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AB-114 Education finance: education omnibus budget trailer bill. (2019-2020)

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Assembly Bill No. 114

CHAPTER 413

An act to amend Sections 8280, 8280.1, 8286, 41207.47, 45500, 51226.7, 56213, 56836.08, 56836.40, 69617, 69996.2, 69996.3, and 69996.6 of the Education Code, to amend Section 102430 of the Health and Safety Code, and to amend Section 84 of Chapter 51 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 October 02, 2019. Filed with Secretary of State October 02, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 114, Committee on Budget. Education finance: education omnibus budget trailer bill.

(1) Existing law establishes the Early Learning and Care Infrastructure Grant Program under the administration of the Superintendent of Public Instruction to expand access to early learning and care opportunities for children up to 5 years of age by providing resources to build new facilities or retrofit, renovate, or expand existing facilities, as provided. Existing law appropriates \$142,705,000 from the General Fund to the State Department of Education for these purposes, as provided.

This bill would appropriate an additional \$102,295,000 to the department for the Early Learning and Care Infrastructure Grant Program.

(2) Existing law establishes the Early Learning and Care Workforce Development Grants Program under the administration of the Superintendent to expand the number of qualified early learning and care professionals and increase the educational credentials of existing early learning and care professionals across the state, as provided. Existing law appropriates \$195,000,000 from the General Fund to the department for these purposes, as provided.

This bill would reduce the appropriation to the department for the Early Learning and Care Workforce Development Grants Program by \$45,000,000.

(3) The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent to administer childcare and development programs that offer a full range of services to eligible children from infancy to 13 years of age, inclusive. Existing law establishes a 27-member Early Childhood Policy Council with specified duties relating to statewide early learning and care policy. Existing law requires members of the council to serve 3-year terms and a maximum of 2 terms. Existing law requires the council to maintain at least 2 ongoing standing committees: a parent advisory committee and a workforce advisory committee.

This bill would instead require members of the council to serve no longer than 6 years. The bill would revise and recast the membership of the parent advisory committee and the workforce advisory committee, as provided.

(4) Existing law appropriates \$282,237,000 from the General Fund to the Controller in the 2019–20 fiscal year for allocation to school districts and community college districts for the purpose of reducing the outstanding balance of the minimum funding obligation in the 2009–10, 2011–12, 2013–14, 2014–15, and 2016–17 fiscal years, as specified. Existing law requires \$750,000 of that \$282,237,000 appropriation to be allocated by the Chancellor of the California Community Colleges to Norco College to support the improvement of workforce development programs at the college.

This bill would reduce the allocation to Norco College for that purpose by \$250,000, and instead would require the Chancellor to allocate an additional \$250,000 to Norco College to support the expansion of veteran resource centers at the college. By requiring previously appropriated funds to be used for a new purpose, the bill would make an appropriation.

(5) Existing law requires the Instructional Quality Commission to develop, and the State Board of Education to adopt, modify, or revise, a model curriculum in ethnic studies. Existing law requires the commission, on or before December 31, 2019, to submit the model curriculum to the state board for adoption, and requires the state board, on or before March 31, 2020, to adopt the model curriculum.

This bill would extend those deadlines by one year to December 31, 2020, and March 31, 2021, respectively.

(6) Existing law provides for the calculation of apportionments to fund the provision of special education instruction and services for pupils who qualify for these programs.

This bill would revise certain special education apportionment calculations for the 2019–20 fiscal year and each fiscal year thereafter.

(7) Existing law establishes the special education early intervention preschool grant, which requires the Superintendent, in any year moneys are appropriated for this purpose, to allocate grant funding to school districts for preschool children with exceptional needs, as provided.

This bill, for purposes of the special education early intervention preschool grant, would require the total number of preschool children with exceptional needs to be calculated using prior year December special education data.

(8) Existing law establishes the California Kids Investment and Development Savings Program, under the administration of the Scholarshare Investment Board, for the purposes of expanding access to higher education through savings. Subject to available moneys in a specified fund, existing law requires the board to establish one or more Scholarshare 529 accounts and make a seed deposit of moneys into subaccounts designated for each California resident child born on or after July 1, 2020, who is a California resident at the time of birth and is a member of a low-income household, as defined, except for children whose parents or legal guardians have opted out, as specified.

This bill would delete the requirement that a child be a member of a low-income household to be eligible for the program.

(9) Existing law establishes the Educator Workforce Investment Grant Program to support one or more competitive grants for professional learning opportunities for teachers and paraprofessionals across the state, as provided.

This bill would subject the funding under the program to a maximum of 8% indirect cost rate for the competitive grant awardees under the program.

(10) The Leroy F. Greene School Facilities Act of 1998 establishes a program in which the State Allocation Board is required to provide state per-pupil funding for new construction and modernization of school facilities. The act requires the board to require applicant school districts that receive funding under the act to establish a restricted account within the general fund of the school district for the exclusive purpose of providing moneys for ongoing and major maintenance of school buildings and to agree to deposit minimum amounts into the restricted account based on certain calculations.

This bill would exclude certain moneys appropriated for the State Teachers' Retirement System and the Public Employees' Retirement System for the 2018–19 fiscal year from counting for purposes of those calculations.

(11) 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.

(12) 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 8280 of the Education Code is amended to read:

8280. (a) The Superintendent shall administer the Early Learning and Care Infrastructure Grant Program to expand access to early learning and care opportunities for children up to five years of age by providing resources to build new facilities or retrofit, renovate, or expand existing facilities pursuant to this section.

(b) Notwithstanding any other law, the Child Care Facilities Revolving Fund shall remain operative for the sole purpose of collecting deposits derived from the Child Care Facilities Revolving Fund program pursuant to Section 8278.3.

(1) The Superintendent shall deposit all revenue derived from the lease payments or renovation or repair loan payments into the Child Care Facilities Revolving Fund until December 31, 2029.

(2) Local educational agencies and contracting agencies using facilities purchased with funds pursuant to Section 8278.3 before December 31, 2019, shall be charged a leasing fee, either at fair market value for those facilities or at an amount sufficient to amortize the cost of purchase and relocation, whichever amount is lower, over a 10-year period. Upon full repayment of the purchase and relocation costs, title shall transfer from the State of California to the local educational agency or contracting agency. Loans for renovation or repair shall be repaid within a period that does not exceed 10 years.

(3) As of December 31, 2019, the remaining balance of the Child Care Facilities Revolving Fund shall be allocated as follows:

(A) The sum of ten million dollars (\$10,000,000) shall be transferred to the Inclusive Early Education Expansion Program, pursuant to Section 8492.

(B) Following the transfer pursuant to subparagraph (A), the remaining balance shall be allocated for the purposes described in this section.

(C) Any balance derived from the ongoing deposits of the lease payments or renovation or repair loan payments after December 31, 2019, shall be allocated through the annual Budget Act process.

(c) The Superintendent shall award infrastructure grants on a competitive basis to early learning and care providers that are not local educational agencies, and operate as a licensed childcare center, preschool, or licensed family childcare home for the following purposes:

(1) Construction of new early learning and care facilities to increase capacity or recover lost capacity as a result of a state or federally declared disaster.

(2) Renovation, repair, modernization, or retrofitting of existing early learning and care facilities to increase capacity or recover lost capacity as a result of a state or federally declared disaster, or make existing early learning and care facilities more resilient for future natural disasters.

(3) Renovation, repair, modernization, or retrofitting of existing facilities for use as early learning and care facilities.

(4) Renovation, repair, modernization, or retrofitting of existing early learning and care facilities to address health and safety or other licensure needs to the extent the applicant can demonstrate a financial hardship, and that failure to correct the issues would result in an inability to provide care. Funds awarded in this category shall be limited to high-need providers based on criteria established by the Superintendent.

(d) The Superintendent shall require all of the following from applicants for the infrastructure grants:

(1) A proposal to increase capacity and local access to subsidized early learning and care programs for children up to five years of age, including children with exceptional needs. The information shall quantify the number of additional children who will be provided with access to subsidized early learning and care programs.

