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AB-76 Education finance: apportionments. (2019-2020)

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Assembly Bill No. 76

CHAPTER 5

An act to amend Section 14041.5 of, to add Section 41207.48 to, and to add and repeal Section 84321.61 of, the Education Code, and to amend Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019 (Chapters 23 and 55 of the Statutes of 2019), relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 26, 2020. Filed with Secretary of State June 26, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 76, Committee on Budget. Education finance: apportionments.

(1) Existing law requires the Controller to draw warrants on the State Treasury throughout each year in specified amounts for purposes of apportioning funding to school districts, county offices of education, and charter schools.

This bill, commencing with the 2019–20 fiscal year, would require the warrants scheduled to be drawn in June to instead be drawn in July of the same calendar year.

(2) 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 would appropriate \$406,664,000 for the 2019–20 fiscal year from the General Fund to the State School Fund for allocation by the Superintendent to school districts and charter schools pursuant to the local control funding formula.

(3) Existing law establishes community college districts throughout the state, authorizes the districts to provide instruction at the community college campuses they operate and maintain, and provides apportionments of state funds to the districts. Existing law requires the Board of Governors of the California Community Colleges to adopt regulations providing for the payment of apportionments to districts on a specified schedule.

This bill would defer the scheduled payment of \$330,128,000 in May and June of the 2019–20 fiscal year to July of the 2020–21 fiscal year, and would appropriate that amount to the board of governors in the 2020–21 fiscal year for apportionment to community college districts.

(4) The Budget Act of 2019 made appropriations for the support of state government for the 2019–20 fiscal year.

This bill would amend the Budget Act of 2019 by amending one item of appropriation to increase an appropriation for local assistance to the Board of Governors of the California Community Colleges, as provided.

(5) Existing law appropriates specified moneys to the State Department of Education in the 2017–18 fiscal year for purposes of adult education classes for adults in correctional facilities and special education.

This bill would make those moneys available for encumbrance until July 31, 2020. By extending the period of time during which an existing appropriation may be encumbered, the bill would make an appropriation.

(6) 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.

(7) 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 Local Program: no

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

SECTION 1. Section 14041.5 of the Education Code is amended to read:

14041.5. (a) Notwithstanding subdivision (a) of Section 14041, for the 2002–03 fiscal year to the 2013–14 fiscal year, inclusive, and commencing with the 2019–20 fiscal year, warrants for the principal apportionments for the month of June instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41335.

(b) Except as otherwise provided in this section, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated to school districts,” as defined in subdivision (c) of Section 41202 for the fiscal year in which the warrants are drawn 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, for the fiscal year in which the warrants are drawn.

(c) For the 2003–04 school year, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following 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, for the 2004–05 fiscal year shall be seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000). Any amount in excess of seven hundred twenty-six million two hundred seventy thousand dollars (\$726,270,000) that is apportioned in July of 2004 is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the 2003–04 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, for the 2003–04 fiscal year.

(d) For the 2004–05 school year to the 2007–08 school year, inclusive, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following 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, for the following fiscal year shall be seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000). Any amount in excess of seven hundred fifteen million one hundred eighteen thousand dollars (\$715,118,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior 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, for the prior fiscal year.

(e) For the 2008–09 school year to the 2013–14 school year, inclusive, the amount of apportionments for revenue limits computed pursuant to Section 42238 from any of the apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following 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, for the following fiscal year shall be one billion one hundred one million six hundred fifty-five thousand dollars (\$1,101,655,000). Any amount in excess of one billion one hundred one million six hundred fifty-five thousand dollars (\$1,101,655,000) that is apportioned in July of any year is deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the prior 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, for the prior fiscal year.

(f) (1) Commencing with the 2019–20 fiscal year, the amount of apportionments made pursuant to Section 14041 that are deemed “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 for the following 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, for the following fiscal

year shall be one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000). Any amount in excess of one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000) that is apportioned in July of any year is deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the prior 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, for the prior fiscal year.

(2) For the 2019–20 fiscal year, the principal apportionment deferred from June to July pursuant to subdivision (a) shall be paid by the Controller no later than July 15, 2020.

SEC. 2. Section 41207.48 is added to the Education Code, to read:

41207.48. (a) The sum of four hundred six million six hundred sixty-four thousand dollars (\$406,664,000) is hereby appropriated in the 2019–20 fiscal year from the General Fund to the State School Fund for allocation by the Superintendent pursuant to Section 42238.02.

