled children" are children with exceptional needs from birth to 21 years of age, inclusive, who require intensive instruction and training in programs serving pupils with the following profound disabilities: autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, or severe intellectual disabilities. "Severely disabled children" also include those individuals who would have been eligible for enrollment in a developmental center for handicapped pupils under Chapter 6 (commencing with Section 56800) of Part 30 of Division 4 of Title 2 as it read on January 1, 1980.

(z)

(ac) "Short-term respite child care" means child care service to assist families whose children have been identified through written referral from a legal, medical, or social service agency, or emergency shelter as being neglected, abused, exploited, or homeless, or at risk of being neglected, abused, exploited, or homeless. Child care is provided for less than 24 hours per day in child care centers, treatment centers for abusive parents, family child care homes, or in the child's own home.

(aa)

(ad) (1) "Site supervisor" means a person who, regardless of his or her title, has operational program responsibility for a child care and development program at a single site. A site supervisor shall hold a permit issued by the Commission on Teacher Credentialing that authorizes supervision of a child care and development program operating in a single site. The Superintendent may waive the requirements of this



subdivision if the Superintendent determines that the existence of compelling need is appropriately documented.

(2) For California state preschool programs, a site supervisor may qualify under any of the provisions in this subdivision, or may qualify by holding an administrative credential or an administrative services credential. A person who meets the qualifications of a program director under both Sections 8244 and 8360.1 is also qualified under this subdivision.

(ab)

(ae) “Standard reimbursement rate” means that rate established by the Superintendent pursuant to Section 8265.

(ac)

(af) “Startup costs” means those expenses an agency incurs in the process of opening a new or additional facility before the full enrollment of children.

(ad)

(ag) “California state preschool program” means part-day and full-day educational programs for low-income or otherwise disadvantaged three- and four-year-old children.

(ae)

(ah) “Support services” means those services that, when combined with child care and development services, help promote the healthy physical, mental, social, and emotional growth of children. Support services include, but are not limited to: protective services, parent training, provider and staff training, transportation, parent and child counseling, child development resource and referral services, and child placement counseling.



~~(af)~~

(ai) “Teacher” means a person with the appropriate permit issued by the Commission on Teacher Credentialing who provides program supervision and instruction that includes supervision of a number of aides, volunteers, and groups of children.

~~(ag)~~

(aj) “Underserved area” means a county or subcounty area, including, but not limited to, school districts, census tracts, or ZIP Code areas, where the ratio of publicly subsidized child care and development program services to the need for these services is low, as determined by the Superintendent.

~~(ah)~~

(ak) “Workday” means the time that the parent requires temporary care for a child for any of the following reasons:

- (1) To undertake training in preparation for a job.
- (2) To undertake or retain a job.
- (3) To undertake other activities that are essential to maintaining or improving the social and economic function of the family, are beneficial to the community, or are required because of health problems in the family.

~~(ai)~~

(al) “Three-year-old children” means children who will have their third birthday on or before the date specified of the fiscal year in which they are enrolled in a California state preschool program, as follows:

- (1) November 1 of the 2012–13 fiscal year.



(2) October 1 of the 2013–14 fiscal year.

(3) September 1 of the 2014–15 fiscal year and each fiscal year thereafter.

(aj)

(am) “Four-year-old children” means children who will have their fourth birthday on or before the date specified of the fiscal year in which they are enrolled in a California state preschool program, as follows:

(1) November 1 of the 2012–13 fiscal year.

(2) October 1 of the 2013–14 fiscal year.

(3) September 1 of the 2014–15 fiscal year and each fiscal year thereafter.

(ak) ~~“Local educational agency” means a school district, a county office of education, a community college district, or a school district on behalf of one or more schools within the school district.~~

SEC. 2. Section 8244 of the Education Code is amended to read:

8244. (a) (1) ~~Any~~ An entity operating child care and development programs funded pursuant to this chapter that ~~provide~~ provides direct services to children at two or more sites, including through more than one contract or subcontract funded pursuant to this chapter, shall employ a program director.

(2) Programs providing direct services to children, for the purposes of this section, are general child care and development programs pursuant to Article 8 (commencing with Section 8240), migrant child care and development programs pursuant to Article 6 (commencing with Section 8230), ~~campus child care and development programs pursuant to Article 4 (commencing with Section 8225)~~, state preschool programs pursuant to Article 7 (commencing with Section 8235), child care and development



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services for children with special needs programs pursuant to Article 9 (commencing with Section 8250), ~~infant care and development services programs pursuant to Article 17 (commencing with Section 8390)~~, and any of these programs operated through family child care homes.

(b) (1) For purposes of this section, the following definitions shall apply:

(A) "Administrative responsibility" means awareness of the financial and business circumstances of the program, and, in appropriate cases, supervision of administrative and support personnel and the knowledge and authority to direct or modify administrative practices and procedures to ensure compliance to administrative and financial standards imposed by law.

(B) "Program director" means a person who, regardless of his or her title, has programmatic and administrative responsibility for a child care and development program that provides direct services to children at two or more sites.

(C) "Programmatic responsibility" means overall supervision of curriculum and instructional staff, including instructional aides, and the knowledge and authority to direct or modify program practices and procedures to ensure compliance to applicable quality and health and safety standards imposed by law.

(2) Administrative and programmatic responsibility also includes the responsibility to act as the representative for the child development program to the ~~State Department of Education~~; department. With respect to programs operated through family child care homes, administrative and programmatic responsibility includes ensuring that quality services are provided in the family child care homes.



(c) The program director also may serve as the site supervisor at one of the sites, provided that he or she both fulfills the duties of a “day care center director,” as set forth in Section 101315 of Title 22 of the California Code of Regulations, and meets the qualifications for a site supervisor as set forth in subdivision ~~(aa)~~ (ad) of Section 8208.

(d) The Superintendent of Public Instruction may waive the qualifications for program director described in Sections 8360.1 and 8360.3 upon a finding of one of the following circumstances:

(1) The applicant is making satisfactory progress toward securing a permit issued by the Commission on Teacher Credentialing authorizing supervision of a child care and development program operating in two or more sites or fulfilling the qualifications for program directors in severely handicapped programs, as specified in Section 8360.3.

(2) The place of employment is so remote from institutions offering the necessary coursework as to make continuing education impracticable and the contractor has made a diligent search but has been unable to hire a more qualified applicant.

(e) The ~~Superintendent of Public Instruction~~, Superintendent, upon good cause, may by rule identify and apply grounds in addition to those specified in subdivision (d) for granting a waiver of the qualifications for program director.

SEC. 3. Section 8250 of the Education Code is amended to read:

8250. (a) The Superintendent shall ensure that eligible children with exceptional needs are given equal access to all child care and development programs. Available federal and state funds for children with exceptional needs above the standard



reimbursement amount shall be used to assist agencies in developing and supporting appropriate programs for these children.

(b) To provide children with exceptional needs with additional access to child care and development programs, the Superintendent shall establish alternate appropriate placements, such as self-contained programs and innovative programs using the least restrictive environment. These programs shall be started as expansion funds become available and shall be expanded throughout the implementation of the plan. The Superintendent shall utilize existing program models and input from program specialists to develop new program criteria and guidelines for programs serving children with exceptional needs. These programs may serve children with exceptional needs up to 21 years of age.

(c) Any child with exceptional needs served in child care and development programs shall be afforded all rights and protections guaranteed in state and federal laws and regulations for individuals with exceptional needs.

(d) Notwithstanding any other provision of this chapter, the Superintendent may develop unique reimbursement rates for, and make reimbursements to, child care and development programs that received state funding for the 1980–81 fiscal year and serve severely disabled children, as defined in subdivision ~~(y)~~ (ab) of Section 8208, when all of the following conditions exist:

(1) Eligibility for enrollment of a severely disabled child in the program is the sole basis of the child's need for service.

(2) Services are provided to severely disabled children from birth to 21 years of age.



(3) No fees are charged to the parents of the severely disabled children receiving the services.

(e) The Superintendent shall include child care and development providers in all personnel development for persons providing services for children with exceptional needs.

SEC. 4. Section 8262.7 is added to the Education Code, to read:

8262.7. (a) (1) In order to assist with a uniform due process system across the state, the department shall create a required agency form for each of the following:

- (A) Notice of action, application for services.
- (B) Notice of action, recipient of services.

(2) These forms shall comply with, and be equivalent to, Section 658P(2) of the federal Child Care and Development Block Grant Act of 2014 (Public Law 113-186) for purposes of child care certificates.

(b) Notices of action forms shall include information about parents' due process rights and shall be written in a user-friendly manner.

(c) The Superintendent shall adopt rules and regulations to specify additional criteria for these notices of action, as defined in subdivisions (v) and (w), respectively, of Section 8208.

SEC. 5. Section 8263 of the Education Code 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:



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(1)

(A) A family is ~~(A)~~ (i) a current aid recipient, ~~(B)~~ (ii) income eligible, ~~(C)~~ (iii) homeless, or ~~(D)~~ (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.

(2)

(B) A family needs the child care services ~~(A)~~ (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)~~ (I) a recipient of protective services, ~~(ii)~~ (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or ~~(iii)~~ (III) being homeless or ~~(B)~~ (ii) because the parents are ~~(i)~~ (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, ~~(ii)~~ (II) employed or seeking employment, ~~(iii)~~ (III) seeking permanent housing for family stability, or ~~(iv)~~ (IV) incapacitated.

(2) If only one parent has signed an application for enrollment, as required by the department, and the information provided indicates the child in the family has another parent whose name does not appear on the application, then the presence or absence of that parent shall be self-certified by the parent signing the application, under penalty of perjury.

(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) (A) 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.

(B) A family who is receiving child care on the basis of being a child at risk of abuse, neglect, or exploitation, as defined in subdivision (k) of Section 8208, is eligible to receive services pursuant to subparagraph (A) for up to three months, unless the family becomes eligible pursuant to subparagraph (C).

(C) A family may receive child care services for up to 12 months on the basis of a certification by the county child welfare agency that child care services continue to be necessary or, if the child is receiving child protective services during that period of time, and the family requires child care and remains otherwise eligible. This time limit does not apply if the family's child care referral is recertified by the county child welfare agency.

(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 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 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 and development programs.

(d) In order to promote continuity of services, the Superintendent may extend the 60-working-day period specified in subdivision (a) of Section 18086.5 of Title 5 of the California Code of Regulations for an additional 60 working days if he or she



determines that opportunities for employment have diminished to the degree that one or both parents cannot reasonably be expected to find employment within 60 working days and granting the extension is in the public interest. The scope of extensions granted pursuant to this subdivision shall be limited to the necessary geographic areas and affected persons, which shall be described in the Superintendent's order granting the extension. It is the intent of the Legislature that extensions granted pursuant to this subdivision improve services in areas with high unemployment rates and areas with disproportionately high numbers of seasonal agricultural jobs.

(e) 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 and development program of a child whose parent or guardian files a letter with the governing board of the child care and development program stating that the medical examination or immunization is contrary to his or her 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 and development program is satisfied that the child is not suffering from that contagious or infectious disease.

(f) 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.

(g) The Superintendent shall establish guidelines for the collection of employer-sponsored child care benefit payments from a parent whose child receives subsidized child care 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 and development services provided, notwithstanding the applicable fee based on the fee schedule.

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

(i) 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.

SEC. 6. Section 8263.1 of the Education Code is amended to read:

8263.1. (a) For purposes of this chapter, "income eligible" means that a family's adjusted monthly income is at or below 70 percent of the state median income, adjusted for family size, and adjusted annually.

(b) Notwithstanding any other law, for the 2011–12 fiscal year, the income eligibility limits that were in effect for the 2007–08 fiscal year shall be reduced to 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size, effective July 1, 2011.



(c) Notwithstanding any other law, for the 2012–13, 2013–14, 2014–15, ~~and 2015–16~~ 2015–16, and 2016–17 fiscal years, the income eligibility limits shall be 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

(d) The income of a recipient of federal supplemental security income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.) and state supplemental program benefits pursuant to Title XVI of the federal Social Security Act and Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code shall not be included as income for purposes of determining eligibility for child care under this chapter.

SEC. 7. Section 8263.2 of the Education Code is amended to read:

8263.2. (a) Notwithstanding any other law, effective July 1, 2011, the department shall reduce the maximum reimbursable amounts of the contracts for the Preschool Education Program, the General Child Care Program, the Migrant Day Care Program, the Alternative Payment Program, the CalWORKs Stage 3 Program, and the Allowance for Handicapped Program by 11 percent or by whatever proportion is necessary to ensure that expenditures for these programs do not exceed the amounts appropriated for them, including any reductions made subsequent to the adoption of the annual Budget Act. The department may consider the contractor's performance or whether the contractor serves children in underserved ~~areas~~ areas, as defined in subdivision ~~(ag)~~ (aj) of Section ~~8208~~ 8208, when determining contract reductions, provided that the aggregate reduction to each program specified in this subdivision is 11 percent or by whatever proportion is necessary to ensure that expenditures for these programs do



not exceed the amounts appropriated for them, including any reductions made subsequent to the adoption of the annual Budget Act.