(2) A plan to fiscally sustain the increase in subsidized spaces or programs created through the use of these funds. Subsidies may be funded with private, local, state, or federal funds, but shall be able to demonstrate reasonable expectations of sustainability.

(3) Specific activities and materials for which grant funding will be used.

(4) A description of how the applicant will measure outcomes associated with the proposal submitted pursuant to paragraph (1), as specified by the Superintendent.

(5) An outline of any potential challenges or barriers the applicant will experience or expect to experience in building capacity, including the need for any technical assistance to address the identified challenges or barriers.

(e) The Superintendent shall give priority for grant funding based on the following:

(1) Applicants with a demonstrated need for expanded access to subsidized early learning and care programs as measured by the ratio of children in subsidized early learning and care programs to eligible children in the applicant's service area.

(2) Applicants in low-income communities, as measured by the proportion of children that qualify for state or federal subsidies for early learning and care programs.

(3) Applicants who plan to use grant funding to serve children that qualify for state or federal subsidies for early learning and care programs.

(4) Applicants serving children from birth to five years of age, inclusive, with exceptional needs in inclusive environments.

(5) Applicants wishing to recover lost capacity as a result of a state or federally declared disaster.

(f) Infrastructure grants may be used for one-time infrastructure costs only, including, but not limited to, universal design facility renovations, retrofitting to meet licensing requirements, the cost of design, engineering, testing, inspections, plan checking, construction management, site acquisition and development, evaluation and response action costs relating to hazardous substances at a new or existing site, demolition, construction, landscaping, or other related costs as determined by the Superintendent.

(g) The Superintendent shall determine the appropriate grant amount for each grantee, based upon factors that include, but are not limited to, the scope of the project, regional costs, the use of universal design to provide inclusive environments, the need to meet licensing requirements or health and safety standards, and the proportion of subsidized children to be served.

(h) The Superintendent shall establish the terms and conditions associated with accepting the infrastructure grant funds awarded pursuant to this section and determine a mechanism for recouping any grant moneys from grantees that do not adhere to those terms and conditions.

(i) The Superintendent shall establish a separate application and grant process for providing grant funds related to paragraph (4) of subdivision (c) that limits grantees to low-income providers who serve a minimum percentage of subsidized children. In establishing this process, the Superintendent shall consult with the State Department of Social Services to ensure grant funds are accessible to the highest need providers and shall consider the timeframe during which health and safety violations are cited and must be resolved.

(j) The grant program shall offer technical assistance to potential applicants before being awarded a grant that includes, but is not limited to, project development support and financial expertise, including assistance with coordinating financing from multiple sources.

(k) Infrastructure grant recipients shall commit to providing program data to the department, as specified by the Superintendent, and participate in overall program evaluation.

(l) (1) There is hereby appropriated two hundred forty-five million dollars (\$245,000,000) to the department from the General Fund for the infrastructure grant program established pursuant to this section to be released according to the following schedule:

(A) For the 2019–20 fiscal year, one hundred sixty-one million dollars (\$161,000,000).

(B) For the 2020–21 fiscal year, twenty million dollars (\$20,000,000).

(C) For the 2021–22 fiscal year, thirty-two million dollars (\$32,000,000).

(D) For the 2022–23 fiscal year, thirty-two million dollars (\$32,000,000).

(2) The Director of Finance may change the release of funds scheduled in subparagraphs (A) to (D), inclusive, of paragraph (1), if deemed necessary. The director shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, of the director's intent to notify the Controller of the necessity to change the release of funds scheduled in subparagraphs (A) to (D), inclusive, of paragraph (1). The total amount released shall not be greater or lesser than the amount appropriated in paragraph (1). The Controller shall make the funds available to the department not sooner than five days after receipt of this notification.

(3) The program established pursuant to this section shall be funded from funds appropriated in this section, funds transferred from the Child Care Facilities Revolving Fund pursuant to Section 8278.3, and federal funds appropriated for this purpose in the Budget Act of 2019. Notwithstanding Section 16304 of the Government Code, of the amount appropriated for this program, the Superintendent shall allocate the funds available for the grants through the 2023–24 fiscal year, in approximately equal amounts each fiscal year as follows:

(A) In the 2019–20 fiscal year, for licensed early learning and care centers that are not local educational agencies, pursuant to this section.

(B) In each fiscal year thereafter, for all licensed early learning and care providers, including licensed family childcare home providers, to the extent the process described in subdivision (n) is complete.

(C) In each fiscal year, up to 5 percent of the amount provided for this program shall be used for the renovation, repair, modernization, or retrofitting of existing early learning and care facilities to address health and safety or other licensure needs pursuant to the process established pursuant to subdivision (i).

(m) Notwithstanding any other provision of this section, the Superintendent, with the concurrence of the executive director of the state board, shall recommend to the Department of Finance and the budget committees of the Legislature by January 1, 2021, any changes to the funding methodology in this section related to the recommendations and priorities provided pursuant to Section 8207.

(n) Before March 1, 2020, the Superintendent, with the concurrence of the Department of Finance, shall establish an appropriate method, process, and structure for grant management, fiscal accountability, and technical assistance and supports for grantees that ensures transparency and accountability in the use of state funds. The Superintendent may set aside up to 5 percent of the total amount appropriated for the program to contract with one or more community development financial intermediaries, state financial entities, or other community-based organizations for these purposes. Beginning in the 2020–21 fiscal year, the Legislature may reassess the total amount set aside for purposes of this subdivision. The Superintendent shall notify the Joint Legislative Budget Committee when this process is established.

(o) For purposes of this section, “state or federally declared disaster” means counties where early learning and care providers are operating subject to a Presidential declaration of an emergency or major disaster, pursuant to the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.), or a Governor’s Proclamation, on behalf of the impacted local government, as authorized by the powers authorized by the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code).

(p) The Superintendent shall provide annual reports, until December 31, 2025, to the Governor and the appropriate policy and fiscal committees of the Legislature on any recommendations for consideration in future budgets, the impact of the grant program in achieving the goals described in this section, recommendations as to whether the program should receive additional appropriations, and any changes that should be considered.

SEC. 2. Section 8280.1 of the Education Code is amended to read:

8280.1. (a) The Superintendent shall administer the Early Learning and Care Workforce Development Grants Program to expand the number of qualified early learning and care professionals and increase the educational credentials of existing early learning and care professionals across the state, pursuant to this section.

(b) (1) There is hereby appropriated one hundred fifty million dollars (\$150,000,000) to the department from the General Fund for the competitive workforce development grants program established pursuant to this section to be released according to the following schedule:

(A) For the 2019–20 fiscal year, eighty-four million dollars (\$84,000,000).

(B) For the 2020–21 fiscal year, twenty-two million dollars (\$22,000,000).

(C) For the 2021–22 fiscal year, twenty-two million dollars (\$22,000,000).

(D) For the 2022–23 fiscal year, twenty-two million dollars (\$22,000,000).

(2) The Director of Finance may change the release of funds scheduled in subparagraphs (A) to (D), inclusive, of paragraph (1), if deemed necessary. The director shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson’s designee, of the director’s intent to notify the Controller of the necessity to change the release of funds scheduled in subparagraphs (A) to (D), inclusive, of paragraph (1). The total amount released shall not be greater or lesser than the amount appropriated in paragraph (1). The Controller shall make the funds available to the department not sooner than five days after receipt of this notification.

(3) Notwithstanding Section 16304 of the Government Code, of the amount appropriated for this program in this subdivision, the Superintendent shall allocate the funds available for the grants through the 2023–24 fiscal year, in approximately equal amounts each fiscal year.