(b) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, three hundred ninety-one million four hundred forty-one thousand dollars (\$391,441,000) of the amount appropriated in subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2018–19 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, for the 2018–19 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, fifteen million two hundred twenty-three thousand dollars (\$15,223,000) of the amount appropriated in subdivision (a) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2013–14 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

SEC. 3. Section 84321.61 is added to the Education Code, immediately following Section 84321, to read:

84321.61. (a) Notwithstanding any other law that governs the regulations adopted by the Chancellor of the California Community Colleges to disburse funds, the monthly payment schedule for community college districts pursuant to Section 84320 shall be adjusted for the 2019–20 fiscal year by the following:

(1) For the month of June, three hundred million dollars (\$300,000,000) shall be deferred to July.

(2) For the month of May, thirty million one hundred twenty-eight thousand dollars (\$30,128,000) shall be deferred to July.

(b) The sum of three hundred thirty million one hundred twenty-eight thousand dollars (\$330,128,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for apportionments to community college districts, for expenditure during the 2020–21 fiscal year, to be expended in accordance with Schedule (1) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019.

(c) Of the funds appropriated in subdivision (b), three hundred thirty million one hundred twenty-eight thousand dollars (\$330,128,000) shall be allocated in July of the 2020–21 fiscal year in satisfaction of the moneys deferred pursuant to subdivision (a).

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (b) shall be deemed to be "General Fund revenues appropriated for community college districts," as defined in subdivision (d) of Section 41202, for the 2020–21 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, for the 2020–21 fiscal year.

(e) This section shall become inoperative on December 15, 2020, and, as of January 1, 2021, is repealed.

SEC. 4. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2019 is amended to read:

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)	4,445,777,000
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Schedule:

(1)	5670015-Appportionments	3,041,174,000
(2)	5670019-Apprenticeship	43,693,000
(3)	5670023-Apprenticeship Training and Instruction	35,749,000
(4)	5675040-Student Equity and Achievement Program	475,220,000
(5)	5675019-Student Financial Aid Administration	76,007,000
(6)	5675027-Disabled Students	124,288,000
(7)	5675031-Student Services for CalWORKs Recipients	46,941,000
(8)	5675035-Foster Care Education Program	5,654,000
(9)	5675109-Institutional Effectiveness	27,500,000
(10)	5675061-Academic Senate for the Community Colleges	1,685,000
(11)	5675069-Equal Employment Opportunity	2,767,000
(12)	5675073-Part-Time Faculty Health Insurance	490,000
(13)	5675077-Part-Time Faculty Compensation	24,907,000
(14)	5675081-Part-Time Faculty Office Hours	12,172,000
(15)	5675098-Integrated Technology	41,890,000
(16)	5675119-Economic Development	264,207,000
(17)	5675123-Transfer Education and Articulation	779,000
(18)	5675023-Extended Opportunity Programs and Services	132,691,000
(19)	5675115-Fund for Student Success	47,940,000
(20)	5675150-Campus Childcare Tax Bailout	3,645,000
(21)	5675156-Nursing Program Support	13,378,000

- (22) 5670035-Expand the Delivery
of Courses through
Technology 23,000,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2019–20 fiscal year to Section B of the State School Fund.
- 1.5. (a) The funds appropriated in Schedule (1) reflect a deferral of \$330,128,000 to the 2020–21 fiscal year.
- (b) In addition to the amount provided in Schedule (1), other funding is available to support apportionments in Provision 1 of Item 6870-488 of Section 2.00 of the Budget Act of 2020.
2. (a) The funds appropriated in Schedule (1) shall be allocated using the budget formula established pursuant to Section 84750.4 of the Education Code. The budget formula shall be adjusted to reflect the following:
 - (1) Of the funds appropriated in Schedule (1), \$24,727,000 shall be used to increase statewide growth of full-time equivalent students (FTES) by 0.55 percent.
 - (2) Of the funds appropriated in Schedule (1), \$230,006,000 shall be used to reflect a cost-of-living adjustment of 3.26 percent.
 - (3) Notwithstanding paragraph (1), the Chancellor's Office may allocate unused growth funding to backfill any unanticipated shortfalls in the total amount of funding appropriated and support the budget formula established pursuant to Section 84750.4 of the Education Code.
- (b) Funds allocated to a community college district from funds included in Schedule (1) shall directly offset any mandated costs claimed for the Minimum Conditions for State Aid (02-TC-25 and 02-TC-31) program or any costs of complying with Section 84754.5 of the Education Code.
- (c) Of the funds appropriated in Schedule (1):
 - (1) \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the California Code of Regulations.
 - (2) Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title 5 of the California Code of Regulations.
- (d) Of the funds appropriated in Schedule (1), \$85,138,000 shall be allocated to support the California College Promise pursuant to Article 3 (commencing with Section 76396) of Chapter 2 of Part 47 of Division 2 of Title 3 of the Education Code.
- (f) Of the funds appropriated in Schedule (1), \$50,000,000 shall be used to hire new full-time faculty for community college districts to increase their percentage of full-time faculty, toward meeting the 75