(b) Notwithstanding any other law, effective July 1, 2011, families shall be disenrolled from subsidized child care services, consistent with the priorities for services specified in subdivision (b) of Section 8263. Families shall be disenrolled in the following order:

(1) Families whose income exceeds 70 percent of the state median income (SMI) adjusted for family size, except for families whose children are receiving child protective services or are at risk of being neglected or abused.

(2) Families with the highest income below 70 percent of the SMI, in relation to family size.

(3) Families that have the same income and have been enrolled in child care services the longest.

(4) Families that have the same income and have a child with exceptional needs.

(5) Families whose children are receiving child protective services or are at risk of being neglected or abused, regardless of family income.

SEC. 8. Section 8263.3 of the Education Code is amended to read:

8263.3. (a) Notwithstanding any other law, and in addition to any reductions applied pursuant to Section 8263.2, effective July 1, 2012, the department shall reduce the maximum reimbursable amounts of the contracts for the General Child Care Program, the Migrant Day Care Program, the Alternative Payment Program, the CalWORKs Stage 3 Program, and the Allowance for Handicapped Program by 8.7 percent or by whatever proportion is necessary to ensure that expenditures for these



programs do not exceed the amounts appropriated for them, as adjusted for any reductions in appropriations made subsequent to the adoption of the annual Budget Act. The department may consider the contractor's performance or whether the contractor serves children in underserved ~~areas~~ areas, as defined in subdivision ~~(ag)~~ (aj) of Section ~~8208~~ 8208, when determining contract reductions, provided that the aggregate reduction to each program specified in this subdivision is 8.7 percent or whatever proportion is necessary to ensure that expenditures for these programs do not exceed the amounts appropriated for them, as adjusted for any reductions in appropriations made subsequent to the adoption of the annual Budget Act.

(b) Notwithstanding any other law, effective July 1, 2012, families shall be disenrolled from subsidized child care services, consistent with the priorities for services specified in subdivision (b) of Section 8263. Families shall be disenrolled in the following order:

- (1) Families with the highest income in relation to family size.
- (2) Families that have the same income and have been enrolled in child care services the longest.
- (3) Families that have the same income and have a child with exceptional needs.
- (4) Families whose children are receiving child protective services or are at risk of being neglected or abused, regardless of family income.

SEC. 9. Section 8279.3 of the Education Code is amended to read:

8279.3. (a) The department shall disburse augmentations to the base allocation for the expansion of child care and development programs to promote equal access to child development services across the state.



(b) The Superintendent of ~~Public Instruction~~ shall use the formula developed pursuant to subdivision (c) and the priorities identified by local child care and development planning councils, unless those priorities do not meet the requirements of state or federal law, as a guide in disbursing augmentations pursuant to subdivision (a).

(c) The Superintendent of ~~Public Instruction~~ shall develop a formula for prioritizing the disbursement of augmentations pursuant to this section. The formula shall give priority to allocating funds to underserved areas. The Superintendent of ~~Public Instruction~~ shall develop the formula by using the definition of “underserved area” in subdivision ~~(af)~~ (aj) of Section 8208 and direct impact indicators of need for child care and development services in the county or subcounty areas. For purposes of this section, “subcounty areas” include, but are not limited to, school districts, census tracts, or ZIP Code areas that are deemed by the Superintendent of ~~Public Instruction~~ to be most appropriate to the type of program receiving an augmentation. Direct impact indicators of need may include, but are not limited to, the teenage pregnancy rate, the unemployment rate, area household income, or the number or percentage of families receiving public assistance, eligible for Medi-Cal, or eligible for free or reduced-price school meals, and any unique characteristics of the population served by the type of program receiving an augmentation.

(d) To promote equal access to services, the Superintendent of ~~Public Instruction~~ shall include in guidelines developed for use by local planning councils pursuant to subdivision (d) of Section 8499.5 guidance on identifying underserved areas and



populations within counties. This guidance shall include reference to the direct impact indicators of need described in subdivision (c).

SEC. 10. Section 8357 of the Education Code is amended to read:

8357. (a) The cost of child care services provided under this article shall be governed by regional market rates. Recipients of child care services provided pursuant to this article shall be allowed to choose the child care services of licensed child care providers or child care providers who are, by law, not required to be licensed, and the cost of that child care shall be reimbursed by counties or agencies that contract with the department if the cost is within the regional market rate. For purposes of this section, “regional market rate” means care costing no more than 1.5 market standard deviations above the mean cost of care for that region. ~~Until October 1, 2015, the regional market rate ceilings shall be established at the greater of either the 85th percentile of the 2009 regional market rate survey for that region, reduced by 10.11 percent, or the 85th percentile of the 2005 regional market rate survey for that region. Commencing October 1, 2015, the~~ The regional market rate ceilings shall be established at 104.5 percent of the greater of either of the following:

(1) The 85th percentile of the 2009 regional market rate survey for that region, reduced by 10.11 percent.

(2) The 85th percentile of the 2005 regional market rate survey for that region.

(b) ~~Until October 1, 2015, the reimbursement to license-exempt child care providers shall not exceed 60 percent of the family child care home rate established pursuant to subdivision (a), effective July 1, 2011. Commencing October 1, 2015,~~



~~reimbursement~~ Reimbursement to license-exempt child care providers shall not exceed 65 percent of the family child care home rate established pursuant to subdivision (a).

(c) Reimbursement to child care providers shall not exceed the fee charged to private clients for the same service.

(d) Reimbursement shall not be made for child care services when care is provided by parents, legal guardians, or members of the assistance unit.

(e) A child care provider located on an Indian reservation or rancheria and exempted from state licensing requirements shall meet applicable tribal standards.

(f) For purposes of this section, "reimbursement" means a direct payment to the provider of child care services, including license-exempt providers. If care is provided in the home of the recipient, payment may be made to the parent as the employer, and the parent shall be informed of his or her concomitant legal and financial reporting requirements. To allow time for the development of the administrative systems necessary to issue direct payments to providers, for a period not to exceed six months from the effective date of this article, a county or an alternative payment agency contracting with the department may reimburse the cost of child care services through a direct payment to a recipient of aid rather than to the child care provider.

(g) Counties and alternative payment programs shall not be bound by the rate limits described in subdivision (a) when there are, in the region, no more than two child care providers of the type needed by the recipient of child care services provided under this article.



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(h) (1) Notwithstanding any other law, reimbursements to child care providers based upon a daily rate may only be authorized under either of the following circumstances:

(A) A family has an unscheduled but documented need of six hours or more per occurrence, such as the parent’s need to work on a regularly scheduled day off, that exceeds the certified need for child care.

(B) A family has a documented need of six hours or more per day that exceeds no more than 14 days per month. In no event shall reimbursements to a provider based on the daily rate over one month’s time exceed the provider’s equivalent full-time monthly rate or applicable monthly ceiling.

(2) This subdivision shall not limit providers from being reimbursed for services using a weekly or monthly rate, pursuant to subdivision (c) of Section 8222.

SEC. 11. Section 8447 of the Education Code is amended to read:

8447. (a) The Legislature hereby finds and declares that greater efficiencies may be achieved in the execution of state subsidized child care and development program contracts with public and private agencies by the timely approval of contract provisions by the Department of Finance, the Department of General Services, and the department and by authorizing the department to establish a multiyear application, contract expenditure, and service review as may be necessary to provide timely service while preserving audit and oversight functions to protect the public welfare.

(b) (1) The Department of Finance and the Department of General Services shall approve or disapprove annual contract funding terms and conditions, including both family fee schedules and regional market rate schedules that are required to be adhered



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to by contract, and contract face sheets submitted by the department not more than 30 working days from the date of submission, unless unresolved conflicts remain between the Department of Finance, the department, and the Department of General Services. The department shall resolve conflicts within an additional 30 working day time period. Contracts and funding terms and conditions shall be issued to child care contractors no later than June 1. Applications for new child care funding shall be issued not more than 45 working days after the effective date of authorized new allocations of child care moneys.

(2) Notwithstanding paragraph (1), ~~until January 1, 2015,~~ the State Department of Education ~~shall implement the regional market rate schedules based upon the county aggregates, as determined by the Regional Market survey conducted in 2005.~~ ~~Commencing January 1, 2015,~~ the department shall implement the regional market rate schedules based upon the 85th percentile of county aggregates, as determined by the Regional Market survey conducted in 2009. ~~Commencing January 1, 2015,~~ the The regional market rate schedule developed pursuant to this paragraph shall be reduced by 10.11 percent. If a ceiling for a county is less than the ceiling provided for that county before January 1, 2015, the department shall use the ceiling from the Regional Market survey conducted in 2005. ~~Commencing October 1, 2015,~~ the The regional market rate ceilings for all counties shall be increased by 4.5 percent.

(3) It is the intent of the Legislature to fully fund the third stage of child care for former CalWORKs recipients.

(c) With respect to subdivision (b), it is the intent of the Legislature that the Department of Finance annually review contract funding terms and conditions for the



primary purpose of ensuring consistency between child care contracts and the child care budget. This review shall include evaluating any proposed changes to contract language or other fiscal documents to which the contractor is required to adhere, including those changes to terms or conditions that authorize higher reimbursement rates, modify related adjustment factors, modify administrative or other service allowances, or diminish fee revenues otherwise available for services, to determine if the change is necessary or has the potential effect of reducing the number of full-time equivalent children that may be served.

(d) Alternative payment child care systems, as set forth in Article 3 (commencing with Section 8220), shall be subject to the rates established in the Regional Market Rate Survey of California Child Care Providers for provider payments. The department shall contract to conduct and complete a Regional Market Rate Survey no more frequently than once every two years, consistent with federal regulations, with a goal of completion by March 1.

(e) By March 1 of each year, the Department of Finance shall provide to the department the state median income amount for a four-person household in California based on the best available data. The department shall adjust its fee schedule for child care providers to reflect this updated state median ~~income~~; income, however, no changes based on revisions to the state median income amount shall be implemented midyear.

(f) Notwithstanding the June 1 date specified in subdivision (b), changes to the regional market rate schedules and fee schedules may be made at any other time to reflect the availability of accurate data necessary for their completion, provided these documents receive the approval of the Department of Finance. The Department of



Finance shall review the changes within 30 working days of submission and the department shall resolve conflicts within an additional 30 working day period. Contractors shall be given adequate notice before the effective date of the approved schedules. It is the intent of the Legislature that contracts for services not be delayed by the timing of the availability of accurate data needed to update these schedules.

SEC. 12. Chapter 2.3 (commencing with Section 8499) of Part 6 of Division 1 of Title 1 of the Education Code is repealed.

SEC. 13. Chapter 2.3 (commencing with Section 8499) is added to Part 6 of Division 1 of Title 1 of the Education Code, to read:

#### CHAPTER 2.3. LOCAL PRIORITIES FOR CHILD CARE

8499. (a) It is the intent of the Legislature that county offices of education, either individually or in a consortium, provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities.

(b) As a condition on the receipt of apportionments for purposes of this section, on or before May 30 of each year, the county superintendent of schools shall submit to the department the local priorities it has identified that reflect all child care needs in the county. To accomplish this, a county office of education or consortium of county offices of education shall do all of the following:

(1) Conduct an assessment of child care needs in the county no less frequently than once every five years. The department shall define and prescribe data elements



to be included in the needs assessment and shall specify the format for the data reporting. The needs assessment shall also include all factors deemed appropriate by the county office of education or consortium of county offices of education in order to obtain an accurate picture of the comprehensive child care needs in the county. The factors include, but are not limited to, all of the following:

(A) The needs of families eligible for subsidized child care.

(B) The needs of families not eligible for subsidized child care.

(C) The waiting lists for subsidized child care programs funded by the department and the State Department of Social Services.

(D) The need for child care for children determined by the child protective services agency to be neglected, abused, or exploited, or at risk of being neglected, abused, or exploited.

(E) The number of children in families receiving public assistance, including CalFresh benefits, housing support, and Medi-Cal, and assistance from the Healthy Families Program and the Temporary Assistance for Needy Families (TANF) program.

(F) Family income among families with preschool or schoolage children.

(G) The number of children in migrant agricultural families who move from place to place for work or who are currently dependent for their income on agricultural employment in accordance with subdivision (a) of, and paragraphs (1) and (2) of subdivision (b) of, Section 8231.

(H) The number of children who have been determined by a regional center to require services pursuant to an individualized family service plan, or by a local



educational agency to require services pursuant to an individualized education program or an individualized family service plan.

(I) The number of children in the county by primary language spoken pursuant to the department's language survey.

(J) Special needs based on geographic considerations, including rural areas.

(K) The number of children needing child care services by age cohort.

(2) Document information gathered during the needs assessment that shall include, but need not be limited to, data on supply, demand, cost, and market rates for each category of child care in the county.

(3) (A) Identify local priorities for expanding access to subsidized child care, goals in regard to the local priorities, and the method for measuring the county office of education's or consortium of county offices of education's progress toward achieving those goals.

(B) The county office of education or consortium of county offices of education shall work with the applicable county board of supervisors, child care providers that reflect the range of child care providers in the county, local educational agencies, families, and human services and other local public agencies to develop priorities.