(c) The Superintendent shall award and administer the workforce development grants to local, regional, or local and regional quality improvement partnerships, as defined by the Superintendent, consistent with the Quality Rating and Improvement System

local consortia, as defined in Section 8203.1, representing all counties of the state. A local, regional, or local and regional quality improvement partnership may form a consortia with one or more regional partners. All local, regional, or local and regional quality improvement partnerships shall submit a plan to the department that describes how they will allocate funds and increase the number, qualifications, and competencies of early learning and care professionals in their county or region. The plan shall also describe how local partnerships will engage in collaborative partnerships with their members, local governmental agencies, businesses, nonprofit organizations, or other interested partners to improve the educational attainment of early learning and care professionals in their county or region, including those working in centers, family childcare homes, and license-exempt settings that serve a majority of children who receive subsidized early learning and care services or are eligible to received subsidized early learning and care services, pursuant to this chapter.

(d) Workforce development grant award amounts shall be determined based on the following criteria:

- (1) Demonstrated need for early learning and care professionals in each county or region.
- (2) The cost of living in each county or region.
- (3) The number of children under 13 years of age in each county or region who are in a family whose income is up to 85 percent of the state median income.

(e) Workforce development grants may be used for costs associated with the educational expenses of current and future early learning and care professionals that move those professionals along the early learning and care career lattice and support their attainment of increased education or English language proficiency, as well as professional development in early childhood instruction or child development, including developing competencies in serving children with exceptional needs and dual language learners. Allowable uses of funds include:

- (1) Tuition, supplies, and other related educational expenses.
- (2) Transportation and childcare costs incurred as a result of attending classes.
- (3) Substitute teacher pay for early learning and care professionals that are currently working in a subsidized early learning and care setting.
- (4) Stipends and professional development expenses, aligned to the Quality Counts California professional development system in that area, as determined by the Superintendent.
- (5) Career, course, and professional development coaching, counseling, and navigation services.
- (6) Other educational expenses as determined by the Superintendent.

(f) Local, regional, or local and regional quality improvement partnerships awarded funding pursuant to this section may partner with local or online accredited higher education institutions, local agencies that provide high-quality, credit-bearing trainings, or apprenticeship programs that integrate and embed higher education coursework with on-the-job training of professionals.

(g) The Superintendent may set aside no more than 1 percent of the total funding appropriated for the Early Learning and Care Workforce Development Grants Program to provide technical assistance and support for grantees and potential grantees on developing proposals for and implementing workforce development grants.

(h) Local, regional, or local and regional quality improvement partnerships receiving grants shall commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, recipient information, educational progress, and employment status, and participate in overall program evaluation.

(i) The Superintendent shall provide a report to the Governor as well as the appropriate policy and fiscal committees of the Legislature by October 1, 2020, and annually thereafter through the 2023–24 fiscal year, on the expenditure of funds as well as relevant outcome data in order to evaluate the impact of the program.

(j) The competitive workforce development grants program established pursuant to this section shall be funded from funds appropriated in this section.

(k) Notwithstanding any other provision of this section, the Superintendent, with the concurrence of the executive director of the state board, shall recommend to the Department of Finance and the budget committees of the Legislature by January 1, 2021, any changes to the funding methodology in this section related to the recommendations and priorities provided pursuant to Section 8207.

SEC. 3. Section 8286 of the Education Code is amended to read:

8286. (a) The Early Childhood Policy Council is hereby established to advise the Governor, the Legislature, and the Superintendent on statewide early learning and care policy, including the planning for, and the implementation and evaluation of, the state's Master Plan for Early Learning and Care and the 2019 California Assembly Blue Ribbon Commission on Early Childhood Education Final Report.

(b) (1) The council shall maintain at least two ongoing standing advisory committees: a parent advisory committee appointed pursuant to subdivision (e) and a workforce advisory committee appointed pursuant to subdivision (f).

(2) The council shall include 27 members who shall serve at the pleasure of their appointing authority as follows:

(A) Fourteen members appointed by the Governor, including those required pursuant to Section 9837b of Title 42 of the United States Code. One of the Governor's appointees shall be the chairperson of the council.

(B) Four members appointed by the Speaker of the Assembly.

(C) Four members appointed by the Senate Committee on Rules.

(D) One member appointed by the Superintendent.

(E) Two members of the parent advisory committee, appointed by that committee.

(F) Two members of the workforce advisory committee, appointed by that committee.

(3) Members of the council shall include stakeholder representatives reflecting the comprehensive childcare system; represent the ethnic, racial, and language diversity of the state; and represent geographic diversity and those communities separated from opportunity due to poverty, racial bias, language, geographic isolation, disability, and other factors.

(4) Members of the council shall serve no longer than six years.

(5) To the extent funding for the council is provided in the annual Budget Act, language interpretation services shall be provided at convenings of the council and its committees to ensure language access and meaningful participation.

(6) To the extent funding for the council is provided in the annual Budget Act, members of the council or its committees who are provider participants or parent representatives shall be reimbursed as necessary for their reasonable expenses, including travel, a stipend to cover childcare costs, lost wages, and expenses for substitutes for attending council meetings.

(c) The council shall do all of the following:

(1) Convene at least four public meetings per year. These meetings shall provide access for participants throughout the state.

(2) Advise the Governor and perform activities required pursuant to Section 9837b of Title 42 of the United States Code.

(3) Prepare a formal public annual report on the work of the council.

(4) Provide specific recommendations directly to the Governor, the Legislature, and the Superintendent on all aspects of the state's early childhood education system, including on the following topics:

(A) Equity, with consideration for demographic, geographic, and economic diversity, and with a focus on family-centered two-generation approaches.

(B) Opportunities to incorporate a support model of accountability, as opposed to a compliance model of accountability, into the state's early childhood education system.

(C) Ways that the state's Master Plan for Early Learning and Care and the 2019 California Assembly Blue Ribbon Commission on Early Childhood Education Final Report can be updated and improved.

(d) Staff for the council and its committees shall be provided by the California Health and Human Services Agency. From funding appropriated for purposes of this section, up to three hundred thousand dollars (\$300,000) may be used by the California Health and Human Services Agency for the costs to provide staff for the council and its committees.

(e) (1) The parent advisory committee shall be a standing committee of the council.

(2) The parent advisory committee shall include nine members who shall serve at the pleasure of their appointing authority as follows:

(A) Three members appointed by the Governor, including one consumer who receives services from a childcare center provider, one consumer who is on a subsidy waiting list at the time of the appointment, and one consumer who is a parent

of a child with exceptional needs, as defined in Section 8208, who receives services from a childcare provider.

(B) Three members appointed by the Speaker of the Assembly, including one consumer who receives services from a family childcare home provider or a family, friend, or neighbor provider, one consumer who is a current or former CalWORKs childcare recipient, and one consumer who is connected to the child welfare system.

(C) Three members appointed by the Senate Committee on Rules, including one consumer who receives services from a transitional kindergarten provider, one consumer who represents a tribal organization who receives services from a childcare provider, and one consumer who pays privately for childcare.

(3) The Governor shall designate the chairperson of the parent advisory committee.

(4) If a person cannot be found to satisfy the requirements of paragraph (2), the appointing authority may designate an alternate committee member.

(5) The parent advisory committee shall provide recommendations to the council and other entities on all aspects of early childhood education, including all of the following:

(A) Equity, access, and best practices for engaging families.

(B) Creating warm and welcoming care environments.

(C) How to develop local and state partnerships to support the best outcomes for families that interact with the state's early childhood education system.

(f) (1) The workforce advisory committee shall be a standing committee of the council.

(2) The workforce advisory committee shall include nine members who shall serve at the pleasure of their appointing authority as follows:

(A) Three members appointed by the Governor, including one licensed family childcare home provider, one center-based childcare director from a subsidized childcare program, and one representative from a statewide organization representing childcare providers.

(B) Three members appointed by the Speaker of the Assembly, including one family, friend, or neighbor childcare provider, one representative from a Head Start program provider, and one representative from a community college that operates a program that provides early childcare education coursework and laboratory school experience.

(C) Three members appointed by the Senate Committee on Rules, including one representative from a childcare provider experienced in providing services to children with exceptional needs, as defined in Section 8208, in a full-inclusion environment, one center-based childcare teacher from a subsidized childcare program, and one provider who provides services to children from a tribal organization.