percent full-time faculty target. The Chancellor's Office of the California Community Colleges shall consult with representatives from the Department of Finance, the Legislature, and the Legislative Analyst's Office before distributing these funds to community college districts.

3.
 - (a) The funds appropriated in Schedule (2) shall be available pursuant to Article 3 (commencing with Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
 - (b) Pursuant to Section 79149.3 of the Education Code, the reimbursement rate shall be \$6.45 per hour.
 - (c) Of the funds appropriated in Schedule (2), \$15,000,000 shall be used for the California Apprenticeship Initiative pursuant to Section 79148.1 of the Education Code. Funds appropriated pursuant to this subdivision shall be available for encumbrance or expenditure until June 30, 2025.
4.
 - (a) The funds appropriated in Schedule (3) shall be available pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code.
 - (b) Pursuant to Section 8152 of the Education Code, the reimbursement rate shall be \$6.45 per hour.
5. The funds appropriated in Schedule (4) shall be apportioned to community college districts pursuant to Section 78222 of the Education Code.
6.
 - (a) Of the funds appropriated in Schedule (5):
 - (1) Not less than \$15,170,000 is available to provide \$0.91 per unit reimbursement to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
 - (2) Not less than \$15,337,000 is available for the Board Financial Assistance Program to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
 - (3)
 - (A) \$5,300,000 shall be allocated to a community college district to conduct a statewide media campaign to promote the following message: (i) the California Community Colleges are affordable, (ii) financial aid is available to cover fees and help with books and other costs, and (iii) an interested student should contact the student's local community college financial aid office. The campaign should target efforts to reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult regularly with the chancellor and the Student Aid Commission.
 - (B) Of the amount identified in subparagraph (A), \$2,500,000 shall be allocated to

expand: (i) outreach for students from non-English speaking households and bilingual households, (ii) marketing and outreach aimed at baccalaureate degree pilot programs, and (iii) marketing and outreach aimed at increasing current and future student awareness of the California College Promise Grant. Bilingual efforts shall target areas of the state that meet at least one of the following conditions: (i) have concentrations of non-English speaking and bilingual households, or (ii) have underserved populations, a history of declining community college attendance, or both.

- (4) Not more than \$35,200,000 shall be for direct contact with potential and current financial aid applicants. Each California Community College campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting FTES weighted by a measure of low-income populations demonstrated by the California College Promise Grant program participation within a district.
- (5) Funds allocated to a community college district pursuant to paragraphs (1) and (2) shall supplement, not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001–02 or 2006–07 fiscal year, whichever is greater.
- (6) Funding allocated to a community college district pursuant to paragraphs (1) and (2) shall directly offset any costs claimed by that district for any of the following mandates: Enrollment Fee Collection (99-TC-13), Enrollment Fee Waivers (00-TC-15), Cal Grants (02-TC-28), and Tuition Fee Waivers (02-TC-21).
- (7) Notwithstanding subdivision (m) of Section 76300 of the Education Code or any other provision of law, the amount of funds appropriated for the purpose of administering fee waivers for the 2019–20 fiscal year shall be determined in this act.
- (8) Not more than \$5,000,000 shall be for ongoing maintenance, subscription, and training costs for financial aid technology advancements and innovations that streamline the financial aid verification process and enable colleges to more efficiently process state and federal financial aid grants. It is the intent of the Legislature that system improvements supported by this funding have the effect of reducing the manual processing of financial aid applications, thereby enabling financial aid program staff to provide additional technical assistance and guidance to students seeking financial aid. The Chancellor's Office shall determine the methodology for allocating these funds to community college districts.