(C) The county office of education or consortium of county offices of education shall encourage public input and provide at least one public hearing during which members of the public can comment on the proposed priorities.

(4) Prepare a comprehensive countywide child care plan designed to mobilize public and private resources to address identified needs. County offices of education and consortia of county offices of education are encouraged to combine this plan with



the regional early learning plan to create an aligned set of early learning and child care priorities for their region.

(5) Collaborate with subsidized and nonsubsidized child care providers, county welfare departments, human service agencies, regional centers, job training programs, employers, integrated child and family service councils, local and state children and families commissions, parent organizations, early start family resource centers, family empowerment centers on disability, local child care resource and referral programs, and other interested parties to foster partnerships designed to meet local child care needs.

(6) Coordinate part-day programs with other child care and development services to provide full-day child care.

(c) The department shall, in conjunction with the State Department of Social Services and all appropriate statewide agencies and associations, develop guidelines for use by county offices of education and consortia of county offices of educations to assist them in conducting needs assessments that are reliable and accurate. The guidelines shall include acceptable sources of demographic and child care data, and methodologies for assessing child care supply and demand.

(d) Except as otherwise required by subdivision (c) of Section 8236, the department shall allocate funding within each county in accordance with the priorities identified by the respective county office of education or consortium of county offices of education and submitted to the department pursuant to this section, unless the priorities do not meet the requirements of state or federal law.



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8499.5. (a) It is the intent of the Legislature that any additional conditions imposed upon county offices of education or a consortium of county offices of education for child care planning shall be funded from available federal funds to the greatest extent legally possible.

(b) Commencing with the 2016–17 fiscal year, the department shall allocate funds designated in the annual Budget Act for local planning councils, established pursuant to this chapter as it read on June 1, 2016, to county offices of education.

SEC. 14. Article 7 (commencing with Section 17375) is added to Chapter 3 of Part 10.5 of Division 1 of Title 1 of the Education Code, to read:

**Article 7. K-12 School Facility Emergency Repair Revolving Loan Program**

17375. (a) There is hereby established the K–12 School Facility Emergency Repair Revolving Loan Program for purposes of providing bridge loans to school districts to address imminent emergency health and safety facilities repairs that result in the displacement of pupils from an educational setting. The loan program shall be administered by the Superintendent.

(b) From the resources available for the K–12 School Facility Emergency Repair Revolving Loan Program, participating school districts meeting the requirements of this article shall be eligible to receive bridge loan funding to expeditiously mitigate emergency health and safety repairs in order to ensure that pupils are able to return to their schoolsite.



(c) An eligible applicant shall be a school district that has an emergency health and safety issue and that meets all of the following conditions:

(1) The health and safety issue has caused a schoolsite to be out of service for at least one week.

(2) To mitigate the issue, the school will close and cause pupils to be outside of an educational setting for at least one week.

(3) The school district has no alternative facility available to continue instruction.

(4) The school district has exhausted all readily available state and local resources to remediate the health and safety issue.

(5) The school facilities in question have been deemed unsafe for occupation by an outside public agency, including, but not limited to, a local public health office.

(d) (1) For purposes of this article, “emergency health and safety facilities repairs” means structures or systems that are in a condition that pose a threat to the health and safety of pupils while at school. These projects may include, but are not limited to, the following types of facility repairs or replacements:

(A) Gas leaks.

(B) Electrical power failure.

(C) Major sewer line stoppage.

(D) Major pest or vermin infestation.

(E) Abatement of hazardous materials previously undiscovered that pose an immediate threat to pupil or staff.

(F) Structural damage creating a hazardous or uninhabitable condition.



(2) For purposes of this article, “emergency health and safety facilities repairs” does not include any cosmetic or nonessential repairs.

(e) A school district that receives a loan through their voluntary participation in the K–12 School Facility Emergency Repair Revolving Loan Program shall agree to expend the proceeds of the loan for the sole purpose of mitigating the identified emergency health and safety issue. Any loan funds not needed to mitigate the identified emergency health and safety issue shall be returned to the K–12 School Facility Emergency Repair Revolving Loan Fund by the school district.

17376. (a) The K–12 School Facility Emergency Repair Revolving Loan Fund is hereby created in Section A of the State School Fund.

(b) Funds identified within the annual Budget Act for this purpose shall be available for the K–12 School Facility Emergency Repair Revolving Loan Fund. Moneys transferred pursuant to this subdivision shall be used for the purpose of addressing emergency health and safety facilities repairs pursuant to Section 17375.

(c) Within one year of loan disbursement, a school district shall have the option to repay the principal amount in full without interest or the Superintendent shall structure a long-term loan with a repayment plan of principal plus interest pursuant to subdivision

(d). A school district is encouraged to fully repay a loan from the K–12 School Facility Emergency Repair Revolving Loan Fund by either participating in the Leroy F. Greene School Facilities Act of 1998 (Chapter 10.5 (commencing with Section 17070.10) of Part 10 or using available local resources.

(d) (1) If a school district opts to not repay the loan in full pursuant to subdivision (c), commencing with the first fiscal year following the fiscal year the school district



received the loan, the Superintendent may direct the Controller to deduct from apportionments made to the school district, as appropriate, an amount equal to the annual repayment of the amount loaned to the school district under this section and pay the same amount into the K–12 School Facility Emergency Repair Revolving Loan Fund. Upon direction, the repayment of the full amount loaned to the school district shall be deducted by the Controller in equal annual amounts over a number of years agreed upon between the loan recipient school district and the Superintendent, in accordance with the loan terms specified in this article.

(2) The loan amount, plus interest from the date the school district received the loan, shall be repaid by the school district for a period not to exceed 20 years.

(3) Notwithstanding paragraph (1), a school district shall have the option to fully repay the outstanding balance of a loan issued pursuant to paragraph (1) at any time.

17377. (a) A loan pursuant to subdivision (d) of Section 17376 from moneys in the K–12 School Facility Emergency Repair Revolving Loan Fund shall be loaned at the interest rate earned by the money in the Pooled Money Investment Account plus 2 percent as of the date of disbursement of the funds to the school district.

(b) A school district shall pay the principal and interest on any loan from the K–12 School Facility Emergency Repair Revolving Loan Fund either in total pursuant to subdivision (c) of Section 17376 or in regular installments withdrawn from the annual apportionment the school district receives pursuant to subdivision (d) of Section 17376.

(c) All principal and interest payments shall be paid into the K–12 School Facility Emergency Repair Revolving Loan Fund.



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17378. The Superintendent shall do all of the following:

(a) Adopt regulations and review and amend its regulations, as necessary, pursuant to 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) for the administration of this article. The initial regulations adopted pursuant to this article shall be adopted as emergency regulations, and the circumstances related to the initial adoption are hereby deemed to constitute an emergency for this purpose. The initial regulations adopted pursuant to this article shall be adopted by June 30, 2017.

(b) Establish and publish any procedures and policies in connection with the administration of this article as deemed necessary.

(c) Disburse loan funds to approved school districts as expeditiously as possible pursuant to the conditions of this article.

(d) Collect or direct the Controller to intercept principal and interest loan repayments for transfer to the K–12 School Facility Emergency Repair Revolving Loan Fund.

(e) Provide technical assistance to school districts to implement this article.

17379. By October 1 of each year, the Superintendent shall provide detailed fund condition information for the K–12 School Facility Emergency Repair Revolving Loan Fund to the Department of Finance and the Legislative Analyst’s Office. At a minimum, this information shall contain an accounting of actual beginning balances, revenues, itemized expenditures, and ending balances for the prior year, as well as



projected beginning balances, revenues, itemized expenditures, and ending balances for the current fiscal year and budget fiscal year.

17380. (a) It is the intent of the Legislature that each school district exercise due diligence in the administration of deferred maintenance and regular maintenance in order to avoid the occurrence of emergency repairs.

(b) A school district's participation in this program shall be voluntary.

SEC. 15. 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 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 ~~(ak)~~ (u) 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 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 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. 16. 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 ~~2015–16~~ 2016–17 fiscal years, inclusive.

SEC. 17. Section 41207.42 is added to the Education Code, to read:

41207.42. (a) (1) The sum of two hundred eighteen million dollars (\$218,000,000) is hereby appropriated in the 2016–17 fiscal year from the General Fund to the Controller for allocation to school districts and community college districts for the purpose of offsetting the 2009–10 fiscal year 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.

(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 ninety-four million one hundred seventy-three thousand dollars (\$194,173,000) for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent pursuant to this section.

(B) Twenty-three million eight hundred twenty-seven thousand dollars (\$23,827,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to community colleges districts for deferred maintenance, instructional materials, and other activities, as specified in Provision 20 of Item 6870-101-0001 of the Budget Act of 2016.

(3) The amount allocated to school districts pursuant to subparagraph (A) of paragraph (2) shall be distributed on the basis of an equal amount per unit of regular average daily attendance, as those average daily attendance numbers are reported at the time of the second principal apportionment for the 2015–16 fiscal year.

(4) The amount allocated to community college districts pursuant to subparagraph (B) of paragraph (2) shall be distributed on the basis of an equal amount per enrolled full-time equivalent student, as those numbers of students are reported at the time of the second principal apportionment for the 2015–16 fiscal year.

(5) For purposes of this section, a school district includes a county office of education and a charter school.

(b) For purposes of Section 8 of Article XVI of the California Constitution, the amounts appropriated and allocated pursuant to this section 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 2009–10 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) Funding received by school districts pursuant to subparagraph (A) of paragraph (2) of subdivision (a) shall first be deemed to be paid in satisfaction of any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution, for reimbursement of state-mandated local program costs for any fiscal year. Notwithstanding Section 12419.5 of the Government Code and any amounts that are deemed pursuant to this subdivision to be paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law and may recover any amount owed by school districts pursuant to an audit only by reducing amounts owed for any other mandate claims. Under no circumstances shall a school district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable state-mandated local program costs. The Controller shall not recover any amount owed by a school district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order, beginning with the earliest claim. The Controller shall report to each school district the amounts of any claims and interest that are offset from funds provided pursuant to this section and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature.



(d) (1) The governing board of a school district may expend the one-time funds received pursuant to subparagraph (A) of paragraph (2) of subdivision (a) for any purpose, as determined by the governing board of the school district.

(2) It is the intent of the Legislature that school districts prioritize the use of these one-time funds for deferred maintenance, professional development for educators, induction for beginning teachers with a focus on relevant mentoring, instructional materials, technology infrastructure, and any other investments necessary to support implementation of California's academic standards.

SEC. 18. Section 42920.5 of the Education Code is amended to read:

42920.5. (a) Commencing with the 2015–16 fiscal year, and each fiscal year thereafter, the Foster Youth Services Coordinating Program, administered by the Superintendent, is hereby established to provide supplemental funding to county offices of education, or a consortium of county offices of education, to coordinate and ensure that local educational agencies within its jurisdiction are providing services to foster youth pupils pursuant to the plan established in Section 42921, with the purpose of ensuring positive educational outcomes.

(b) A foster youth services coordinating program shall meet minimum standards established by the Superintendent to ensure the provisions of Section 42921 are implemented, and shall be required to meet those minimum standards annually as a condition of continued funding.

(c) As a condition of receiving funds, a county office of education, or a consortium of county offices of education, shall work with the local educational agencies within the county or consortium of counties, and shall coordinate services to ensure



that, for the 2015–16 and 2016–17 fiscal years, the level of direct services provided to support foster youth pupils is not less than what was provided in the 2014–15 fiscal year through the foster youth services program established pursuant to Section 42921, as it read on June 30, 2015. In meeting this requirement, services for foster youth pupils may be provided through one or any combination of state funding, including, but not limited to, the local control funding formula, or federal, local, or other funding.

(d) For the 2015–16 fiscal year, the allocation amount for which any county office of education or consortium of county offices of education is eligible shall not be less than the amount allocated to that county or consortium in the 2014–15 fiscal year, including the allocation amounts of school districts identified in Section 42920, as it read on June 30, 2015. This subdivision applies only if a county office of education or consortium of county offices of education elects to apply for grant funding pursuant to Section 42921.

(e) On or before October 31, 2015, the Superintendent shall develop an allocation formula to determine the allocation amounts for which each county office of education or consortium of county offices of education is eligible. The Superintendent, within 30 days of the developing the allocation formula, shall submit the allocation formula to the appropriate policy and fiscal committees of the Legislature and the Department of Finance for review, and the Department of Finance shall approve the allocation formula within 30 days of submission by the Superintendent. The allocation formula may be revised annually upon submission to the appropriate policy and fiscal committees of the Legislature and approval by the Department of Finance within 30



days of submission by the Superintendent. The Superintendent may include additional criteria in the allocation formula, but shall apply, at a minimum, the following criteria:

- (1) The number of pupils in foster care in the county.
- (2) The number of school districts in the county.

(f) Notwithstanding subdivision (e), commencing with the 2016–17 fiscal year, the Superintendent shall provide a base grant of seventy-five thousand dollars (\$75,000) to each participating county office of education or consortium of county offices of education that served at least one foster youth pupil in the prior fiscal year.