(3) The Governor shall designate the chairperson of the workforce advisory committee.

(4) If a person cannot be found to satisfy the requirements of paragraph (2), the appointing authority may designate an alternate committee member.

(5) The workforce advisory committee shall provide recommendations to the council and other entities on all aspects of early childhood education on an ongoing basis.

SEC. 4. Section 41207.47 of the Education Code is amended to read:

41207.47. (a) (1) The sum of two hundred eighty-two million two hundred thirty-seven thousand dollars (\$282,237,000) is hereby appropriated in the 2019–20 fiscal year from the General Fund to the Controller for allocation to school districts and community colleges for purposes of reducing the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the 2009–10, 2011–12, 2013–14, 2014–15, and 2016–17 fiscal years.

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

(A) Ninety-eight million four hundred fifty-four thousand dollars (\$98,454,000) to the Controller for allocation by the Superintendent pursuant to Section 42238.02.

(B) Thirteen million four hundred eighty-six thousand dollars (\$13,486,000) 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 college districts for deferred maintenance, instructional materials, and other activities, as specified in subdivisions (a) and (b) of Provision 22 of Item 6870-101-0001 of the Budget Act of 2018 (Chapter 29 of the Statutes of 2018 (Senate Bill 840 of the 2017–18 Regular Session)). These funds shall be available for one-time use until June 30, 2021.

(C) Four hundred thirty-eight thousand dollars (\$438,000) 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 college districts for the California Community Colleges Strong Workforce Program, as specified in subdivision (b) of Provision 13 of Item 6870-101-001 of the Budget Act of 2018.

(D) Two million five hundred thousand dollars (\$2,500,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to support expansion of veteran resource centers at the following community colleges, provided that the colleges commit to meeting or making progress towards meeting the minimum standards developed by the Office of the Chancellor of the California Community Colleges:

(i) One million five hundred thousand dollars (\$1,500,000) shall be allocated to MiraCosta College.

(ii) One million dollars (\$1,000,000) shall be allocated to Norco College.

(E) Two million four hundred thousand dollars (\$2,400,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to support the creation of a basic needs and veteran resource center at Sacramento City College.

(F) Four million five hundred thousand dollars (\$4,500,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to support the improvement of workforce development programs at the following colleges:

(i) One million dollars (\$1,000,000) shall be allocated to Modesto Junior College.

(ii) One million dollars (\$1,000,000) shall be allocated to Bakersfield College.

(iii) One million dollars (\$1,000,000) shall be allocated to Fresno City College.

(iv) One million dollars (\$1,000,000) shall be allocated to San Bernardino Valley College.

(v) Five hundred thousand dollars (\$500,000) shall be allocated to Norco College.

(G) One million dollars (\$1,000,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to support startup funds to implement a construction trades program in the Counties of Lake and Mendocino at Mendocino College.

(H) Three million nine hundred thousand dollars (\$3,900,000) 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 to address student hunger needs pursuant to Section 66027.8 and student basic needs.

(I) Three million five hundred thousand dollars (\$3,500,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to provide support for a one-time reentry grant program.

(J) One million five hundred thousand dollars (\$1,500,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to support implementation of the California Community College Teacher Credentialing Partnership Pilot Act pursuant to Chapter 603 of the Statutes of 2018 (Senate Bill 577 of the 2017–18 Regular Session).

(K) Five hundred thousand dollars (\$500,000) 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 college districts for a systemwide assessment of college-based food programs.

(L) One million dollars (\$1,000,000) for transfer by the Controller to Section B of the State School Fund for allocation by the Chancellor of the California Community Colleges to Palo Verde College to support the development of a childcare center.

(M) One hundred forty-nine million fifty-nine thousand dollars (\$149,059,000) to the Controller for allocation by the Superintendent pursuant to Section 42238.02 to offset moneys from the General Fund paid to the San Francisco Unified

School District and San Francisco County Office of Education as a result of a miscalculation of offsetting property tax revenues in the 2016–17 fiscal year.

(b) (1) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), thirty million five hundred thirty-seven thousand dollars (\$30,537,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 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.

(2) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), forty-seven million six hundred nineteen thousand dollars (\$47,619,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2011–12 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

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

(4) For purposes of Section 8 of Article XVI of the California Constitution, of the amount appropriated pursuant to subdivision (a), thirty-one million five hundred eleven thousand dollars (\$31,511,000) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2014–15 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

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

SEC. 5. Section 45500 of the Education Code is amended to read:

45500. (a) The Classified School Employee Summer Assistance Program is hereby established.

(b) The program shall provide a participating classified employee up to one dollar (\$1) for each one dollar (\$1) that the classified employee has elected to have withheld from the classified employee's monthly paychecks pursuant to this section.

(c) A local educational agency may elect to participate in the program. A participating local educational agency shall notify classified employees, by January 1 during a fiscal year in which moneys are appropriated for purposes of this section, that the local educational agency has elected to participate in the program for the next school year. Once a local educational agency elects to participate in the program and notifies classified employees pursuant to this subdivision, the local educational agency is prohibited from reversing its decision to participate in the program for the next school year beginning after the end of a fiscal year in which moneys are appropriated for purposes of this section.

(d) (1) A classified employee that elects to participate in the program shall notify the local educational agency, in writing, by March 1 during a fiscal year in which moneys are appropriated for purposes of this section, on a form developed by the department that the classified employee wishes to participate in the program for the applicable school year. The classified employee shall specify the amount to be withheld from their monthly paychecks during the applicable school year and whether they choose to have the amounts withheld paid out during the summer recess period in either one or two payments. A participating classified employee may elect to have up to 10 percent of the classified employee's monthly pay withheld during the applicable school year.

(2) A classified employee shall be eligible to participate in the program if the classified employee has been employed with the local educational agency for at least one year at the time the classified employee elects to participate in the program.

(3) A classified employee shall be eligible to participate in the program if the classified employee is employed by the local educational agency in the employee's regular assignment for fewer than 11 months out of a 12-month period. For purposes of determining a classified employee's total months employed by the local educational agency, the employing local educational agency shall exclude any hours worked by the classified employee outside of their regular assignment.

(4) (A) A classified employee shall not be eligible to participate in the program if the classified employee's regular annual pay received directly from the local educational agency is more than sixty-two thousand four hundred dollars (\$62,400) for an entire

school year at the time of enrollment. For purposes of determining a classified employee's regular annual pay received directly from the local educational agency, the employing local educational agency shall exclude any pay received by the classified employee during the previous summer recess period.

(B) For purposes of this section, "summer recess period" means the period that regular class sessions are not being held by a local educational agency during the months of June, July, and August. Pay earned by a classified employee with limited employment during the months of June, July, or August that is not for the summer session shall not be excluded pursuant to this paragraph.

(e) A local educational agency that elects to participate in the program shall notify the department in writing, by April 1 during a fiscal year in which moneys are appropriated for purposes of this section, on a form developed by the department that it has elected to participate in the program. The local educational agency shall specify the number of classified employees that have elected to participate in the program and the total estimated amount to be withheld from participating classified employee paychecks for the applicable school year.

(f) The department shall notify participating local educational agencies in writing, by May 1 during a fiscal year in which moneys are appropriated for purposes of this section, of the estimated amount of state match funding that a participating classified employee can expect to receive as a result of participating in the program. If the funding provided for purposes of this section is insufficient to provide one dollar (\$1) for each one dollar (\$1) that has been withheld from participating classified employee monthly paychecks, the department shall notify local educational agencies of the expected prorated amount of state match funds that a participating classified employee can expect to receive as result of participating in the program.

(g) Participating local educational agencies shall notify participating classified employees, by June 1 during a fiscal year in which moneys are appropriated for purposes of this section, the amount of estimated state match funds that a participating classified employee can expect to receive as a result of participating in the program. After receiving that notification, a classified employee may withdraw their election to participate in the program or reduce the amount to be withheld from their paycheck pursuant to paragraph (1) of subdivision (d) by notifying the employing local educational agency no later than 30 days after the start of school instruction for the applicable school year.

