SB-75 Education finance: education omnibus budget trailer bill. (2019-2020)

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Senate Bill No. 75

CHAPTER 51

An act to amend Sections 8227.7, 8239, 8263, 8265.5, 8278.3, 17375, 33050, 35147, 37700, 41202, 41202.5, 41203.1, 46392, 47604.33, 47605, 47605.6, 47606.5, 47632, 47635, 48985, 51222, 52064.5, 52065, 52073, 52452, 53070, 53071, 53072, 53073, 53075, 56122, 56836.08, 56836.165, 56836.24, 64001, 65001, 88827, 88828, 88830, 88831, and 88833 of, to amend the heading of Chapter 4.7 (commencing with Section 56475) of Part 30 of Division 4 of Title 2 of, to add Sections 8207, 8236.3, 8266.2, 14002.05, 41207.46, 41404.5, 44226, 56477, and 56836.045 to, to add Article 13.1 (commencing with Section 8280) and Article 19.5 (commencing with Section 8430) to Chapter 2 of Part 6 of Division 1 of Title 1 of, to add Article 5 (commencing with Section 44690) to Chapter 3.1 of Part 25 of Division 3 of Title 2 of, to add Article 14 (commencing with Section 45500) to Chapter 5 of Part 25 of Division 3 of Title 2 of, to add Article 6.5 (commencing with Section 56836.39) to Chapter 7.2 of Part 30 of Division 4 of Title 2 of, to add Article 5.1 (commencing with Section 69617) to Chapter 2 of Part 42 of Division 5 of Title 3 of, to add Chapter 8.5 (commencing with Section 10850) to Part 7 of Division 1 of Title 1 of, to repeal and add Section 56213 of, and to repeal and add Article 14 (commencing with Section 8286) of Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, to amend Section 17581.6 of, and to add Section 6253.21 to, the Government Code, to amend Section 1596.86 of the Health and Safety Code, and to add Chapter 3 (commencing with Section 5886) to Part 4 of Division 5 of the Welfare and Institutions Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor July 01, 2019. Filed with Secretary of State July 01, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 75, Committee on Budget and Fiscal Review. Education finance: education omnibus budget trailer bill.

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

This bill would require the Secretary of California Health and Human Services, in concurrence with the executive director of the State Board of Education, and in consultation with the Superintendent, to prepare a report, or series of reports, on or before October 1, 2020, to be used to develop a master plan to ensure comprehensive, quality, and affordable childcare and universal preschool for children from birth to school age. The bill would establish a 27-member Early Childhood Policy Council with specified duties relating to statewide early learning and care policy.

The bill would make a family eligible for a full-day California state preschool program without meeting the requirements relating to the need for childcare services if all families meeting those requirements have been enrolled. The bill would, commencing January 1, 2020, and notwithstanding any other law, authorize a provider operating a state preschool program within the attendance boundary of a public school, except as provided, where at least 80% of enrolled pupils are eligible for free or reduced-price meals, to enroll 4-year-old children meeting specified priorities. The bill would authorize any remaining slots to be open for enrollment to any other families not otherwise eligible, as provided.

(2) Existing law establishes the Child Care Facilities Revolving Fund in the State Treasury to provide funding for loans for the renovation, repair, or improvement of an existing building to make the building suitable for licensure for childcare and development services, and for the purchase of new relocatable childcare facilities for the lease to local educational agencies and contracting agencies that provide childcare and development services. Existing law requires that a local educational agency or a contracting agency using facilities purchased by the use of these funds be charged a leasing fee, as provided, over a 10-year period. Existing law requires title to be transferred from the state to the local educational agency or contracting agency upon full repayment of the purchase and relocation costs. Existing law requires the Superintendent to deposit all revenue derived from the lease payments or renovation or repair loan repayments into the Child Care Facilities Revolving Fund.

This bill would make this program inoperative on January 1, 2020, except as provided. The bill would require the remaining moneys in the fund, as of December 31, 2019, to be allocated in a specified manner, including to the Early Learning and Care Infrastructure Grant Program, which this bill would establish. The bill would require the Superintendent to administer the grant program 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. The bill would appropriate $142,705,000 from the General Fund to the State Department of Education for these purposes, as provided. The bill would also require the Superintendent to administer the Early Learning and Care Workforce Development Grants Program, which the bill would establish, 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. The bill would appropriate $195,000,000 from the General Fund to the department for these purposes, as provided. The bill would require the Superintendent to provide annual reports on both grant programs to the Governor and the appropriate policy and fiscal committees of the Legislature, as provided.