(g) After providing base grants pursuant to subdivision (f), the Superintendent shall allocate the remaining funding to participating county offices of education or consortium of county offices of education based on the following criteria:

(1) Seventy percent of the allocation shall be based on the number of pupils in foster care in the county.

(2) Thirty percent of the allocation shall be based on the number of school districts in the county.

(f)

(h) For purposes of this chapter, “local educational agency” means a county office of education, school district, or charter school.

SEC. 19. Section 44259.1 of the Education Code is amended to read:

44259.1. (a) (1) An integrated program of professional preparation shall enable candidates for teaching credentials to engage in professional preparation, concurrently with subject matter preparation, while completing baccalaureate degrees at regionally accredited postsecondary educational institutions. An integrated program shall provide



opportunities for candidates to complete intensive field-~~experiences~~ experiences, including student teaching, in public elementary and secondary schools early in the undergraduate sequence. The development and implementation of an integrated program shall be based on intensive collaboration among subject matter departments and education units within postsecondary educational institutions and local public elementary and secondary school districts.

(2) A postsecondary educational institution may offer a four-year integrated program of professional preparation that allows a student to earn a baccalaureate degree and a preliminary multiple or single subject teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, including student teaching requirements, concurrently and within four years of study.

(2)

(3) The commission shall encourage postsecondary educational institutions to offer integrated programs of professional preparation that follow the guidelines developed pursuant to this section. In approving integrated programs, the commission shall not compromise or reduce its standards of subject matter preparation pursuant to Article 6 (commencing with Section 44310) or its standards of professional preparation pursuant to paragraph (3) of subdivision (b) of Section 44259.

(4) The commission shall, as part of its accreditation process, collect information about integrated programs of professional preparation, including which postsecondary educational institutions offer integrated programs of professional preparation and the number and type of credentials the programs produce.



(b) (1) Commencing with the 2005–06 school year, an integrated program offered by the California State University shall be designed to concurrently lead to a preliminary multiple subject or single subject teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, and a baccalaureate degree. Recommendation for each shall be contingent upon satisfactory completion of the requirements for each.

(2) By July 1, 2004, the Chancellor of the California State University, in consultation with California State University faculty members, shall develop a framework defining appropriate balance for an integrated program of general education, subject matter preparation, and professional education courses, for both lower division and upper division students, including an appropriate range of units to be taken in professional education courses. In developing the framework, the Chancellor of the California State University and California State University faculty members shall consult with the Academic Senate for the California Community Colleges on matters related to the effective and efficient use of, and appropriate role for, lower division coursework in an integrated program.

(c) (1) By January 1, 2005, the Chancellor of the California State University and the Chancellor of the California Community Colleges shall collaboratively ensure that both of the following occur:

(A) Lower division coursework completed by a community college student transferring to a California State University integrated program is articulated with the corresponding coursework of the California State University.



(B) The articulated community college lower division coursework is accepted as the equivalent to the coursework offered to students who enter that integrated program as freshman students.

(2) Commencing with the 2005–06 school year, each campus of the California State University shall invite the community colleges in its region that send significant numbers of transfer students to that campus to enter into articulation agreements. These articulation agreements shall be based on a fully transferable education curriculum that is developed pursuant to the framework developed under paragraph (2) of subdivision (b). Approval of one or more of the articulation agreements will enable the coursework of a community college student to be accepted as the equivalent to the coursework offered to students who enter that integrated program as freshman students.

(d) A postbaccalaureate program of professional preparation shall enable candidates for teaching credentials to commence and complete professional preparation after they have completed baccalaureate degrees at regionally accredited postsecondary educational institutions. The development and implementation of a postbaccalaureate program of professional preparation shall be based on intensive collaboration among the postsecondary educational institution and local public elementary and secondary school districts.

(e) (1) The commission shall develop and implement a program to award 20 two-year and 40 one-year grants of two hundred fifty thousand dollars (\$250,000) each to postsecondary educational institutions for the development of transition plans to guide the creation of four-year integrated programs of professional preparation including student teaching.



(2) A postsecondary educational institution awarded a grant under this subdivision may use the transition plan to create a new four-year integrated program of professional preparation or to adapt an existing integrated program of professional preparation.

(3) A postsecondary educational institution awarded a grant under this subdivision may use grant funds for any proper purpose in support of planning for a four-year integrated program of professional preparation, including, but not limited to, any of the following:

(A) To provide faculty release time to redesign existing courses.

(B) To provide program coordinators to assist in collaboration with subject-matter professors and pedagogy professors.

(C) To create summer courses for students in a four-year integrated program of professional preparation.

(D) To recruit individuals for participation as students in four-year integrated programs of professional preparation.

(4) In awarding grants pursuant to the program, the commission shall grant priority to proposals for the establishment of four-year integrated programs of professional preparation designed to do both of the following:

(A) Produce teachers with either an education specialist instruction credential authorizing the holder to teach special education or a single subject teaching credential in a subject with chronic shortages of qualified teachers.

(B) Partner with a California Community College to create a four-year integrated program of professional preparation.



(5) As a condition of the receipt of a grant, a postsecondary educational institution shall provide to the commission program and outcome data for at least three years after receiving the grant. The information shall include program design and features, the number of graduates, the number and type of credentials earned, the time taken to earn a degree and credential, and any other information the commission may require for the purpose of documenting the effect of the grant and identifying effective practices in program design and implementation.

(6) The requirements of this subdivision are contingent upon the appropriation of funds for the purposes of this subdivision in the annual Budget Act or another statute.

SEC. 20. Section 47604.32 of the Education Code is amended to read:

47604.32. (a) Each chartering authority, in addition to any other duties imposed by this part, shall do all of the following with respect to each charter school under its authority:

(a)

(1) Identify at least one staff member as a contact person for the charter school.

(b)

(2) Visit each charter school at least annually.

(c)

(3) Ensure that each charter school under its authority complies with all reports required of charter schools by law, including the local control and accountability plan and annual update to the local control and accountability plan required pursuant to Section 47606.5.

(d)



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(4) Monitor the fiscal condition of each charter school under its authority.

(e)

(5) Provide timely notification to the department if any of the following circumstances occur or will occur with regard to a charter school for which it is the chartering authority:

(1)

(A) A renewal of the charter is granted or denied.

(2)

(B) The charter is revoked.

(3)

(C) The charter school will cease operation for any reason.

(f)

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

SEC. 21. 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.



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(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 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 (d) (a) of Section 47604.32.

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

SEC. 22. Section 47606.5 of the Education Code is amended to read:

47606.5. (a) On or before July 1, 2015, and each year thereafter, a charter school shall update the goals and annual actions to achieve those goals identified in the charter 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. The local control and accountability plan and annual update to the local control and accountability plan shall be developed using the template adopted 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



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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) The expenditures identified in subdivision (a) shall be classified using the California School Accounting Manual pursuant to Section 41010.

(c) 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 subparagraph (J) or paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(d) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on a school accountability report card.

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

SEC. 23. Section 51747 of the Education Code is amended to read:

51747. A school district or county office of education shall not be eligible to receive apportionments for independent study by pupils, regardless of age, unless it has adopted written policies, and has implemented those policies, pursuant to rules and



regulations adopted by the Superintendent, that include, but are not limited to, all of the following:

(a) The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work.

(b) The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether he or she should return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

(c) A requirement that a current written agreement for each independent study pupil shall be maintained on file, including, but not limited to, all of the following:

(1) The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his or her progress.

(2) The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work.

(3) The specific resources, including materials and personnel, that will be made available to the pupil.

(4) A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed



before an evaluation of whether or not the pupil should be allowed to continue in independent study.

(5) The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.

(6) A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.

(7) The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.

(8) (A) Each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.



(B) ~~A signed written agreement~~ Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained on file electronically, as an electronic file.

(C) For purposes of this section, an electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format (PDF), JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means.

(D) Either an original document or an electronic file of the original document is allowable documentation for auditing purposes.

SEC. 24. Section 52052 of the Education Code is amended to read:

52052. (a) (1) The Superintendent, with the approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools and school districts, especially the academic performance of pupils.

(2) A school or school district shall demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school or school district, including:

- (A) Ethnic subgroups.
- (B) Socioeconomically disadvantaged pupils.
- (C) English learners.
- (D) Pupils with disabilities.
- (E) Foster youth.
- (F) Homeless youth.



(3) (A) For purposes of this section, a numerically significant pupil subgroup is one that consists of at least 30 pupils, each of whom has a valid test score.

(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

(C) For a school or school district with an API score that is based on no fewer than 11 and no more than 99 pupils with valid test scores, numerically significant pupil subgroups shall be defined by the Superintendent, with approval by the state board.

(4) (A) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(B) The Superintendent, with the approval of the state board, may also incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school, and successfully matriculate from middle school to high school.

(C) Graduation rates for pupils in secondary schools shall be calculated for the API as follows:

(i) Four-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be three school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (ii).



(ii) The number of pupils entering grade 9 for the first time in the school year three school years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was three school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was three school years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(iii) Five-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be four school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (iv).

(iv) The number of pupils entering grade 9 for the first time in the school year four years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was four school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was four years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(v) Six-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be five school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (vi).



(vi) The number of pupils entering grade 9 for the first time in the school year five years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was five school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was five years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(D) The inclusion of five- and six-year graduation rates for pupils in secondary schools shall meet the following requirements:

(i) Schools and school districts shall be granted one-half the credit in their API scores for graduating pupils in five years that they are granted for graduating pupils in four years.

(ii) Schools and school districts shall be granted one-quarter the credit in their API scores for graduating pupils in six years that they are granted for graduating pupils in four years.

(iii) Notwithstanding clauses (i) and (ii), schools and school districts shall be granted full credit in their API scores for graduating in five or six years a pupil with disabilities who graduates in accordance with his or her individualized education program.

(E) The pupil data collected for the API that comes from the achievement test administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English learners, socioeconomic status, gender, and ethnic



group. Only the test scores of pupils who were counted as part of the enrollment in the annual data collection of the California Basic Educational Data System for the current fiscal year and who were continuously enrolled during that year may be included in the test result reports in the API score of the school.

(F) (i) Commencing with the baseline API calculation in 2016, and for each year thereafter, results of the achievement test and other tests specified in subdivision (b) shall constitute no more than 60 percent of the value of the index for secondary schools.

(ii) In addition to the elements required by this paragraph, the Superintendent, with the approval of the state board, may incorporate into the index for secondary schools valid, reliable, and stable measures of pupil preparedness for postsecondary education and career.

(G) Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index for primary schools and middle schools.

(H) It is the intent of the Legislature that the state's system of public school accountability be more closely aligned with both the public's expectations for public education and the workforce needs of the state's economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.

(I) The Superintendent shall annually determine the accuracy of the graduation rate data. Notwithstanding any other law, graduation rates for pupils in dropout recovery



high schools shall not be included in the API. For purposes of this subparagraph, “dropout recovery high school” means a high school in which 50 percent or more of its pupils have been designated as dropouts pursuant to the exit/withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days.

(J) To complement the API, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work, if an appropriation for this purpose is made in the annual Budget Act.

(K) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the API and their relative values within the API.

(L) An additional element chosen by the Superintendent and the state board for inclusion in the API pursuant to this paragraph shall not be incorporated into the API until at least one full school year after the state board’s decision to include the element into the API.

(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

- (1) The standards-based achievement tests provided for in Section 60642.5.
- (2) The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the state board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth



targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the state board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater. Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the state board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the state board, the Superintendent shall recommend, and the state board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target.

(e) (1) A school or school district with 11 to 99 pupils with valid test scores shall receive an API score with an asterisk that indicates less statistical certainty than API scores based on 100 or more test scores.

(2) A school or school district annually shall receive an API score, unless the Superintendent determines that an API score would be an invalid measure of the performance of the school or school district for one or more of the following reasons:



(A) Irregularities in testing procedures occurred.

(B) The data used to calculate the API score of the school or school district are not representative of the pupil population at the school or school district.

(C) Significant demographic changes in the pupil population render year-to-year comparisons of pupil performance invalid.

(D) The department discovers or receives information indicating that the integrity of the API score has been compromised.

(E) Insufficient pupil participation in the assessments included in the API.

(F) A transition to new standards-based assessments compromises comparability of results across schools or school districts. The Superintendent may use the authority in this subparagraph in the ~~2013–14 and 2014–15~~ 2013–14, 2014–15, and 2015–16 school years only, with the approval of the state board.

(3) If a school or school district has fewer than 100 pupils with valid test scores, the calculation of the API or adequate yearly progress pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be calculated over more than one annual administration of the tests administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, consistent with regulations adopted by the state board.

(4) Any school or school district that does not receive an API calculated pursuant to subparagraph (F) of paragraph (2) shall not receive an API growth target pursuant to subdivision (c). Schools and school districts that do not have an API calculated pursuant to subparagraph (F) of paragraph (2) shall use one of the following:

(A) The most recent API calculation.



(B) An average of the three most recent annual API calculations.

(C) Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.

(f) Only schools with 100 or more test scores contributing to the API may be included in the API rankings.

(g) The Superintendent, with the approval of the state board, shall develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools. Schools in the alternative accountability system may receive an API score, but shall not be included in the API rankings.

(h) For purposes of this section, county offices of education shall be considered school districts.