- 7. (a) The funds appropriated in Schedule (6) shall be used to assist districts in funding the excess direct

instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges and for state hospital programs, as mandated by federal law.

(b) Of the amount appropriated in Schedule (6):

- (1) At least \$3,945,000 shall be used to address deficiencies identified by the United States Department of Education Office for Civil Rights.
- (2) At least \$943,000 shall be used to support the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled.
- (3) At least \$9,600,000 shall be allocated to community college districts for sign language interpreter services, real-time captioning equipment, or other communication accommodations for hearing-impaired students. A community college district is required to spend \$1 from local or other resources for every \$4 received pursuant to this paragraph.
- (4) \$642,000 shall be allocated for state hospital adult education programs at the hospitals served by the Coast and Kern Community College Districts.

8. (a) The funds appropriated in Schedule (7) shall be allocated pursuant to Article 5 (commencing with Section 79200) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.

(b) Of the amount appropriated in Schedule (7):

- (1) \$9,488,000 is for childcare, except that a community college district may request that the chancellor approve the use of funds for other purposes.
- (2) No less than \$5,060,000 shall be used to provide direct workstudy wage reimbursement for students served under this program, and \$633,000 is available for campus job development and placement services.

9. The funds appropriated in Schedule (8) shall be allocated to community college districts to provide foster and relative or kinship care education and training pursuant to Article 8 (commencing with Section 79420) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. A community college district shall ensure that education and training required pursuant to Sections 1529.1 and 1529.2 of the Health and Safety Code and Section 16003 of the Welfare and Institutions Code receive priority.

10. (a) Of the amount included in Schedule (9):

- (3) (A) \$7,500,000 may be used by the chancellor to provide technical assistance to community college districts that demonstrate low performance in any area of operations. It is the intent of the Legislature that technical assistance providers be contracted in a cost-effective manner, that they primarily consist of experts who are current and former

employees of the California Community Colleges, and that they provide technical assistance consistent with the vision for the California Community Colleges.

- (B) Technical assistance funded pursuant to this paragraph that is initiated by the chancellor may be provided at no cost to the district. If a community college district requests technical assistance, the district is required to spend at least \$1 from local or other resources for every \$2 received as determined by the chancellor.
- (4) (A) \$20,000,000 may be used by the chancellor to provide regional and online workshops and trainings to community college personnel to promote statewide priorities, including, but not limited to, strategies to improve student achievement; strategies to improve community college operations; and system leadership training to better coordinate planning and implementation of statewide initiatives in alignment with the Board of Governors' Vision for Success. To the extent possible, the chancellor shall partner with existing statewide initiatives with proven results of improving student success and institutional effectiveness. Each fiscal year, the chancellor shall submit a report on the use of funds appropriated pursuant to paragraphs (3) and (4) of this provision in the prior year to the Department of Finance and the Joint Legislative Budget Committee no later than December 31 of each year. This report shall include information regarding California Community Colleges' participation in the activities funded pursuant to paragraphs (3) and (4) of this provision.
- (B) Funding available pursuant to this paragraph may be utilized by the chancellor to coordinate with community college districts to conduct policy research, and develop and disseminate effective practices through the establishment of an online clearinghouse of information. The development of effective practices shall include, but not be limited to, statewide priorities such as the development of educational programs or courses for the incarcerated adults in prisons and jails, and the formerly incarcerated, educational programs or courses for California Conservation Corps members, and other effective practices. The online clearinghouse of information shall also reflect effective practices, guidance, policies, curriculum, courses, and programs developed by local community colleges in support of the Strong Workforce Program established pursuant to Part 54.5

(commencing with Section 88820) of Division 7 of Title 3 of the Education Code.