(h) The local educational agency shall deposit the amounts withheld from participating classified employee monthly paychecks in accordance with the choices made by each participating classified employee pursuant to subdivision (d) in a separate account.

(i) (1) A classified employee that separates from employment with a local educational agency during the applicable school year may request from the local educational agency any pay withheld from their paycheck pursuant to this section.

(2) A classified employee, due to economic or personal hardship, may request from the local educational agency any pay withheld from their paycheck pursuant to this section.

(3) A classified employee who requests any pay withheld by the local educational agency pursuant to paragraph (1) or (2) shall not be entitled to receive any state match funds provided pursuant to this section.

(j) Participating local educational agencies shall request payment from the department, on or before July 31 following the end of a school year during which the program was operative, on a form developed by the department, for the amount of classified employee pay withheld from the monthly paychecks of participating classified employees and placed in a separate account pursuant to subdivision (h).

(k) The department shall apportion funds to participating local educational agencies within 30 days of receiving a request for payment by the participating local educational agency pursuant to subdivision (j). The apportionment shall be determined for each local educational agency by the department on the basis of the amount that has been withheld from the monthly paychecks of participating classified employees and placed in a separate account pursuant to subdivision (h).

(l) If the total amount requested by participating local educational agencies exceeds the amount appropriated for purposes of this section, the department shall prorate the amount apportioned to participating local educational agencies accordingly, based on the amounts requested pursuant to subdivision (j).

(m) The participating local educational agency shall pay participating classified employees the amounts withheld in accordance with the classified employee's choices, plus the amount apportioned by the department that is attributable to the amount withheld from that classified employee's paychecks during the applicable school year. This amount shall be paid to the participating classified employee during the summer recess period, in either one or two payments, in accordance with the classified employee's option pursuant to subdivision (d).

(n) The state match funding received by participating classified employees pursuant to this section shall not be considered compensation for purposes of determining retirement benefits for the California Public Employees' Retirement System or the

(o) (1) For the 2019–20 fiscal year, the program shall be funded pursuant to Section 85 of Chapter 51 of the Statutes of 2019.

(2) For the 2020–21 fiscal year and each fiscal year thereafter, the operation of this section shall be contingent upon an appropriation in the annual Budget Act or another statute.

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

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

(2) "Program" means the Classified School Employee Summer Assistance Program.

(3) "Regular assignment" means a classified employee's employment during the academic school year, excluding the summer recess period.

SEC. 6. Section 51226.7 of the Education Code is amended to read:

51226.7. (a) The Instructional Quality Commission shall develop, and the state board shall adopt, modify, or revise, a model curriculum in ethnic studies to ensure quality courses of study in ethnic studies. The model curriculum shall be developed with participation from faculty of ethnic studies programs at universities and colleges with ethnic studies programs and a group of representatives of local educational agencies, a majority of whom are kindergarten to grade 12, inclusive, teachers who have relevant experience or education background in the study and teaching of ethnic studies.

(b) The model curriculum shall be written as a guide to allow school districts to adapt their courses to reflect the pupil demographics in their communities. The model curriculum shall include examples of courses offered by local educational agencies that have been approved as meeting the A–G admissions requirements of the University of California and the California State University, including, to the extent possible, course outlines for those courses.

(c) On or before December 31, 2020, the Instructional Quality Commission shall submit the model curriculum to the state board for adoption, and the state board shall adopt the model curriculum on or before March 31, 2021.

(d) The Instructional Quality Commission shall provide a minimum of 45 days for public comment before submitting the model curriculum to the state board.

(e) Beginning in the school year following the adoption of the model curriculum pursuant to subdivision (a), each school district or charter school maintaining any of grades 9 to 12, inclusive, that does not otherwise offer a standards-based ethnic studies curriculum is encouraged to offer to all otherwise qualified pupils a course of study in ethnic studies based on the model curriculum. A school district or charter school that elects to offer a course of study in ethnic studies pursuant to this subdivision shall offer the course as an elective in the social sciences or English language arts and shall make the course available in at least one year during a pupil's enrollment in grades 9 to 12, inclusive.

(f) It is the intent of the Legislature that local educational agencies submit course outlines for ethnic studies for approval as A–G courses.

SEC. 7. Section 56213 of the Education Code is amended to read:

56213. (a) A necessary small special education local plan area, as described in Section 56212, shall receive an additional funding amount pursuant to subdivision (b) if, between the fiscal year in which the computation is made and the prior fiscal year, it declines in both of the following:

(1) Funding calculated pursuant to subdivision (b) of Section 56836.08.

(2) The applicable funded units of average daily attendance, as calculated pursuant to paragraph (3) of subdivision (b) of Section 56836.08.

(b) The additional funding amount shall be calculated as 40 percent of the decline in funded units of average daily attendance multiplied by the applicable amount of funding per unit of average daily attendance calculated pursuant to paragraph (3) of subdivision (b) of Section 56836.08.

SEC. 8. Section 56836.08 of the Education Code is amended to read:

56836.08. (a) For the 1998–99 fiscal year, the Superintendent shall make the following computations to determine the amount of funding for each special education local plan area:

(1) Add the amount of funding per unit of average daily attendance computed for the special education local plan area pursuant to paragraph (1) of subdivision (a) of Section 56836.10 to the inflation adjustment computed pursuant to subdivision (d) for the 1998–99 fiscal year.

(2) Multiply the amount computed in paragraph (1) by the units of average daily attendance reported for the special education local plan area for the 1997–98 fiscal year, exclusive of average daily attendance for absences excused pursuant to subdivision (b) of Section 46010, as that subdivision read on July 1, 1996.

(3) Add the actual amount of the equalization adjustment, if any, computed for the 1998–99 fiscal year pursuant to Section 56836.14 to the amount computed in paragraph (2).

(4) Add or subtract, as appropriate, the adjustment for growth computed pursuant to Section 56836.15 from the amount computed in paragraph (3).

(b) (1) For the 1999–2000 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computations to determine the amount of funding for each special education local plan area for the fiscal year in which the computation is made:

(A) Add the amount of funding per unit of average daily attendance computed for the special education local plan area for the prior fiscal year pursuant to Section 56836.10 to the inflation adjustment computed pursuant to subdivision (d) through the 2012–13 fiscal year, and for the 2013–14 fiscal year and each fiscal year thereafter, the inflation adjustment computed pursuant to subdivision (f), for the fiscal year in which the computation is made.

(B) For the 1999–2000 fiscal year to the 2018–19 fiscal year, inclusive, multiply the amount computed in subparagraph (A) by the units of average daily attendance reported for the special education local plan area for the prior fiscal year. For the 2019–20 fiscal year and each fiscal year thereafter, multiply the amount computed in subparagraph (A) by the units of average daily attendance upon which funding was based for the prior year.

(C) Add or subtract, as appropriate, the adjustment for growth or decline in enrollment, if any, computed for the special education local plan area for the fiscal year in which the computation is made pursuant to Section 56836.15 from the amount computed in subparagraph (B).

(2) For the 1999–2000 fiscal year to the 2018–19 fiscal year, inclusive, the amount of funding for each special education local plan area shall be the amount computed in paragraph (1).

(3) Subject to Section 56836.045, for the 2019–20 fiscal year and each fiscal year thereafter, the Superintendent shall determine the amount of funding for each special education local plan area, which shall be the greater of either subparagraph (A) or (B):

(A) The amount of funding computed for each special education local plan area pursuant to paragraph (1).

(B) An amount of funding computed as follows:

(i) Calculate the funded units of average daily attendance based on the average daily attendance reported for the special education local plan area for the fiscal year in which the computation is made or the prior fiscal year, whichever is greater.