(i) For purposes of this section, "homeless youth" has the same meaning as in Section 11434a(2) of Title 42 of the United States Code.

SEC. 25. 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 the delivery of career technical education programs during implementation of the school district and



charter school local control funding formula pursuant to Section 42238.02. 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).

(b) Of the amounts appropriated in paragraphs (1) through (3), inclusive, of subdivision (a), 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~~. 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 operated by a joint powers authority, 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. 26. Section 53076 of the Education Code is amended to read:

53076. For purposes of administering the program established by this chapter, the Superintendent may do any of the following:



(a) Determine, in collaboration with the executive director of the state board, specific funding amounts and the number of grants to be awarded.

(b) Distribute funding on a multiyear schedule, establish a process for monitoring the use of the funding, and, if necessary, cease distribution of funding and recover previously distributed funding in the case of a recipient’s failure to comply with a grant prerequisite or minimum standard.

(c) Annually review grant recipients expenditures on career technical education programs for purposes of determining if the grant recipients have met the dollar-for-dollar match requirement specified in subdivision (a) of Section 53071. If after review, the Superintendent determines that a grant recipient failed to meet the matching funds requirement, the Superintendent shall reduce the following year’s grant allocation in an amount equal to the unmet portion of the match requirement.

(c)

(d) Require grant recipients to submit program reports.

(d)

(e) Set aside up to 1 percent of the total amount provided for the program for one or both of the following purposes:

(1) To provide planning grants.

(2) To contract with a local educational agency for the provision of technical assistance to applicants and grant recipients.

SEC. 27. Section 54749 of the Education Code is amended to read:

54749. (a) For the ~~2000-01~~ 2000-01 fiscal year and each fiscal year thereafter, a school district or county superintendent of schools participating in Cal-SAFE is



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eligible for state funding from funds appropriated for services provided for the purposes of the program as follows:

(1) A support services allowance of two thousand two hundred thirty-seven dollars (\$2,237) for each unit of average daily attendance generated by each pupil who has completed the intake process pursuant to subdivision (a) of Section 54746 and is receiving services pursuant to subdivision (b) of Section 54746. This allowance shall be adjusted annually by the inflation factor set forth in subdivision (b) of Section 42238.1. In no event shall more than one support service allowance be generated by any pupil concurrently enrolled in more than one educational program.

(A) A support services allowance may not be claimed for units of average daily attendance reported pursuant to the following:

(i) Subdivision (b) of Section 1982 for pupils attending county community schools operated pursuant to Chapter 6.5 of Part 2 (commencing with Section 1980) ~~1980~~ of Part 2 of Division 1 of Title 1.

(ii) Pupils attending juvenile court schools operated pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27.

(iii) Pupils attending community day schools operated pursuant to Article 3 (commencing with Section 48660) of Chapter 4 of Part 27.

(iv) Pupils attending a county operated Cal-SAFE program pursuant to this article whose attendance is reported pursuant to Section 2551.3.

(B) A support services allowance ~~may~~ shall not be used to supplant average daily attendance and revenue limit funding provided pursuant to paragraph (2) for the support of educational programs that Cal-SAFE program pupils attend.



(2) Average daily attendance and revenue limit funding for pupils receiving services in the Cal-SAFE program shall be computed pursuant to provisions and regulations applicable to the educational program or programs that each pupil attends, except as provided in paragraph (3).

(3) For attendance not claimed pursuant to paragraph (2), a county office of education may claim the statewide average revenue limit per unit of average daily attendance for high school districts, payable from Section A of the State School Fund, for the attendance of pupils receiving services in the Cal-SAFE program, provided that no other revenue limit funding is claimed for the same pupil and pupil attendance of no less than 240 minutes per day and is computed and maintained pursuant to Section 46300.

(4) Except as provided in subdivision (c) of Section 54749.5, operators of Cal-SAFE programs shall be reimbursed in accordance with the amount specified in subdivision (b) of Section 8265 and the amounts specified in subdivisions (a) and (b) of Section 8265.5 for each child receiving services pursuant to the Cal-SAFE program who is the child of teen parents enrolled in the Cal-SAFE program. To be eligible for funding pursuant to this paragraph, the operational days of child care and development programs are only those necessary to provide child care services to children of pupils participating in Cal-SAFE.

(5) Notwithstanding paragraph (1), pupils for whom attendance is reported pursuant to subdivision (b) of Section 1982, pupils attending juvenile court schools, and pupils attending community day schools may complete the intake process for the Cal-SAFE program and, if the intake process is completed, shall receive services



pursuant to subdivision (b) of Section 54746. The children of pupils receiving services in the Cal-SAFE program pursuant to subdivision (b) of Section 54746 and attending juvenile court schools, county community schools, or community day schools are eligible for funding pursuant to paragraph (4) and no other provisions of this section.

(b) Funds allocated pursuant to paragraph (1) of subdivision (a) shall be accounted for separately and shall be expended only to provide the supportive services enumerated in subdivision (b) of Section 54746, to provide in-service training as specified in subdivision (d) of Section 54746, and for the expenditures enumerated in subdivision (d) of this section.

(c) Funds allocated pursuant to paragraph (4) of subdivision (a) shall be accounted for separately and shall be expended only to provide developmentally appropriate child care and development services pursuant to subdivision (c) of Section 54746 and staff development of child development program staff pursuant to subdivision (d) of Section 54746 for children of teen parents enrolled in the Cal-SAFE program for the purpose of promoting the children’s development comparable to age norms, access to health and preventive services, and enhanced school readiness.

(d) Funds generated pursuant to Section 2551.3, subdivision (b) of Section 54749.5, and this section shall be accounted for separately and shall be expended only to provide the services enumerated in Section 54746 and the following expenditures as defined by the California State School Accounting Manual:

- (1) Expenditures defined as direct costs of instructional programs.
- (2) Expenditures defined as documented direct support costs.
- (3) Expenditures defined as allocated direct support costs.



(4) Expenditures for indirect charges.

(5) Expenditures defined as facility costs, including the costs of renting, leasing, lease-purchase, remodeling, or improving buildings.

(e) Indirect costs ~~may~~ shall not exceed the lesser of the approved indirect cost rate or 10 percent.

(f) Expenditures that represent contract payments to community-based organizations and other governmental agencies pursuant to paragraph (10) of subdivision ~~(b)~~ (c) of Section 54745 for the operation of a Cal-SAFE program shall be included in the Cal-SAFE program account.

(g) To the extent permitted by federal law, any funding made available to a school district or county superintendent of schools is subject to all of the following conditions:

(1) The program is open to all eligible pupils without regard to any pupil's religious beliefs or any other factor related to religion.

(2) No religious instruction is included in the program.

(3) The space where the program is operated is not used in any manner to foster religion during the time used for operation of the program.

(h) A school district or county superintendent of schools implementing a Cal-SAFE program may establish a claims process to recover federal funds available for any services provided that are Medi-Cal eligible.

(i) For purposes of serving pupils enrolled in the Cal-SAFE program in a summer school program or enrolled in a school program operating more than 180 days, eligibility for child care services pursuant to subdivision (c) of Section 54746 shall be determined



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by the parent's hours of enrollment and shall be for only those hours necessary to further the completion of the parent's educational program.

(j) To meet startup costs for the opening of child care and development sites, as defined in subdivision ~~(ab)~~ (af) of Section 8208, and applicable regulations, a school district or county office of education may apply for a one-time 15-percent service level exemption within the amount appropriated in the annual Budget Act for the purposes of paragraph (4) of subdivision (a) for each site meeting the criteria set forth in subdivision ~~(ab)~~ (af) of Section 8208. To the extent that Budget Act funding is insufficient to cover the full costs of Cal-SAFE child care, reimbursements to all participating programs shall be reduced on a pro rata basis. A school district or county office of education shall submit claims pursuant to this subdivision with other claims submitted pursuant to this section. Funding provided for startup costs shall be utilized for approvable startup costs enumerated in subdivision (a) of Section 8275.

(k) To meet costs for the renovation, repair, or improvement of an existing building to make the building suitable for licensure for child care and development services and for the purchase of new relocatable child care facilities for lease to school districts and contracting agencies that provide child care and development services, a school district or county office of education that provides child care pursuant to this article may apply for and receive funding pursuant to Section 8278.3.

(l) Notwithstanding any other provision of this article, the implementation of this article is contingent upon appropriations in the annual Budget Act for the purpose of its administration and evaluation by the department.



(m) Notwithstanding any other law, a charter school may apply for funding pursuant to this article and shall meet the requirements of this article to be eligible for funding pursuant to this section.

SEC. 28. Section 56836.165 of the Education Code is amended to read:

56836.165. (a) For the ~~2004-05~~ 2004-05 fiscal year and each fiscal year thereafter, the Superintendent shall calculate for each special education local plan area an amount based on (1) the number of children and youth residing in foster family homes, small family homes, and foster family agencies, (2) the licensed capacity of group homes licensed by the State Department of Social Services, and (3) the number of children and youth ages 3 to 21 years, inclusive, referred by the State Department of Developmental Services who are residing in skilled nursing facilities or intermediate care facilities licensed by the State Department of Health Services and the number of children and youth, ages 3 to 21 years, inclusive, referred by the State Department of Developmental Services who are residing in community care facilities licensed by the State Department of Social Services.

(b) The department shall assign each facility described in paragraphs (1), (2), and (3) of subdivision (a) a severity rating. The severity ratings shall be on a scale from 1 to 14. Foster family homes and small family homes shall be assigned a severity rating of 1. Foster family agencies shall be assigned a severity rating of 2. Facilities described in paragraph (2) of subdivision (a) shall be assigned the same severity rating as its State Department of Social Services rate classification level. For facilities described in paragraph (3) of subdivision (a), skilled nursing facilities shall be assigned a severity



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rating of 14, intermediate care facilities shall be assigned a severity rating of 11, and community care facilities shall be assigned a severity rating of 8.

(c) (1) The department shall establish a “bed allowance” for each severity level. For the ~~2004-05~~ 2004-05 fiscal year, the bed allowance shall be calculated as described in paragraph (2). For the ~~2005-06~~ 2005-06 fiscal year and each fiscal year thereafter, the department shall increase the bed allowance by the inflation adjustment computed pursuant to Section 42238.1. The department shall not establish a bed allowance for any facility defined in paragraphs (2) and (3) of subdivision (a) if it is not licensed by the State Department of Social Services or the State Department of Health Services.

(2) (A) The bed allowance for severity level 1 shall be five hundred two dollars (\$502).

(B) The bed allowance for severity level 2 shall be six hundred ten dollars (\$610).

(C) The bed allowance for severity level 3 shall be one thousand four hundred thirty-four dollars (\$1,434).

(D) The bed allowance for severity level 4 shall be one thousand six hundred forty-nine dollars (\$1,649).

(E) The bed allowance for severity level 5 shall be one thousand eight hundred sixty-five dollars (\$1,865).

(F) The bed allowance for severity level 6 shall be two thousand eighty dollars (\$2,080).

(G) The bed allowance for severity level 7 shall be two thousand two hundred ninety-five dollars (\$2,295).



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(H) The bed allowance for severity level 8 shall be two thousand five hundred ten dollars (\$2,510).

(I) The bed allowance for severity level 9 shall be five thousand four hundred fifty-one dollars (\$5,451).

(J) The bed allowance for severity level 10 shall be five thousand eight hundred eighty-one dollars (\$5,881).

(K) The bed allowance for severity level 11 shall be nine thousand four hundred sixty-seven dollars (\$9,467).

(L) The bed allowance for severity level 12 shall be thirteen thousand four hundred eighty-three dollars (\$13,483).

(M) The bed allowance for severity level 13 shall be fourteen thousand three hundred forty-three dollars (\$14,343).

(N) The bed allowance for severity level 14 shall be twenty thousand eighty-one dollars (\$20,081).

(d) (1) For each fiscal year, the department shall calculate an out-of-home care funding amount for each special education local plan area as the sum of amounts computed pursuant to paragraphs (2), (3), and (4). The State Department of Social Services and the State Department of Developmental Services shall provide the State Department of Education with the residential counts identified in paragraphs (2), (3), and (4).

(2) The number of children and youth residing on April 1 in foster family homes, small family homes, and foster family agencies located in each special education local plan area times the appropriate bed allowance.



(3) The capacity on April 1 of each group home licensed by the State Department of Social Services located in each special education local plan area times the appropriate bed allowance.

(4) The number on April 1 of children and youth (A) ages 3 through 21 referred by the State Department of Developmental Services who are residing in skilled nursing facilities and intermediate care facilities licensed by the State Department of Health Services located in each special education local plan area times the appropriate bed allowance, and (B) ages 3 to 21 years, inclusive, referred by the State Department of Developmental Services who are residing in community care facilities licensed by the State Department of Social Services located in each special education local plan area times the appropriate bed allowance.

(e) In determining the amount of the first principal apportionment for a fiscal year pursuant to Section 41332, the Superintendent shall continue to apportion funds from Section A of the State School Fund to each special education local plan area equal to the amount apportioned at the advance apportionment pursuant to Section 41330 for that fiscal year.