(3) The California Child Day Care Facilities Act provides for the licensure and regulation of family daycare homes by the State Department of Social Services. The Child Care and Development Services Act requires the Superintendent to administer childcare and development programs that include, among others, resource and referral programs, alternative payment programs, and family childcare home education networks.

This bill would require the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program, upon request from a provider organization, as defined, to immediately commence collecting personal information regarding any individual who has been a family childcare provider and make that information available to the provider organization, as specified. The bill would require those entities to remove that information from a list made available to a provider organization if a family childcare provider makes a written request to remove it. The bill would prohibit public disclosure of the personal information of family childcare providers under the California Public Records Act except for specified purposes, including the purpose described above. The bill would appropriate $10,000,000 from the General Fund to the Controller for these purposes, to be allocated to the State Department of Education, the State Department of Social Services, the Department of Human Resources, and the Public Employment Relations Board according to a schedule provided by the Department of Finance.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(4) Existing law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data regarding demographic, program participation, enrollment, and statewide assessments.

This bill would establish the California Cradle-to-Career Data System Workgroup, composed of representatives of specified entities, to provide assessment, recommendations, and advice about statewide data infrastructure that integrates data from state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs. The bill would require the Director of State Planning and Research, or the director's designee, to lead the workgroup.

The bill would require the Office of Planning and Research to contract with entities with expertise in managing data for specified purposes relating to the workgroup's activities. The bill would require those contracted entities to report to the Department of Finance and the Legislature (A) by July 1, 2020, on the proposed structure of the data system, including, but not limited to, the entity charged with managing the data system, the architecture of the data system, and the information that will be available on the data system, (B) by October 1, 2020, on the progress on preparing specific recommendations regarding the data system, and (C) by January 1, 2021, specified recommendations regarding the data system. The bill, by the 2020–21 academic year, would require the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges, and would request the University of California, to identify and track currently and newly enrolled students, and, to the extent feasible, prospectively identify and track each applicant for admission, in their respective data systems with the statewide student identifier assigned to pupils in the data system maintained by the State Department of Education for each student who attended a local educational agency in California in a manner that maximizes efficiencies and limits the need for multiple memoranda of understanding.

The bill would appropriate $10,000,000 to the Office of Planning and Research for these purposes, as provided.

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

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

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

This bill would appropriate $300,000,000 for the 2019–20 fiscal year from the General Fund to the State Allocation Board to provide one-time grants for purposes of the program.

(7) Existing law authorizes the governing board of a school district or a county board of education to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the state board that implements a provision of the Education Code that may be waived, except for specified provisions.

This bill would prohibit the waiver of specified provisions relating to funding for county offices of education and charter schools.

(8) Existing law authorizes the Big Sur Unified School District, the Leggett Valley Unified School District, and the Reeds Creek Elementary School District to operate one or more schools in their respective school districts on a 4-day school week if the school district complies with specified requirements, including instructional time requirements. Existing law requires the Superintendent of Public Instruction to reduce specified funding apportionments to those school districts if they fail to comply with the instructional time requirements.

This bill would revise those instructional time penalty provisions and would prohibit the imposition of any instructional time penalties that accrued for the 2016–17 fiscal year to the 2018–19 fiscal year, inclusive, for those school districts.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Big Sur Unified School District, the Leggett Valley Unified School District, and the Reeds Creek Elementary School District.

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

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

If the Director of Finance determines that, for the 2018–19 fiscal year, the state has applied moneys for the support of school districts and community college districts in an amount that exceeds the minimum funding obligation required for the 2018–19 fiscal year, this bill would require the excess, up to $368,355,000, to be deemed a payment in satisfaction of the outstanding balance of the minimum funding obligation in the 2009–10 fiscal year.

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

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

(11) Existing law sets forth the maximum ratios of administrative employees to each 100 teachers in the various types of school districts, and requires the Superintendent to determine the reduction in state support resulting from excess administrative employees, as provided.

This bill would exempt a school district with average daily attendance of more than 400,000 as of the 2016–17 2nd principal apportionment from any reduction in state support resulting from excess administrative employees from the 2019–20 through the 2021–22 fiscal years.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Los Angeles Unified School District.