- (C) It is the intent of the Legislature to encourage the chancellor to facilitate the development of local community college courses for the California Conservation Corps and the incarcerated adults in prisons and jails, and the formerly incarcerated. The Department of Corrections and Rehabilitation and the California Conservation Corps are encouraged to partner with the chancellor's office in the development and dissemination of local community college courses and effective practices pursuant to this subparagraph and subparagraph (B).
11. Of the amount appropriated in Schedule (10), \$685,000 is available to support the Academic Senate of the California Community Colleges course identification numbering system efforts and shall be subject to the requirements of subparagraph (B) of paragraph (5) of subdivision (b) of Section 70901 of the Education Code.
12. The funds in Schedule (13) shall be allocated to increase compensation for part-time faculty. Funds shall be allocated to districts based on the total actual number of FTES in the previous fiscal year, with an adjustment to the allocations provided to small districts. These funds shall be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through collective bargaining in each community college district. If a community college district achieves parity between compensation for full-time faculty and part-time faculty, funds received pursuant to this provision may be used for any other educational purpose.
13. (a) The funds appropriated in Schedule (15) shall be allocated by the chancellor for the following purposes:
- (1) Procurement, development, evaluation, and upgrading of high priority systemwide technology tools and infrastructure including, but not limited to, e-transcript, e-planning, and other tools to assist colleges to implement multiple measures of assessment pursuant to Chapter 745 of the Statutes of 2017, and technologies that facilitate portability of education credentials.
 - (2) Provision of access to statewide multimedia hosting and delivery services for colleges and districts.
 - (3) Provision of systemwide internet, audio bridging, data security, and telephony.
 - (4) Services related to technology use, including accessibility guidance and information security.
 - (5) Technology product development and program management, technical assistance and planning, and cooperative purchase agreements.
 - (6) Ongoing faculty and staff development related to technology use and adoption.

- (7) Ongoing support of the California Partnership for Achieving Student Success (Cal-PASS) program.
 - (8) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California, as well as to support integration and interoperability toward an improved student experience.
 - (9) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system toward improving learning outcomes.
 - (10) Up to 5 percent of the funds may be allocated by the chancellor to a community college district for statewide activities, not limited to statewide technical assistance to evaluate, plan, and continuously improve the system's data and technology roadmap and deployment.
 - (b) Any funds not allocated pursuant to subdivision (a) of this provision shall be available for allocations to districts to maintain technology capabilities.
14. Of the funds appropriated in Schedule (16):
- (a) \$22,929,000 is available for the following purposes:
 - (1) Up to 10 percent may be allocated for state-level technical assistance, including statewide network leadership, organizational development, coordination, and information and support services.
 - (2) All remaining funds shall be allocated for programs that target investments in priority and emergent sectors, including statewide and/or regional centers, hubs, collaborative communities, advisory bodies, and short-term grants. Short-term grants may include industry-driven regional education and training, Responsive Incumbent Worker Training, and Job Development Incentive Training. Funds allocated pursuant to this provision may be used to provide substantially similar services in support of the Strong Workforce Program.
 - (3) Funds applied to performance-based training shall be matched by a minimum of \$1 contributed by private businesses or industry for each \$1 of state funds. The chancellor shall consider the level of involvement and financial commitments of business and industry in making awards for performance-based training.
 - (b)
 - (1) \$241,278,000 shall be available to support the Strong Workforce Program pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.
 - (2) In addition to the amount provided in Schedule (16) to support the Strong Workforce Program, other funding is available to support this program in Provision 1 of Item 6870-488 in this Budget Act.

15. (a) (1) \$698,000 of the funds appropriated in Schedule (17) shall be used to support transfer and articulation projects and common course numbering projects.
- (2) Funding provided to community college districts shall directly offset any costs claimed by community college districts to be mandates to pursuant to Chapter 737 of the Statutes of 2004.
- (b) \$81,000 of the funds appropriated in Schedule (17) shall be used to support the Historically Black Colleges and Universities (HBCU) Transfer Pathway program, which helps develop transfer guarantee agreements that help facilitate a smooth transition for students from the California Community Colleges to partnered HBCU institutions.
16. (a) Of the funds appropriated in Schedule (18):
 - (1) \$115,867,000 shall be used pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. Funds provided in this item for Extended Opportunity Programs and Services shall be available to students on all campuses within the California Community Colleges system.
 - (2) \$16,824,000 shall be used for funding, at all colleges, the Cooperative Agencies Resources for Education program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. The chancellor shall allocate these funds to local programs on the basis of need for student services.
- (b) Of the amount allocated pursuant to subdivision (a), no less than \$4,972,000 shall be available to support additional textbook assistance grants to community college students.
17. The funds appropriated in Schedule (19) shall be used for the following purposes:
 - (a) \$1,984,000 shall be used for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and if the participating community colleges and University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.
 - (b) Up to \$2,539,000 is for the Mathematics, Engineering, Science Achievement (MESA) program. A community college district is required to spend \$1 from local or other resources for every \$1 received pursuant to this subdivision.
 - (c) No less than \$1,836,000 is for the Middle College High School Program. With the exception of special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment.