(f) Notwithstanding subdivision (b) and paragraph (3) of subdivision (d), for purposes of the 2016–17 fiscal year funding for group homes, the Superintendent shall use the rate classification levels as they exist on December 31, 2016, and the capacity of each group home licensed by the State Department of Social Services located in each special education local plan area on December 31, 2016.

SEC. 29. Section 60602.6 is added to the Education Code, to read:



60602.6. It is the intent of the Legislature that the department minimize the impact to teachers and administrators and state resources by ensuring, where feasible, that future California computer-based assessments utilize the assessment delivery system infrastructure and hosting platform outlined in the Smarter Balanced Technical Hosting Solution, as approved by the Department of Technology for the statewide pupil assessment system. All computer-based statewide assessments, to the extent possible and most cost-effective, shall be developed to operate on the existing approved infrastructure, provide a single logical access point, support a single secure browser for remote and local access, and utilize uniform system development standards. The assessment delivery system infrastructure shall be scalable in nature to allow the department to incorporate additional computer-based statewide assessments as funded.

SEC. 30. Article 7 (commencing with Section 69620) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code is repealed.

SEC. 31. Section 17518.5 of the Government Code is amended to read:

17518.5. (a) "Reasonable reimbursement methodology" means a formula for reimbursing local agencies and school districts for costs mandated by the state, as defined in Section 17514.

(b) A reasonable reimbursement methodology shall be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs.

(c) A reasonable reimbursement methodology shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner.



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(d) Whenever possible, a reasonable reimbursement methodology shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state, rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.

(e) (1) A reasonable reimbursement methodology that is based on, in whole or in part, costs that have been included in claims submitted to the Controller for reimbursement shall only use costs that have been audited by the Controller.

(2) Upon receiving a reasonable reimbursement methodology proposal that is based on, in whole or in part, costs that have been included in claims submitted to the Controller for reimbursement, the Commission on State Mandates shall notify the Controller within 30 days of receiving the proposed reasonable reimbursement methodology.

(3) The Controller shall select and audit a representative sample of the claimed costs used in the proposed reasonable reimbursement methodology within 360 days of being notified by the Commission on State Mandates.

(4) The allowable costs reported by the Controller as a result of the audits shall be the costs used for the proposed reasonable reimbursement methodology.

(e)



(f) A reasonable reimbursement methodology may be developed by any of the following:

- (1) The Department of Finance.
- (2) The Controller.
- (3) An affected state agency.
- (4) A claimant.
- (5) An interested party.

SEC. 32. Section 17581.9 of the Government Code is amended to read:

17581.9. (a) (1) ~~The~~ For the 2015–16 fiscal year, the sum of three billion ninety-eight million four hundred fifty-five thousand dollars (\$3,098,455,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county superintendents of schools in the manner, and for the purposes, set forth in this section.

(2) The sum of six hundred four million forty-three thousand dollars (\$604,043,000) is hereby appropriated from the General Fund to the Chancellor of the California Community Colleges for allocation to community college districts in the manner, and for the purposes, set forth in this section.

(3) For purposes of this section, a school district includes a county office of education and a charter school.

(b) (1) (A) The Superintendent of Public Instruction shall allocate forty million dollars (\$40,000,000) of the funds appropriated pursuant to paragraph (1) of subdivision (a) to county superintendents of schools, as follows:



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(i) Each county superintendent of schools shall be allocated the greater of: (i) thirty thousand dollars (\$30,000), multiplied by the number of school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253 of the Education Code; or (ii) eighty thousand dollars (\$80,000).

(ii) After the allocations pursuant to subparagraph (A), the balance shall be allocated in an equal amount per unit of regular average daily attendance, as those average daily attendance numbers are reported at the time of the second principal apportionment for the 2014–15 fiscal year.

(B) For purposes of allocating funding pursuant to this paragraph only, “regular average daily attendance” means the aggregate number of units of average daily attendance within the county attributable to all school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253 of the Education Code, charter schools within the county, and the schools operated by the county superintendent of schools.

(2) It is the intent of the Legislature that county offices of education will prioritize the use of funds allocated pursuant to paragraph (1) for investments necessary to support new responsibilities required under the evolving accountability structure of the local control funding formula and develop greater capacity and consistency within and between county offices of education. A county office of education may encumber funds apportioned pursuant to this section at any time during the 2015–16 or 2016–17 fiscal year.

(3) The Superintendent of Public Instruction shall allocate three billion fifty-eight million four hundred fifty-five thousand dollars (\$3,058,455,000) of the funds



appropriated pursuant to paragraph (1) of subdivision (a) to school districts on the basis of an equal amount per unit of regular average daily attendance, as those average daily attendance numbers are reported at the time of the second principal apportionment for the 2014–15 fiscal year.

(c) The Chancellor of the California Community Colleges shall allocate the funds appropriated pursuant to paragraph (2) of subdivision (a) to community college districts on the basis of an equal amount per enrolled full-time equivalent student, as those numbers of students are reported at the time of the second principal apportionment for the 2014–15 fiscal year.

(d) Allocations made pursuant to this section shall first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year. Notwithstanding Section 12419.5 and any amounts that are paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law, and may recover any amount owed by school districts or community college districts pursuant to an audit only by reducing amounts owed by the state to school districts or community college districts for any other mandate claims. Under no circumstances shall a school district or community college district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable state-mandated local program costs. The Controller shall not recover any amount owed by a school district or community college district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district or



community college district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district or community college district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district and community college district the amounts of any claims and interest that are offset from funds provided pursuant to this section, and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature.

(e) (1) The governing board of a school district or community college district may expend the one-time funds received pursuant to this section for any purpose, as determined by the governing board.

(2) It is the intent of the Legislature that school districts shall prioritize the use of these one-time funds for professional development, induction for beginning teachers with a focus on relevant mentoring, instructional materials, technology infrastructure, and any other investments necessary to support implementation of the common core standards in English language arts and mathematics, the implementation of English language development standards, and the implementation of the Next Generation Science standards.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, three hundred nineteen million two hundred thirty-one thousand dollars (\$319,231,000) of the appropriations 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 2013–14 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 2013–14 fiscal year.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, ninety-three million five hundred twenty-nine thousand dollars (\$93,529,000) of the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2013–14 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 2013–14 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, two billion seven hundred forty-eight million three hundred forty-nine thousand dollars (\$2,748,349,000) of the appropriations 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 2014–15 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 2014–15 fiscal year.



(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, three hundred ninety-three million two hundred twenty thousand dollars (\$393,220,000) of the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2014–15 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 2014–15 fiscal year.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one hundred seventeen million two hundred ninety-four thousand dollars (\$117,294,000) of the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2015–16 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 2015–16 fiscal year.

(k) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, thirty million eight hundred seventy-five thousand dollars (\$30,875,000) of the appropriations 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 2015–16 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 2015–16 fiscal year.

SEC. 33. Section 17581.95 is added to the Government Code, to read:

17581.95. (a) (1) For the 2016–17 fiscal year, the sum of one billion two hundred twenty-one million three hundred thirty-six thousand dollars (\$1,221,336,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county superintendents of schools in the manner, and for the purposes, set forth in this section.

(2) The sum of one hundred five million five hundred one thousand dollars (\$105,501,000) is hereby appropriated from the General Fund to the Chancellor of the California Community Colleges for allocation to community college districts in the manner, and for the purposes, set forth in this section.

(3) For purposes of this section, a school district includes a county office of education and a charter school.

(b) The Superintendent of Public Instruction shall allocate the funds appropriated pursuant to paragraph (1) of subdivision (a) to school districts on the basis of an equal amount per unit of regular average daily attendance, as those average daily attendance numbers are reported at the time of the second principal apportionment for the 2015–16 fiscal year.

(c) The Chancellor of the California Community Colleges shall allocate the funds appropriated pursuant to paragraph (2) of subdivision (a) to community college districts



on the basis of an equal amount per enrolled full-time equivalent student, as those numbers of students are reported at the time of the second principal apportionment for the 2015–16 fiscal year.

(d) Allocations made pursuant to this section shall first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year.

Notwithstanding Section 12419.5 and any amounts that are paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law, and may recover any amount owed by school districts or community college districts pursuant to an audit only by reducing amounts owed by the state to school districts or community college districts for any other mandate claims. Under no circumstances shall a school district or community college district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable state-mandated local program costs. The Controller shall not recover any amount owed by a school district or community college district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district or community college district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district or community college district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district and community college district the amounts of any claims and interest that are offset from funds



provided pursuant to this section and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of each house of the Legislature.

(e) (1) The governing board of a school district or community college district may expend the one-time funds received pursuant to this section for any purpose, as determined by the governing board of the school district or community college district.

(2) It is the intent of the Legislature that school districts shall prioritize the use of these one-time funds for deferred maintenance, professional development for educators, induction for beginning teachers with a focus on relevant mentoring, instructional materials, technology infrastructure, and any other investments necessary to support implementation of the common core standards in English language arts and mathematics, the implementation of English language development standards, and the implementation of the Next Generation Science standards.

(3) It is the intent of the Legislature that community college districts shall prioritize the use of these one-time funds for professional development, campus security infrastructure, technology infrastructure, and developing open education resources and zero-textbook-cost degrees.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, six hundred thirty-four million eight hundred sixty-four thousand dollars (\$634,864,000) of the appropriations made by paragraph (1) of 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 2014–15 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 2014–15 fiscal year.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, twenty-nine million four hundred fifty-one thousand dollars (\$29,451,000) of the appropriations made by paragraph (2) of subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2014–15 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 2014–15 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, five hundred eighty-six million four hundred seventy-two thousand dollars (\$586,472,000) of the appropriations made by paragraph (1) of 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 2015–16 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 2015–16 fiscal year.

(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, seventy-six million fifty thousand dollars



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(\$76,050,000) of the appropriations made by paragraph (2) of subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2015–16 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 2015–16 fiscal year.

SEC. 34. It is the intent of the Legislature to enact legislation that would govern the use of funds distributed from the Safe Neighborhoods and Schools Fund, established pursuant to Section 7599 of the Government Code, to the State Department of Education for purposes of supporting programs aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12, inclusive, by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime.

SEC. 35. (a) On or before May 1, 2017, the State Department of Education shall develop all of the following:

(1) A set of recommendations to streamline the existing subsidized child care and development system, including general child care and development programs, migrant child care and development programs, the Alternative Payment Program, and CalWORKs Child Care, using vouchers as the method of subsidy. The purpose of shifting from contracts to vouchers shall be to provide eligible working families with better access to child care services that align with their need to work and to attend eligible educational activities. Recommendations shall include:



(A) A single system of provider reimbursement that reflects the variations in the cost of doing business across the state.

(B) A single set of minimum quality and program guidelines for all subsidized providers by setting.

(C) Improved efficiency for parents to access information about subsidized care, to apply for and use vouchers, and to access care that meets their needs.

(D) Improved efficiency for providers accepting subsidies to receive payment for services.

(2) A set of recommendations to reallocate federal Child Care and Development Block Grant quality funds in accordance with the recommendations in paragraph (1).

(3) A plan to transition existing programs in accordance with the recommendations in paragraph (1) by the 2019–20 fiscal year. To the extent possible, the plan shall include a process that ensures the transition does not disparately affect the continuity of care for families participating in contracted programs. The plan shall also ensure that contracted providers are provided appropriate transitional support and receive technical assistance to help them participate in voucher programs.

(b) All recommendations shall utilize existing infrastructure to the extent possible. The recommendations and the transition plan shall not increase existing state costs for subsidized child care and shall not reflect a reduction in the number of child care slots available statewide.

(c) The State Department of Education shall participate in a stakeholder process in developing its recommendations and transition plan. Stakeholders shall include, but are not limited to, the State Department of Social Services, the Governor’s State



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Advisory Council for Early Learning and Care, First 5 California, alternative payment agencies, contracted child care providers, other subsidized child care providers, local educational agencies, and families utilizing subsidized care.

(d) The State Department of Education shall provide the recommendations and transition plan to the Legislature in conformance with Section 9795 of the Government Code, the Department of Finance, and the executive director of the State Board of Education on or before May 1, 2017. The State Department of Education shall make a draft of the recommendations and transition plan available to the Department of Finance and the Governor's State Advisory Council on Early Learning and Care no less than 30 days before May 1, 2017, for comment and review.

SEC. 36. (a) On or before June 30, 2017, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2016.

(b) The funds appropriated in subdivision (a) shall not exceed the amount by which revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code are less than the estimated amount reflected in the Budget Act of 2016, as determined by the Director of Finance.

(c) On or before June 30, 2017, the Director of Finance shall determine if the revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code exceed the estimated amount reflected in the Budget Act of 2016 and shall reduce



Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2016 by the amount of that excess.

(d) In making the determinations pursuant to subdivisions (b) and (c), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2016.

(e) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of his or her intent to notify the Controller of the necessity to release funds appropriated in subdivision (a) or to make the reduction pursuant to subdivision (c), and the amount needed to address the property tax shortfall determined pursuant to subdivision (b) or the amount of the reduction made pursuant to subdivision (c). The Controller shall make the funds available pursuant to subdivision (a) not sooner than five days after this notification, and the State Department of Education shall work with the Controller to allocate these funds to local educational agencies as soon as practicable.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2016–17 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 2016–17 fiscal year.