(ii) For the 2019–20 fiscal year, calculate the amount of funding per unit of average daily attendance pursuant to Section 56836.11. For the 2020–21 fiscal year and every fiscal year thereafter, the amount of funding per unit of average daily attendance shall be the amount computed pursuant to this clause for the prior fiscal year multiplied by the inflation factor for the current fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(iii) Multiply the funded units of average daily attendance computed in clause (i) by the amount of funding per unit of average daily attendance computed in clause (ii).

(C) If the amount of funding for a special education local plan area is determined pursuant to subparagraph (B) as of the second principal apportionment for the fiscal year in which the computation is made, the special education local plan area shall be funded pursuant to subparagraph (B) for each fiscal year thereafter.

(c) For the 1998–99 fiscal year to the 2012–13 fiscal year, inclusive, the Superintendent shall make the following computations to determine the amount of General Fund moneys that the special education local plan area may claim:

(1) Add the total of the amount of property taxes for the special education local plan area pursuant to Section 2572 for the fiscal year in which the computation is made to the amount of federal funds allocated for the purposes of paragraph (1) of subdivision (a) of Section 56836.09 for the fiscal year in which the computation is made.

(2) Add the amount of funding computed for the special education local plan area pursuant to subdivision (a) for the 1998–99 fiscal year, and commencing with the 1999–2000 fiscal year to the 2012–13 fiscal year, inclusive, the amount computed for the fiscal year in which the computations were made pursuant to subdivision (b) to the amount of funding computed for the special education local plan area pursuant to Article 3 (commencing with Section 56836.165).

(3) Subtract the sum computed in paragraph (1) from the sum computed in paragraph (2).

(d) For the 1998–99 fiscal year to the 2012–13 fiscal year, inclusive, the Superintendent shall make the following computations to determine the inflation adjustment for the fiscal year in which the computation is made:

(1) For the 1998–99 fiscal year, multiply the sum of the statewide target amount per unit of average daily attendance for special education local plan areas for the 1997–98 fiscal year computed pursuant to paragraph (3) of subdivision (a) of Section 56836.11 by the inflation adjustment computed pursuant to Section 42238.1 for the 1998–99 fiscal year.

(2) For the 1999–2000 fiscal year to the 2012–13 fiscal year, inclusive, multiply the sum of the statewide target amount per unit of average daily attendance for special education local plan areas for the prior fiscal year computed pursuant to Section 56836.11 for the prior fiscal year by the inflation adjustment computed pursuant to Section 42238.1 for the fiscal year in which the computation is made.

(3) For purposes of computing the inflation adjustment for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area for the 1998–99 fiscal year to the 2012–13 fiscal year, inclusive, the Superintendent shall multiply the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year pursuant to Section 56836.10 by the inflation adjustment computed pursuant to Section 42238.1 for the fiscal year in which the computation is being made.

(e) Notwithstanding any other law, for the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computations to determine the amount of General Fund moneys that the special education local plan area may claim:

(1) Determine the total amount of property taxes for the special education local plan area pursuant to Section 2572 for the fiscal year in which the computation is made.

(2) Calculate the amount of funding computed for the special education local plan area pursuant to subdivision (b) for the fiscal year in which the computation is made.

(3) Subtract the amount computed in paragraph (1) from the amount computed in paragraph (2).

(f) For the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computations to determine the inflation adjustment for the fiscal year in which the computation is made:

(1) Multiply the statewide target amount per unit of average daily attendance for special education local plan areas for the prior fiscal year computed pursuant to Section 56836.11 by the inflation factor for the current fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(2) For purposes of computing the inflation adjustment for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall multiply the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year pursuant to Section 56836.10 by the inflation factor for the current fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

SEC. 9. Section 56836.40 of the Education Code is amended to read:

56836.40. (a) For any fiscal year in which moneys are appropriated for purposes of this section, the Superintendent shall make the following computations to determine the amount of funding for each school district for the special education early intervention preschool grant:

(1) For each school district, determine the total number of preschool children with exceptional needs residing in that school district using prior year December special education data.

(2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of preschool children with exceptional needs for the applicable fiscal year.

(3) Calculate a per pupil special education early intervention preschool grant by dividing the amount appropriated in the annual Budget Act for purposes of this section by the total number of preschool children with exceptional needs calculated in paragraph (2).

(4) Calculate the special education early intervention preschool grant for each school district by multiplying the per pupil grant calculated in paragraph (3) by the total number of preschool children with exceptional needs in paragraph (1).

(5) The Superintendent shall allocate the amount of funds calculated for each school district in paragraph (4) to the applicable school district.

(b) It is the intent of the Legislature that funds allocated pursuant to this section are unrestricted in nature.

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

(1) "Preschool child with exceptional needs" means a child between the ages of three and five years, inclusive, that has been identified as an individual with exceptional needs, as defined in Section 56026, and is receiving individualized education program services, except those enrolled in kindergarten or a transitional kindergarten program.

(2) "Transitional kindergarten" means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

SEC. 10. Section 69617 of the Education Code is amended to read:

69617. (a) Subject to moneys appropriated by the Legislature for the purposes of this section, the Student Aid Commission shall administer the Golden State Teacher Grant Program. Under the program, the Student Aid Commission shall provide one-time grant funds of twenty thousand dollars (\$20,000) to each student enrolled on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential, approved by the Commission on Teacher Credentialing, if the student commits to working in a high-need field at a priority school for four years after the student receives the teaching credential.

(b) The total number of one-time grant awards issued pursuant to this section shall not exceed 4,487.

(c) (1) A grant recipient shall agree to teach in a high-need field at a priority school for four years and shall have five years, upon completion of the recipient's preparation program, to meet that obligation. Except as provided in paragraph (4), a grant recipient shall agree to repay the state five thousand dollars (\$5,000) annually, up to full repayment of twenty thousand dollars (\$20,000), for each year the recipient fails to do one or more of the following:

(A) Be enrolled in or have successfully completed a teacher preparation program approved by the Commission on Teacher Credentialing.

(B) While enrolled in the teacher preparation program, maintain good academic standing.

(C) Upon completion of the teacher preparation program, satisfy the state basic skills proficiency test requirement pursuant to Sections 44252 and 44252.5.

(D) Complete the required teaching service following completion of the recipient's teacher preparation program.

(2) Nonperformance of the commitment to teach in a high-need field at a priority school for four years shall be certified by the State Department of Education.

(3) Nonperformance of the commitment to earn a preliminary teaching credential in a high-need field shall be certified by the Commission on Teacher Credentialing to the Student Aid Commission.

(4) Any exceptions to the requirement for repayment shall be defined by the Student Aid Commission, and may include, but shall not necessarily be limited to, counting a school year towards the required four-year teaching requirement if a grant recipient is unable to complete the school year when any of the following occur:

(A) The grant recipient has completed at least one-half of the school year.

(B) The employer deems the grant recipient to have fulfilled the grant recipient's contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(C) The grant recipient was not able to teach due to the financial circumstances of the school district, including a decision to not reelect the employee for the next succeeding school year.

(D) The grant recipient has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et seq.) or similar state law.

(E) The grant recipient was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(d) The Student Aid Commission may use up to 1.5 percent of funding appropriated for purposes of this section for outreach and administration.

(e) For purposes of this section, "high-need field" means any of the following:

(1) Bilingual education.

(2) Mathematics or science, technology, engineering, and mathematics (STEM), including career technical education in STEM areas.

(3) Science.

(4) Special education.

(5) Multiple subject instruction.

(6) Other subjects as designated annually by the Commission on Teacher Credentialing based on an analysis of the availability of teachers in California pursuant to Section 44225.6.

(f) (1) A "priority school" means a school with a high percentage, as determined by the Commission on Teacher Credentialing in consultation with the State Department of Education, of teachers holding emergency-type permits, based on the most recent data available to the Commission on Teacher Credentialing and the State Department of Education. By January 1, 2020, the Commission on Teacher Credentialing shall publish a list of priority schools.

(2) For purposes of this section, "emergency-type permits" include, but not are limited to, any of the following:

(A) Provisional internships.

(B) Short-term staff permits.

(C) Credential waivers.

(D) Substitute permits.