- (d) No less than \$2,581,000 is for the Umoja program.
- (e) Consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017, the chancellor shall enter into agreements with 20 community college districts to provide additional services in support of postsecondary education for foster youth. Up to \$20,000,000 of the funds appropriated in this item shall be prioritized for services pursuant to Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017. Further, the chancellor shall ensure that the list of eligible expenditures developed pursuant to subdivision (d) of Section 78221 of the Education Code includes expenditures that are consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017.
- (f) \$10,000,000 of the funds appropriated in this item shall be for support of Veteran Resource Centers. To the extent funding is provided in the annual Budget Act, the chancellor shall only allocate funding to community colleges that commit to either meeting or making progress towards meeting the minimum standards developed by the Office of the Chancellor of the California Community Colleges.
- (g)
 - (1) Colleges shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wraparound services and rental subsidies for homeless and housing insecure students. \$9,000,000 of the funds appropriated in Schedule (19) may be used for, but are not limited to, the following authorized activities:
 - (A) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.
 - (B) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
 - (C) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
 - (2) Funding shall be allocated to campuses based on demonstrated need.
 - (3) "Homeless" and "housing insecure" mean students who lack a fixed, regular, and adequate nighttime residence. This includes students who are:
 - (A) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.

- (B) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
- (C) Living in emergency or transitional shelters.
- (D) Abandoned in hospitals.
- (E) Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- (F) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

- (4) By July 15, 2020, and annually thereafter, the Office of the Chancellor of the California Community Colleges shall submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature regarding the use of these funds, including the number of coordinators hired, the number of students served by campus, the distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students who were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.

- 18. The funds appropriated in Schedule (20) shall be allocated by the chancellor to community college districts that levied childcare permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount proportional to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its childcare and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased or decreased by any cost-of-living adjustment granted in subsequent fiscal years. These funds shall be used only for the purpose of community college childcare and development programs.
- 19. Of the funds appropriated in Schedule (21):
 - (a) \$8,475,000 shall be used to provide support for nursing programs.
 - (b) \$4,903,000 shall be used for diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing programs.
- 20. Of the funds appropriated in Schedule (22):
 - (a) \$20,000,000 shall be allocated to the chancellor to increase the number of courses available through the

use of technology, provide alternative methods for students to earn college credit, and support the California Virtual Campus Distance Education Program. These funds may be used to pay for a consistent learning management system to help implement this program. The chancellor shall ensure, to the extent possible, that the following conditions are satisfied:

- (1) These courses can be articulated across all community college districts.
 - (2) These courses are made available to students systemwide, regardless of the campus at which a student is enrolled.
 - (3) Students who complete these courses are granted degree-applicable credit across community colleges.
 - (4) These funds shall be used for those courses that have the highest demand, fill quickly, and are prerequisites for many different degrees.
- (b) By September 1 of each fiscal year, up to \$3,000,000 shall be disbursed by the Office of the Chancellor of the California Community Colleges to one or more community college districts to provide textbooks or digital course content to inmates under the jurisdiction of the Department of Corrections and Rehabilitation who are enrolled in one or more California Community College courses. The provision of this material is expected to enable community college districts to provide instruction to incarcerated adults.
- (1) To the extent possible, community college districts providing textbooks or digital course content pursuant to this paragraph are encouraged to first use open educational resources.
 - (2) Notwithstanding any other law, a contract between the Office of the Chancellor of the California Community Colleges and a community college district for purposes of this subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code.

21. The Office of the Chancellor of the California Community Colleges shall annually report by December 1 of each year through 2021, on the racial or ethnic and gender composition of faculty, and efforts to assist campuses in providing equal employment opportunity in faculty recruitment and hiring practices as well as systemwide training, monitoring, and compliance activities.

SEC. 5. Notwithstanding any other law, the funds appropriated pursuant to Items 6100-158-0001 and 6100-161-0001 of Section 2.00 of the Budget Act of 2017 shall be available for encumbrance until July 31, 2020.

SEC. 6. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.