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SEC. 37. (a) On or before June 30, 2016, up to twenty eight million five hundred thousand dollars (\$28,500,000) shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2015 (Chapter 10 of the Statutes of 2015).

(b) The funds appropriated in subdivision (a) shall only be available to the extent that property tax revenues distributed to local educational agencies for special education programs pursuant to Section 2572 of the Education Code, reported as of the second principal apportionment and certified pursuant to Section 41339 of the Education Code, are less than the estimated amount reflected in the Budget Act of 2015, as determined by the Director of Finance.

(c) In making the determination pursuant to subdivision (b), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2016.

(d) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or his or her designee, of his or her intent to notify the Controller of the necessity to release funds appropriated in subdivision (a), and the amount needed to address the property tax shortfall determined pursuant to subdivision (b). The Controller shall make the funds available pursuant to subdivision (a) not sooner than five days after this notification and the State Department of Education shall work with the Controller to allocate these funds to local educational agencies as soon as practicable pursuant to subdivision (e) of Section 56836.08 of the Education Code.



(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2015–16 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 2016–17 fiscal year.

SEC. 38. (a) For the 2016–17 fiscal year, the sum of thirty million dollars (\$30,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the Orange County Department of Education in the manner, and for the purposes, set forth in this section.

(b) The Superintendent of Public Instruction and the executive director of the State Board of Education, in consultation with the Orange County Department of Education “Scale Up MTSS Statewide” (SUMS) project, shall develop criteria for how the Orange County Department of Education shall allocate the amount appropriated in subdivision (a) for the purpose of expanding and strengthening the use of evidence-based programs and practices through the use of a multitiered systems of support framework.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2014–15 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 2016–17 fiscal year.

SEC. 39. (a) For the 2016–17 fiscal year, the sum of six million six hundred thirty-six thousand dollars (\$6,636,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for transfer by the Controller to Section A of the State School Fund for the purposes set forth in subdivisions (b) and (c).

(b) Of the funds appropriated pursuant to subdivision (a), five million eight hundred eight thousand dollars (\$5,808,000) shall be provided to the Fiscal Crisis and Management Assistance Team for California School Information Services (CSIS), pursuant to the memorandum of understanding with the State Department of Education, in support of the California Longitudinal Pupil Achievement Data System (CALPADS).

(c) Of the funds appropriated pursuant to subdivision (a), eight hundred twenty-eight thousand dollars (\$828,000) shall be provided to local educational agencies that did not participate in the former state reporting program administered by CSIS and for the support of data submission to CALPADS.

(d) (1) As a condition of receipt of funds appropriated in subdivision (b), CSIS shall submit an expenditure plan with workload justification to the Department of Finance and the Legislative Analyst’s Office by November 1, 2016.

(2) The expenditure plan shall include at least all of the following:

(A) Positions filled and intended to be filled.

(B) Salaries and benefits.



- (C) External contracts.
- (D) Other operating expenses.
- (E) Equipment needs.

(3) The workload information shall include at least all of the following:

(A) Activities performed by CSIS and by the State Department of Education to implement CALPADS.

(B) Workload associated with maintenance of CALPADS.

(C) Assistance provided to local educational agencies in transmission of data to CALPADS.

(4) The expenditure plan and workload data shall provide information for the prior fiscal year, current fiscal year, and budget fiscal year.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2014–15 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 2014–15 fiscal year.

SEC. 40. (a) For the 2016–17 fiscal year, the sum of three million five hundred thousand dollars (\$3,500,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the K–12 High-Speed Network



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for operational activities authorized pursuant to Item 6100-182-0001 of the Budget Act of 2016.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2014–15 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 2014–15 fiscal year.

SEC. 41. (a) For the 2016–17 fiscal year, the sum of three million dollars (\$3,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for transfer to the Controller to Section A of the State School Fund for the purposes set forth in subdivision (b).

(b) The Superintendent shall allocate the funds appropriated pursuant to subdivision (a) to a county office of education, as determined by the State Department of Education, to initiate the procurement of a replacement system for the Standardized Account Code Structure system.

(c) The funding provided pursuant to subdivision (a) shall only be available upon approval of the Department of Finance, and not sooner than 30 days after notification of the Joint Legislative Budget Committee.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2014–15 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 2014–15 fiscal year.

SEC. 42. (a) The sum of two million five hundred thousand dollars (\$2,500,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing for allocation to a local educational agency to establish the California Center on Teaching Careers in the manner, and for the purposes, set forth in this section.

(b) The California Center on Teaching Careers is hereby established for the purpose of recruiting qualified and capable individuals into the teaching profession. From funds appropriated for that purpose, the Commission on Teacher Credentialing shall provide a multiyear award to a local educational agency through a competitive grant process to establish and administer the center with the concurrence of representatives of the Superintendent of Public Instruction, the University of California, the California State University, the Chancellor’s Office of the California Community Colleges, and independent institutions of higher education, as defined in subdivision (b) of Section 66010 of the Education Code. For purposes of this subdivision, “concurrence” means agreement on both of the following:

- (1) The priorities, goals, and general objectives of the duties of the California Center on Teaching Careers.
- (2) The order in which the duties specified in this section are undertaken.



(c) The activities of the California Center on Teaching Careers shall be implemented with the active involvement of local educational agencies whenever appropriate.

(d) The duties of the California Center on Teaching Careers include, but are not limited to, all of the following:

(1) Developing and distributing statewide public service announcements relating to teacher recruitment.

(2) Developing, modifying, and distributing effective recruitment publications.

(3) Providing information to prospective teachers regarding requirements for obtaining a teaching credential.

(4) Providing specific information to prospective teachers regarding admission to and enrollment into conventional and alternative teacher preparation programs, including identification of public and private postsecondary educational institutions that provide an integrated four-year preparation program.

(5) Providing specific information to prospective teachers regarding financial aid and loan assistance programs.

(6) Creating or expanding a referral database for qualified teachers seeking employment in the public schools.

(7) Developing and conducting outreach activities to high school pupils as well as to college students.

(8) Developing and conducting outreach activities to teachers to fill existing teacher shortage areas.



(e) The California Center on Teaching Careers, in conducting its duties, shall coordinate and work collaboratively with the Education Job Opportunities Information Network, existing teacher recruitment centers, school districts, county offices of education, and other teachers clubs and organizations.

(f) The California Center on Teaching Careers shall periodically reassess its recruitment activities aimed at individuals from different populations or target audiences for effectiveness and efficiencies in light of the state’s teacher workforce, changing market conditions, changes to state and federal law, and any other evolving circumstances.

(g) The California Center on Teaching Careers shall periodically review all products and communication tools for accuracy, quality, ease of use, and effectiveness.

(h) On or before January 1, 2020, the Commission on Teacher Credentialing shall conduct an evaluation of, and report to the Department of Finance, relevant policy and fiscal committees of the Legislature, and the Legislative Analyst’s Office on, the outcomes of the California Center on Teaching Careers, including, but not limited to, both of the following:

(1) A focus on information that identifies the impact of the California Center on Teaching Careers on meeting the objective of recruiting teachers for California schools.

(2) Survey data from a representative sample of teacher preparation candidates, new teachers, and school districts to assess which methods of public outreach and engagement were most impactful on recruitment.

(i) For the purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall



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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 2014–15 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 2014–15 fiscal year.”

SEC. 43. (a) Commencing with the 2016–17 fiscal year, the sum of five hundred thousand dollars (\$500,000) is hereby annually appropriated through the 2018–19 fiscal year to the Superintendent of Public Instruction for support and development of the evaluation rubrics adopted pursuant to Section 52064.5 of the Education Code and the Web application system for the school accountability report card.

(b) 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 a contract with the San Joaquin County Office of Education to do both of the following:

(1) Host, maintain, and support the development of the local control funding formula evaluation rubrics Web-based system.

(2) Maintain and support the Web application system for the school accountability report card.

(c) When performing the activities specified in paragraphs (1) and (2) of subdivision (b), the San Joaquin County Office of Education shall ensure alignment of the school accountability report card and the evaluation rubrics with California’s



accountability system, accommodate state and local data availability, and reflect consistency with implementation of the local control funding formula.

SEC. 44. Commencing with the 2016–17 fiscal year, the Superintendent of Public Instruction shall add three million five hundred thousand dollars (\$3,500,000) to the amount to be apportioned pursuant to Sections 42238.02 and 42238.03 of the Education Code to the San Francisco Unified School District. These funds shall be made available to contract with the Exploratorium in San Francisco for purposes of supporting professional development and leadership training for education professionals, expanding access to quality STEM learning opportunities, and supporting statewide implementation of the Next Generation Science Standards.

SEC. 45. (a) The sum of two billion nine hundred seventy-eight million seven hundred eighty-nine thousand dollars (\$2,978,789,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction and shall be allocated pursuant to the calculation in subdivision (b) of Section 42238.03 of the Education Code.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations 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 2016–17 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 2016–17 fiscal year.



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SEC. 46. (a) (1) The sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the California School Finance Authority to support charter school startup grants in an amount not to exceed five hundred seventy-five thousand dollars (\$575,000) per eligible applicant.

(2) An eligible applicant shall be a charter school that is governed by a not-for-profit public benefit corporation that is authorized to operate in California and any of the following:

(A) A charter petitioner that has submitted a petition to a charter authorizer.

(B) A charter school that has been authorized but is not yet operating as a charter school.

(C) A charter school that has not yet completed its first full year of operation as a charter school.

(3) No grant awards shall be provided to any charter school or charter petitioner before authorization of its charter petition.

(4) Priority for grants shall be given to those applicants in counties with few or no charter schools and those in underserved communities with high populations of pupils eligible for free or reduced-price meals pursuant to Section 42238.01 of the Education Code.

(5) An eligible applicant may receive its first grant award six months before commencing pupil instruction and may expend those funds until June 30, 2019, so long as the funds are used only in the applicant's first or second year of operation.

(b) A grant may be awarded for one-time costs associated with the startup of a new charter school, including, but not limited to, all of the following:



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- (1) Supplies, furnishings, equipment, and instructional materials.
- (2) Professional development, coaching, and support services for teachers and charter school staff.
- (3) Curriculum and policy development and acquisition.
- (4) Facility and schoolsite preparation or modifications necessary to implement the program in compliance with applicable laws.

(c) The California School Finance Authority shall apportion funding to approved applicants that meets the following conditions:

(1) The charter school has been approved by a charter school authorizer and has submitted a request for a charter school number and County-District-School code to the State Department of Education.

(2) The charter school submits documentation of current enrollment or reasonable estimates of anticipated enrollment for the first year of operation based on information that has been confirmed by its charter authorizer through the charter petition signature process or review of the charter school’s startup budget.

(d) Grant funds shall be disbursed within 60 days to an approved applicant based on evidence of anticipated or incurred costs provided by the applicant.

(e) Funding apportioned pursuant to this section is subject to the annual audits required by Section 41020 of the Education Code.

(f) Actions taken to implement provisions of this section by the California School Finance Authority shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.



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(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the funds appropriated pursuant to this section 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 2016–17 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 2016–17 fiscal year.

SEC. 47. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other 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. 48. 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



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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: School finance: education omnibus trailer bill.

(1) Existing law, the Child Care and Development Services Act, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. The act requires families to meet certain requirements in various areas to be eligible for federal and state subsidized child development services. Existing law also provides for income eligibility standards for families to receive child care and development services. Existing law provides that “income eligible,” for purposes of the act, means that a family’s adjusted monthly income is at or below 70% of the state median income, adjusted for family size, and adjusted annually. Notwithstanding this provision, existing law sets the income eligibility limits for the 2014–15 fiscal year at 70% of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.



This bill would additionally require, if only one parent has signed an application for enrollment and the information provided indicates the child in the family has another parent whose name does not appear on the application, that the presence or absence of that omitted parent be self-certified by the parent signing the application, under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would also set the income eligibility limits for the 2016–17 fiscal year at 70% of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size. The bill would also require the State Department of Education, in order to assist with a uniform due process system across the state for purposes of the Child Care and Developmental Services Act, to create a required agency form for 2 types of notice of action that the bill would define, one for application for services and the other for recipient of services, as specified.

(2) Existing law expresses the intent of the Legislature that local child care and development planning councils shall provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities. Existing law requires the county board of supervisors and the county superintendent of schools to do certain things, including select the members of the local planning council. By May 30 of each year, upon approval by the county board of supervisors and the county superintendent of schools, existing law requires a local planning council to submit to the State Department of Education the local priorities it has identified that reflect all child care needs in the county, as specified, including by conducting an assessment of child care needs in county, as provided.



This bill would instead express the intent of the Legislature that county offices of education, either individually or in a consortium, provide a forum for the identification of local priorities for child care and the development of policies to meet the needs identified within those priorities. The bill would also instead require county offices of education or a consortium of county offices of education, as condition for funding for these purposes, to undertake the related actions identified above, among others, as specified.