(12) Existing law authorizes a school district, county superintendent of schools, or consortium of those entities to establish an administrator training and evaluation program, as provided.

This bill would establish the 21st Century California School Leadership Academy to organize and offer professional learning opportunities for administrators and other school leaders and to provide grants to local educational agencies, institutions of higher education, and nonprofit educational services providers in a manner that ensures the availability of professional learning, free of charge, to certain local educational agencies, as provided.

(13) This bill would establish the Classified School Employee Summer Assistance Program and would appropriate $36,000,000 to the Controller for allocation by the State Department of Education for purposes of the program. The bill would authorize local educational agencies to elect to participate in the program, and would authorize a classified employee of a participating local educational agency who meets specified requirements to withhold an amount from the employee’s monthly paycheck during the school year to be paid out during the summer recess period, as provided. The bill would require the department to apportion funds to participating local educational agencies to provide a participating classified employee up to $1 for each $1 that a participating classified employee elects to have withheld. The bill would require the participating local educational agency to pay the participating classified employee the amounts withheld in accordance with the classified employee’s choices, plus the amount apportioned by the department, as specified.

(14) For purposes of state apportionments, if the average daily attendance of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year because of an emergency, existing law requires the Superintendent of Public Instruction to estimate the average daily attendance in a manner that credits to the school district, county office of education, or charter school the total average daily attendance that would have been credited had the emergency not occurred.

This bill would require the Superintendent to make specified calculations for purposes of state apportionments to a school district, county office of education, or charter school affected by the state of emergency declared by the Governor in November 2018. The bill would continuously appropriate the amounts necessary to provide those apportionments.

The bill would require a basic aid school district that experiences a decrease in local property tax revenues as a result of the state of emergency declared by the Governor in November 2018 to be reimbursed from the General Fund for losses experienced in the 2018–19 and 2019–20 fiscal years, as provided.

(15) The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools.

This bill would prohibit a charter school from discouraging any pupil from enrolling or seeking to enroll in the charter school for any reason, and would also prohibit a charter school from encouraging any pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason.

(16) Existing law requires governing boards of school districts, county boards of education, and charter schools to adopt and annually update a local control and accountability plan, as provided. Existing law requires the governing board of a school district and a county board of education to hold at least one public hearing regarding its local control and accountability plan or annual

update to the local control and accountability plan. Existing law authorizes the governing board of a school district and the county superintendent of schools to adopt revisions to a local control and accountability plan during the period it is in effect and requires those revisions to be adopted in a public meeting.

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

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

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

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

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

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

(19) Existing law requires the superintendent of a school district to post on the homepage of the internet website of the school district any local control and accountability plan approved by the governing board of the school district. Existing law requires a county superintendent of schools to post all local control and accountability plans submitted by school districts, or links to those plans, on the internet website of the county office of education. Existing law requires the Superintendent of Public Instruction to post links to all local control and accountability plans approved by the governing boards of school districts and county boards of education on the internet website of the department.

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

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

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

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

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

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

(22) Existing law requires every school district to submit to the Superintendent of Public Instruction a local plan for the education of all individuals with exceptional needs either on its own, in conjunction with one or more school districts, or with the county office of education, as specified. Existing law requires, commencing July 1, 2020, each local plan to include an annual assurances support plan, as provided.

This bill would instead require each local plan to include an annual assurances support plan commencing July 1, 2021.

(23) 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. The bill would establish the Special Education Early Intervention Preschool Grant, which would require 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.

(24) Existing law requires the Superintendent, commencing with the 2004–05 fiscal year and each fiscal year thereafter, to make certain calculations for, and the State Department of Education to apportion certain amounts to, special education local plan areas, as provided, with respect to children and youth residing in foster family homes, small family homes, foster family agencies, group homes, skilled nursing facilities, intermediate care facilities, and community care facilities. Existing law requires the department to calculate an out-of-home care funding amount for each special education local plan area, as provided, for each fiscal year. Existing law, for purposes of the out-of-home care funding amount for group homes, foster family homes, small family homes, and foster family agencies in the 2017–18 and 2018–19 fiscal years, requires the Superintendent to use the data received from the State Department of Social Services that was used for the funding for the 2016–17 fiscal year.