SEC. 11. Section 69996.2 of the Education Code is amended to read:

69996.2. For the purposes of this article, the following terms have the following meanings:

(a) "Account" means a Scholarshare 529 account established pursuant to this article under Article 19 (commencing with Section 69980).

(b) "Beneficiary" has the same meaning as "designated beneficiary," as provided in Section 529(e)(1) of the Internal Revenue Code.

(c) "Board" means the Scholarshare Investment Board created pursuant to Section 69984.

(d) "Fund" means the California Kids Investment and Development Savings Program Fund established pursuant to subdivision (a) of Section 69996.6.

(e) "Institution of higher education" has the same meaning as "eligible educational institution," as provided in Section 529(e)(5) of the Internal Revenue Code.

(f) "Internal Revenue Code" means the Internal Revenue Code of 1986, as it is amended from time to time, if, as determined by the board, the amendment is consistent with the purposes of this article.

(g) "KIDS Account" means an account in which designated funding for eligible children is held.

(h) "Low-income households" means households with a total annual adjusted gross income less than seventy-five thousand dollars (\$75,000) or households identified by the board by other means as low-income for purposes of the program.

(i) "Participant" means a parent or legal guardian of an eligible child, or a parent or legal guardian of a child described in subdivision (i) of Section 69996.3, or any private individual or entity who contributes moneys to the program.

(j) "Program" means the California Kids Investment and Development Savings Program established pursuant to this article.

(k) "Qualified higher education expenses" means the expenses of attendance at an institution of higher education, as provided in Section 529(e)(3) of the Internal Revenue Code. Notwithstanding Section 529(c)(7) of the Internal Revenue Code, "qualified

higher education expenses" shall not include any tuition expenses in connection with enrollment or attendance at an elementary or secondary public, private, or religious school.

(l) "Seed deposit" means an initial contribution into a KIDS Account for a child born on or after July 1, 2020.

SEC. 12. Section 69996.3 of the Education Code is amended to read:

69996.3. (a) Each child born on or after July 1, 2020, who is a California resident at the time of birth is eligible for the program.

(b) No later than 90 days after a birth certificate is registered for a child described in subdivision (a), the State Department of Public Health shall provide the board with identifiable birth data for the child in a file format as defined by the board. The birth data shall include, but not necessarily be limited to, the child's name and birth date and the name and contact information of each parent of the child, including the parent's street address. The birth data is confidential and shall not be disclosed except as necessary for the program. No more than 90 days after receiving the birth data from the department, the board shall notify each parent of each eligible child about the program. The notification shall include information on all of the following:

(1) How the parent may opt out of the program.

(2) The KIDS Account opened for the child pursuant to subdivision (f).

(3) How the parent may establish a separate account pursuant to Article 19 (commencing with Section 69980) and contribution matching opportunities provided pursuant to that article.

(c) The board shall make a child's designated balance in a KIDS Account viewable by the child's parent or legal guardian through a secured internet link.

(d) The board may periodically inform a child's parent or legal guardian of the balance of a KIDS Account, including earnings designated for the child, information on how the parent or legal guardian may establish a separate account pursuant to Article 19 (commencing with Section 69980), and information on contribution matching opportunities provided pursuant to that article.

(e) The board shall translate program notifications and information provided pursuant to subdivisions (b) to (d), inclusive, into languages pursuant to Section 7295.2 of the Government Code.

(f) Upon appropriation by the Legislature, the board shall establish one or more accounts and shall make a separately accounted-for seed deposit from the fund into a KIDS Account established within an account in an amount determined by the board. Each seed deposit shall be designated for a particular child for whom the board receives birth data pursuant to subdivision (b), if no parent or legal guardian has opted that child out of the program. Moneys in a KIDS Account designated for a child, including any investment earnings attributed to the amount of the child's seed deposit since the date of the deposit as calculated by the board, shall be used for the purpose of providing awards for qualified higher education expenses associated with the attendance of the child at an eligible institution of higher education. Each seed deposit shall be at least twenty-five dollars (\$25). The board may provide additional seed funding designated for a child into a KIDS Account if the parent or legal guardian of the child engages with the KIDS Account by verifying receipt of information provided pursuant to paragraph (2) of subdivision (b), establishing a separate account pursuant to Article 19 (commencing with Section 69980), or engaging with the KIDS Account by other means approved by the board.

(g) Upon receiving documentation of a child's enrollment as a student at an institution of higher education, the board shall make a payment to that institution in the amount of the seed deposit designated for the child pursuant to subdivision (f), plus any investment earnings attributed to that amount since the date of that deposit as calculated by the board, for qualified higher education expenses associated with the child's attendance at that institution.

(h) Subject to available money in the fund, the board may provide additional incentives from the fund for children participating in the program, including, but not limited to, incentives targeting low-income households.

(i) (1) Subject to available funding, a parent or legal guardian, residing in California, of a child who meets the criteria in paragraph (2) may apply to the board to enroll the child into the program. Subject to available funding, the enrollee shall be eligible for any incentives described in subdivision (h), as applicable, but is not eligible for a seed deposit.

(2) The child is a current California resident under 10 years of age who was either of the following:

(A) Born a California resident before July 1, 2020.

(B) Not a California resident at the time of birth.

(j) (1) If a beneficiary does not use any portion, or all, of the funds intended for the beneficiary in a KIDS Account for a qualified higher education expense for any reason, including death or disability of the beneficiary, before the beneficiary turns 26 years of

age, all contributions made for the beneficiary into the KIDS Account and any earnings from those funds shall be forfeited and deposited into the fund for the program.

(2) Notwithstanding paragraph (1), subject to available funding, the board may establish an appeal process to allow a beneficiary to use moneys designated for the beneficiary in a KIDS Account after the beneficiary turns 26 years of age.

(3) All contributions made into a KIDS Account for a child who has opted out of the program pursuant to subdivision (b), including any investment earnings attributed to the amount of the child's seed deposit since the date of the deposit as calculated by the board, shall be forfeited and deposited into the fund for the program in a timely manner.

(k) The board shall encourage each parent and legal guardian of a beneficiary, including each parent and legal guardian of a child who applies to enroll the child into the program as a beneficiary pursuant to subdivision (i), to establish a separate account pursuant to Article 19 (commencing with Section 69980). The board shall provide assistance on how to establish the separate account.

(l) The board may use up to 5 percent of state appropriations provided for purposes of the program for administrative costs.

SEC. 13. Section 69996.6 of the Education Code is amended to read:

69996.6. (a) The California Kids Investment and Development Savings Program Fund is hereby established in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the fund shall be continuously appropriated, without regard to fiscal years, to the board for the program. The fund shall be the initial repository of all appropriations, gifts, or other financial assets received by the board in connection with operation of the program.

(b) (1) Subject to available funding, the program shall be implemented before January 1, 2021. The board may establish an implementation timeline for the program based on available funding. If the board does not secure adequate funds to implement the program before January 1, 2021, program implementation may be delayed while the board makes good faith efforts to secure necessary funding. The board may accept gifts, grants, awards, matching contributions, interest income, and appropriations from individuals, businesses, state and local governmental entities, and third-party sources for the program on terms the board deems advisable.

(2) Before the program is implemented and throughout the program's operation, the board may authorize a county, city, nonprofit organization, or any other entity operating a local child savings account program to provide input to the program established pursuant to this article. The input may include, but is not limited to, information on any of the following:

- (A) Infrastructure and systems development.
- (B) Outreach and coordination with local child savings account programs.
- (C) Program incentives to promote equity.
- (D) Administrative fees and caps.
- (E) Contribution strategies.
- (F) Program accessibility, including language, identification, and banking access.