(3) Existing law expresses the intent of the Legislature to expedite the repair, alteration, and reconstruction of school facilities that have been damaged or destroyed by fire, earthquake, flood, or other manmade or natural disasters, in order to return those school facilities to a condition that makes them useful to school districts in the least amount of time and at the lowest appropriate cost while maintaining the integrity and safety of the structure as required by the laws of this state.

This bill would establish the K–12 School Facility Emergency Repair Revolving Loan Program for purposes of providing bridge loans to school districts to address imminent emergency health and safety facilities repairs, as defined, that result in the displacement of pupils from an educational setting, as specified. The bill would also establish the K–12 School Facility Emergency Repair Revolving Loan Fund within Section A of the State School Fund. The bill would provide that the program shall be administered by the Superintendent of Public Instruction, as provided. The bill would provide that school district participation in the program is voluntary.

(4) Existing law requires, for the 1990–91 fiscal year and each fiscal year thereafter, that moneys to be applied by the state for the support of school districts,



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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 2015–16 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2016–17 fiscal year.

(5) 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.

This bill would appropriate \$218,000,000 from the General Fund to the Controller for allocation to school districts and community college districts for the purpose of offsetting the 2009–10 outstanding balance of the minimum funding obligation to school districts and community college districts, as specified.

(6) Existing law establishes the Foster Youth Services Coordinating Program, administered by the Superintendent of Public Instruction, as specified, to provide supplemental funding to county offices of education, or a consortium of county offices of education, to coordinate and ensure that local educational agencies within its jurisdiction are providing services to foster youth pupils pursuant to a foster youth services coordinating plan. Existing law authorizes a county office of education, or consortium of county offices of education, to apply to the Superintendent for grant funding, to the extent funds are available, to operate an education-based foster youth services coordinating program to provide educational support for pupils in foster care. Existing law requires the Superintendent, on or before October 31, 2015, to develop



an allocation formula to determine the allocation amounts for which each county office of education or consortium of county offices of education is eligible and, within 30 days, to submit the allocation formula to the appropriate policy and fiscal committees of the Legislature and the Department of Finance for review and to the Department of Finance for approval, as specified.

This bill would, commencing with the 2016–17 fiscal year, instead require the Superintendent to provide a base grant of \$75,000 to each participating county office of education or consortia of county offices of education that served at least one foster youth pupil in the prior fiscal year. After providing base grants, the bill would require the Superintendent to allocate the remaining funding to participating county offices of education or consortium of county offices of education based on the following criteria: 70% of the allocation shall be based on the number of pupils in foster care in the county and 30% of the allocation shall be based on the number of school districts in the county.

(7) Existing law establishes minimum requirements for the issuance of a preliminary multiple or single subject teaching credential by the Commission on Teacher Credentialing. Among other requirements, existing law requires satisfactory completion of a program of professional preparation accredited by the Committee on Accreditation, but specifies that the program shall not include more than 2 years of full-time study, except for certain programs, including for integrated programs of subject matter and professional preparation. Existing law requires an integrated program of professional preparation to enable candidates for teaching credentials to engage in professional preparation, concurrently with subject matter preparation, while completing baccalaureate degrees at regionally accredited postsecondary institutions and to provide



opportunities for candidates to complete intensive field experiences in public elementary and secondary schools early in the undergraduate sequence.

Existing law requires that an integrated program of professional preparation offered by the California State University be designed to concurrently lead to a preliminary multiple subject or single subject teaching credential and a baccalaureate degree.

This bill would require those intensive field experiences to include student teaching. The bill would authorize a postsecondary educational institution to offer a 4-year integrated program of professional preparation that allows a student to earn a baccalaureate degree and a preliminary multiple or single subject teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, including student teaching requirements, concurrently and within 4 years of study. The bill would, contingent upon appropriation of funds in the annual Budget Act or another statute, require the commission to develop and implement a program to award 20 2-year and 40 1-year grants of \$250,000 each to postsecondary educational institutions for the development of transition plans to guide the creation of 4-year integrated programs of professional preparation, as provided.

This bill would instead require that an integrated program of professional preparation offered by the California State University be designed to concurrently lead to a preliminary multiple subject or single subject teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, and a baccalaureate degree.



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(8) Existing law, on or before July 1, 2014, requires the governing board of each school district and each county board of education to adopt a local control and accountability plan. Existing law requires the governing board of each school district and each county board of education to update its local control and accountability plan before July 1 of each year. Existing law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils, including, among others, pupils who are English learners or foster youth.

Existing law, the Charter Schools Act of 1992, requires a charter school petition to contain those same elements. Existing law requires, on or before July 1, 2015, and each year thereafter, a charter school to annually update the goals and annual actions to achieve those goals, as specified, including a requirement that the charter school consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update. The act requires each chartering authority to, among other things, ensure that each charter school under its authority complies with all reports required of charter schools by law, including the annual update referenced above, and requires each charter school to annually prepare and submit specified reports to its chartering authority and the county superintendent of schools, including the update referenced above.

This bill would specifically reference those charter school petition and update requirements as a local control and accountability plan and an update to a local control and accountability plan, respectively. The bill would also require a charter school's local control and accountability plan, in addition to the update, to be developed in



consultation with teachers, principals, administrators, other school personnel, parents, and pupils. The bill would also require a charter school to prepare and submit the local control and accountability plan with its update and would require the chartering authority to ensure compliance with these actions. To the extent this would impose additional duties on local educational agency officials, the bill would impose a state-mandated local program.

This bill would also appropriate \$20,000,000 from the General Fund to the California School Finance Authority to support charter school startup grants in an amount not to exceed \$575,000 per applicant, as specified.

(9) Existing law authorizes the governing board of a school district or a county office of education to offer independent study to meet the educational needs of pupils in accordance with prescribed criteria. Existing law requires a written agreement for each independent study pupil, not to exceed one school year, signed by prescribed individuals, and maintained on file, which is authorized to include maintaining it electronically.

This bill would authorize supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred to also be maintained as an electronic file, as specified.

(10) Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API), as specified, to measure the performance of schools and school districts. Existing law authorizes the Superintendent, with the approval of the state board, for the 2013–14 and 2014–15 school years only, to not provide an API score to a school or school



district due to a determination by the Superintendent that a transition to new standards-based assessments would compromise comparability of results across schools or school districts.

This bill would extend that authorization to the 2015–16 school year as well.

(11) Existing law requires the Superintendent of Public Instruction, commencing with the 2004–05 fiscal year and each fiscal year thereafter, to make certain calculations for, and the State Department of Education to apportion certain amounts to, special education local plan areas, as provided, with respect to children and youth residing in foster family homes, foster family agencies, group homes, skilled nursing facilities, intermediate care facilities, and community care facilities.

This bill would, notwithstanding certain provisions, require the Superintendent to use the rate classification levels as they exist on December 31, 2016, and the capacity of each group home licensed by the State Department of Social Services located in each special education local plan area on December 31, 2016, for purposes of the 2016–17 fiscal year funding for group homes.

(12) Existing law establishes the California Career Technical Education Incentive Grant Program, under the administration of the State Department of Education, 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. Existing law appropriates funds for the grant program, including \$300,000,000 for the 2016–17 school year, and designates certain percentages of those appropriations to different applicant tiers based on their average daily attendance.





childcare and development in a licensed children's center may receive grants of up to \$2,000 for each academic year.

This bill would repeal that grant program.

(15) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. If the commission determines there are costs mandated by the state, existing law requires the commission to determine the amount to be subvented to local agencies and school districts for reimbursement, and in doing so, to adopt parameters and guidelines for reimbursement of any claims. In adopting the parameters and guidelines, existing law authorizes the commission to adopt a reasonable reimbursement methodology, as specified.

This bill would require a reasonable reimbursement methodology that is based on, in whole or in part, costs that have been included in claims submitted to the Controller for reimbursement to only use costs that have been audited by the Controller, as provided.

(16) This bill would state the intent of the Legislature to enact legislation that would govern the use of funds distributed from the Safe Neighborhoods and Schools Fund to the State Department of Education for purposes of supporting programs aimed at improving outcomes for public school pupils in kindergarten and grades 1 to 12,



inclusive, by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime.

(17) This bill would require the State Department of Education, on or before May 1, 2017, to develop a set of recommendations to streamline the existing subsidized child care and development system, including general child care and development programs, migrant child care and development programs, the Alternative Payment Program, and CalWORKs Child Care, using vouchers as the method of subsidy, a set of recommendations to reallocate federal Child Care and Development Block Grant quality funds, and a plan to transition existing programs in accordance with those recommendations by the 2019–20 fiscal year, as specified. The bill would require the department to provide the recommendations and transition plan to the Legislature, the Department of Finance, and the executive director of the State Board of Education on or before May 1, 2017, and to make a draft of the recommendations and transition plan available to the Department of Finance and the Governor’s State Advisory Council on Early Learning and Care no less than 30 days before May 1, 2017, for comment and review.

(18) This bill would appropriate \$1,221,336,000 from the General Fund to the Superintendent of Public Instruction for allocation to school districts and county superintendents of schools, and \$105,501,000 from the General Fund to the Chancellor of the California Community Colleges for allocation to community college districts, as specified. The bill would require the funds to first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year, but would authorize the



governing boards of school districts and community college districts to expend these one-time funds for any purpose, as determined by a governing board.

(19) This bill would require an amount to be determined by the Director of Finance to be appropriated, on or before June 30, 2017, from the General Fund to the Superintendent of Public Instruction in the event that the amount by which specified revenues distributed to local educational agencies for special education programs are less than the estimated amount reflected in the Budget Act of 2016. The bill would also require the Director of Finance to reduce the General Fund appropriation for these programs by the amount that these revenues exceed the estimated amount. The would also require, on or before June 30, 2016, up to \$28,500,000 to be appropriated from the General Fund to the Superintendent of Public Instruction only to the extent that the amount by which property tax revenues distributed to local educational agencies for special education programs are less than the estimated amount reflected in the Budget Act of 2015.

(20) This bill would appropriate \$30,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to the Orange County Department of Education for purposes of the Superintendent and the executive director of the State Board of Education, in consultation with the Orange County Department of Education “Scale Up MTSS Statewide” project, developing criteria for how the Orange County Department of Education shall allocate that appropriation for the purpose of expanding and strengthening the use of evidence-based programs and practices through the use of a multitiered systems of support framework.



(21) This bill would appropriate \$6,636,000 from the General Fund to the Superintendent of Public Instruction for transfer by the Controller to Section A of the State School Fund for certain purposes, including \$5,808,000 for the Fiscal Crisis and Management Assistance Team for California School Information Services (CSIS), pursuant to the memorandum of understanding with the State Department of Education, in support of the California Longitudinal Pupil Achievement Data System (CALPADS) and \$828,000 for local educational agencies that did not participate in the former state reporting program administered by CSIS and for the support of data submission to CALPADS.

(22) This bill would appropriate \$3,500,000 from the General Fund to the Superintendent of Public Instruction for allocation to the K–12 High-Speed Network for operational activities authorized pursuant to Item 6100-182-0001 of the Budget Act of 2016.

(23) This bill would appropriate \$3,000,000 from the General Fund to the Superintendent of Public Instruction for transfer by the Controller to Section A of the State School Fund for the purposes of allocating those funds to a county office of education, as determined by the State Department of Education, to initiate the procurement of a replacement system for the Standardized Account Code Structure system.

(24) This bill would appropriate \$2,500,000 from the General Fund to the Commission on Teacher Credentialing for allocation to a local educational agency to establish the California Center on Teaching Careers, as specified.



(25) The Classroom Instructional Improvement and Accountability Act requires the governing board of each school district maintaining an elementary or secondary school to develop and cause to be implemented for each school in the school district a school accountability report card that includes assessments of various school conditions. Existing law requires the State Department of Education to develop and recommend for adoption by the State Board of Education a standardized template intended to simplify the process for completing the school accountability report card and make the school accountability report card more meaningful to the public. Existing law requires the department to annually post the completed and viewable template on the Internet, and requires the template to be designed to allow schools or districts to download the template from the Internet.

Existing law also requires the state board, on or before October 1, 2016, to adopt evaluation rubrics to, among other things, assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

This bill would, commencing with the 2016–17 fiscal year, annually appropriate \$500,000 to the Superintendent of Public Instruction through the 2018–19 fiscal year for support and development of the evaluation rubrics and the Web application system for the school accountability report card. The bill would require the department, in collaboration with, and subject to the approval of, the executive director of the state board, to contract with the San Joaquin County Office of Education for those purposes, as specified.



(26) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified.

This bill, for the 2016–17 fiscal year, would appropriate \$2,978,789,000 from the General Fund to the Superintendent of Public Instruction for allocation pursuant to the local control funding formula. The bill also would require the Superintendent, commencing with the 2016–17 fiscal year, to add \$3,500,000 to the local control funding formula allocation for the San Francisco Unified School District, to be made available to contract with the Exploratorium in San Francisco for purposes of supporting professional development and leadership training for education professionals, expanding access to quality STEM learning opportunities, and supporting statewide implementation of the Next Generation Science Standards.

(27) This bill would make conforming and clarifying changes, delete obsolete provisions, correct cross-references, and make other nonsubstantive changes.

(28) 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.

(29) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.



With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(30) 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.



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