(c) On or before January 1, 2022, the board shall report to the Department of Finance and the Legislature, pursuant to Section 9795 of the Government Code, information pertaining to the first year of the program's implementation. The report shall include all of the following:

- (1) Detailed program expenditure information.
- (2) The number of KIDS Accounts opened and state and nonstate contributions made to KIDS Accounts.
- (3) Information about how parents were notified pursuant to subdivision (b) of Section 69996.3.
- (4) Number of parents or legal guardians who engage with KIDS Accounts by verifying receipt of information provided to them pursuant to paragraph (2) of subdivision (b) of Section 69996.3, establishing separate accounts pursuant to Article 19 (commencing with Section 69980), or engaging with KIDS Accounts by other means approved by the board.
- (5) A description of the board's efforts and success in soliciting philanthropic or nonstate money to support the program.
- (6) A description of the board's marketing of the program.
- (7) Recommendations for improving the program.

SEC. 14. Section 102430 of the Health and Safety Code is amended to read:

102430. (a) The second section of the certificate of live birth as specified in subdivision (b) of Section 102425, the electronic file of birth information collected pursuant to subparagraphs (B) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 102426, the birth mother linkage collected pursuant to Section 102425.2, and the second section of the certificate of fetal death as specified in Section 103025, are confidential. Access to the confidential portion of any certificate of live birth or fetal death, the electronic file of birth information collected pursuant to subparagraphs (B) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 102426, and the birth mother linkage collected pursuant to Section 102425.2 shall be limited to the following:

(1) Department staff.

(2) Local registrar's staff and local health department staff when approved by the local registrar or local health officer, respectively.

(3) The county coroner.

(4) Persons with a valid scientific interest as determined by the State Registrar, who are engaged in demographic, epidemiological, or other similar studies related to health, and who agree to maintain confidentiality as prescribed by this part and by regulation of the State Registrar.

(5) The parent who signed the certificate or, if no parent signed the certificate, the mother.

(6) The person named on the certificate.

(7) A person who has petitioned to adopt the person named on the certificate of live birth, subject to Section 102705 of the Health and Safety Code and Sections 9200 and 9203 of the Family Code.

(8) The following state government departments requesting the information for official government business purposes as deemed appropriate by the State Registrar, that agree to maintain confidentiality as prescribed by this part:

(A) The State Department of Public Health.

(B) The State Department of Health Care Services.

(C) The Department of Finance. This section shall not be construed as a limitation of the authority granted to the Department of Finance in Sections 13073 to 13073.5, inclusive, of the Government Code.

(D) The Scholarshare Investment Board, for the purpose of implementing the California Kids Investment and Development Savings Program pursuant to Article 19.5 (commencing with Section 69996) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.

(9) The birth hospital responsible for preparing and submitting a record of the birth or fetal death for purposes of reviewing and correcting birth or fetal death records. The birth hospital shall not further disclose the information nor use the information for purposes other than allowed by this part.

(b) (1) The department shall maintain an accurate record of all persons who are given access to the confidential portion of the certificates. The record shall include all of the following:

(A) The name of the person authorizing access.

(B) The name, title, and organizational affiliation of persons given access.

(C) The dates of access.

(D) The specific purpose for which the information is to be used.

(2) The record of access shall be open to public inspection during normal operating hours of the department.

(c) All research proposed to be conducted using the confidential medical and social information on the birth certificate or fetal death certificate shall first be reviewed by the appropriate committee constituted for the protection of human subjects that is approved by the federal Department of Health and Human Services and has a general assurance pursuant to Part 46 of Title 45 of the Code of Federal Regulations. Information shall not be released until the request for information has been reviewed by the Vital Statistics Advisory Committee and the committee has recommended to the State Registrar that the information shall be released.

SEC. 15. Section 84 of Chapter 51 of the Statutes of 2019 is amended to read:

SEC. 84. (a) For the 2019–20 fiscal year, the sum of thirty-eight million one hundred thousand dollars (\$38,100,000) is hereby appropriated from the General Fund to the State Department of Education to allocate in a manner consistent with subdivision (b) to coordinate and support professional learning opportunities for educators across the state. These funds are subject to a maximum of 8 percent indirect cost rate for the competitive grant awardees under this section.

(b) (1) Of the funds appropriated in subdivision (a), two hundred fifty thousand dollars (\$250,000) is available each fiscal year through the 2022–23 fiscal year, and one position is authorized within the State Department of Education, to support the activities described in subdivision (c).

(2) Of the funds appropriated in subdivision (a), thirty-seven million one hundred thousand dollars (\$37,100,000) is available through the 2022–23 fiscal year to provide one or more grants consistent with subdivision (d).

(c) The California Computer Science Coordinator is hereby created as a position in the State Department of Education to provide statewide coordination in implementing the computer science content standards developed pursuant to Section 60605.4 of the Education Code, supporting activities funded pursuant to this section, and leading the implementation of the computer science strategic implementation plan, following the plan's adoption by the State Board of Education.

(d) (1) The Educator Workforce Investment Grant Program is hereby established to support one or more competitive grants for professional learning opportunities for teachers and paraprofessionals across the state.

(2) The State Department of Education and the California Collaborative for Educational Excellence shall establish a process, administered by the State Department of Education, to select, subject to approval by the executive director of the State Board of Education, one or more institutions of higher education or nonprofit organizations with expertise in developing and providing professional learning to teachers and paraprofessionals in public schools serving kindergarten and grades 1 to 12, inclusive, to conduct the activities described in paragraphs (3), (4), and (5) in a manner that aligns with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. The State Department of Education shall give positive consideration to applicants that propose to partner with a county office of education or consortium of county offices of education.

(3) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide ten million dollars (\$10,000,000) in grants for professional learning activities designed to implement the California English Learner Roadmap Policy: Educational Programs and Services for English Learners adopted by the State Board of Education in July 2017 (EL Roadmap). Professional learning opportunities under this portion of the program may include, but are not limited to, all of the following:

(A) Building capacity among school leaders to implement the EL Roadmap.

(B) Implementing instructional practices that effectively develop academic content knowledge, discipline-specific practices, academic language, integrated and designated English language development, and bilingual and biliterate proficiency.

(C) Identifying and emphasizing high-quality models for professional development regarding the EL Roadmap, including, but not necessarily limited to, providing coaching for principals, teacher leadership, and the implementation of other models to best meet the needs of school leaders.

(D) Establishing alignment and articulation of the EL Roadmap across and within school district systems.

(4) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide five million dollars (\$5,000,000) in grants for special education-related professional development, including, but not limited to, all of the following:

(A) Inclusive practices for general education and special education settings, including a universal design for learning to help educators teach all pupils regardless of ability and teaching models that support these practices, including coteaching.

(B) General procedures for identifying individuals with exceptional needs and developing appropriate individualized education programs for these pupils.

(C) Alternative dispute resolution procedures.

(D) Strategies for supporting pupils with particular disabilities in a general education setting.

(E) Support for pupils with overlapping educational needs, particularly those with an individualized education program who are also identified as English learners.

(5) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide twenty-two million one hundred thousand dollars (\$22,100,000) to

entities selected pursuant to paragraph (2) that are able, collectively, to deliver professional learning for teachers and paraprofessionals statewide within all of the following areas:

(A) Strategies to support social-emotional learning.

(B) Practices to create a positive school climate, including restorative justice.

(C) Strategies for providing high-quality instruction and computer science learning experiences aligned to the computer science content standards developed pursuant to Section 60605.4 of the Education Code.

(D) Practices to support the ethnic studies model curriculum developed pursuant to Section 51226.7 of the Education Code.

(6) In developing the process for selecting grantees, the State Department of Education and the California Collaborative for Educational Excellence shall, to the greatest extent practicable, facilitate coordination among the grantees and the subject matter projects authorized pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.

(e) By March 15 of each year, the State Department of Education and the California Collaborative for Educational Excellence shall report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the process for awarding grants, the name of each grant recipient, the amount awarded to each grant recipient, the activities provided with grant funds, and, if available, the number of schools served and the number of educators served.

SEC. 16. Moneys appropriated pursuant to Sections 22950.6 and 22955.2 of the Education Code and Sections 20825.1 and 20825.2 of the Government Code shall not be considered school district general fund expenditures for purposes of Section 17070.75 of the Education Code.

SEC. 17. 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.