This bill would require the Superintendent to also use the data that was used for the funding for the 2016–17 fiscal year for purposes of the 2019–20 fiscal year out-of-home care funding amount.

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

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

(26) Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

This bill, subject to an appropriation of moneys by the Legislature, would establish the Golden State Teacher Grant Program under the administration of the commission to provide a grant to each student enrolled in an approved teacher credentialing program who commits to working in a high-need field at a priority school for 4 years after the student receives a preliminary teaching credential, as provided. The bill would require a grant recipient to agree to repay the grant to the state in specified circumstances.

(27) Existing law requires certain funds appropriated in the annual Budget Act for reimbursement for the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, charter schools, and county offices of education to support specified state-mandated local programs, as provided.

This bill would add specified requirements relating to pupil applications for financial aid pursuant to the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program to the list of programs and activities that are authorized for block grant funding.

(28) Existing law establishes the Investment in Mental Health Wellness Act of 2013. Existing law provides that funds appropriated by the Legislature to the California Health Facilities Financing Authority for the purposes of the act be made available to selected counties or counties acting jointly, and used to provide, among other things, a complete continuum of crisis services for children and youth 21 years of age and under regardless of where they live in the state. The act requires grant awards made by the authority to be used to expand local resources for the development, capital, equipment acquisition, and applicable program startup or expansion costs to increase capacity for client assistance and services generally and for client assistance and crisis services for children and youth 21 years of age and under in specified areas.

This bill would establish the Mental Health Student Services Act as a mental health partnership competitive grant program for the purpose of establishing mental health partnerships between a county's mental health or behavioral health departments and school districts, charter schools, and the county office of education within the county, as provided.

(29) Existing law requires each school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, and, commencing with the 2019–20 school year, each charter school, to provide each needy pupil with one nutritionally adequate free or reduced-price meal during each schoolday. Existing law authorizes a school district or county office of education, in order to comply with that requirement, to use funds made available through any federal or state program the purpose of which includes the provision of meals to a pupil, including, among other programs, the federal School Breakfast Program.

This bill would establish the Breakfast After the Bell Program, to be administered by the State Department of Education, for the purpose of awarding grants to school districts, charter schools, and county offices of education for schoolsite breakfast after the bell programs that provide breakfast to pupils after the schoolday has begun. The bill would establish criteria for awarding grants.

(30) This bill would appropriate $2,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to the Southern California Regional Occupational Center for instructional and operating costs for the 2019–20 fiscal year, and would condition the receipt of this money on the Southern California Regional Occupational Center submitting an updated operational plan to the Department of Finance and the Legislative Analyst's Office.

(31) This bill would appropriate $350,000 from the General Fund to the State Department of Education for the 2019–20 fiscal year to support the alignment and integration of the online platforms supporting the California School Dashboard, the Local Control and Accountability Plan Electronic Template System, and the School Accountability Report Card, as provided. The bill would appropriate $178,000 in the 2019–20 fiscal year and $154,000 in each fiscal year thereafter for the maintenance and support of the California School Dashboard and the School Accountability Report Card.

(32) The Community Redevelopment Law authorized the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies. Existing law requires a successor agency to, among other things, continue to make payments due for enforceable obligations, remit unencumbered balances to the county auditor-controller for distribution, and dispose of assets, as directed.

This bill would, on or before June 30, 2020, appropriate an amount to be determined by the Director of Finance from the General Fund to the Superintendent in augmentation of a certain item in the Budget Act of 2019. The bill would make these funds available only to the extent that revenues distributed to local educational agencies for special education programs from successor agencies are less than the estimated amount determined by the Director of Finance. The bill would require, on or before June 30, 2020, the Director of Finance to determine if the revenues distributed to local educational agencies for special education programs from successor agencies exceed the estimated amount reflected in the Budget Act of 2019 and, if so, would require the Director of Finance to reduce the specified appropriation in the Budget Act of 2019 by the amount of that excess.

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

(34) This bill would appropriate $7,500,000 from the General Fund to the Controller for allocation to the State Department of Education for the Broadband Infrastructure Grant Program to improve broadband connectivity at California local educational agencies and improve digital learning opportunities for pupils, as provided.

(35) This bill would appropriate $38,100,000 from the General Fund to the State Department of Education for the 2019–20 fiscal year to create the California Computer Science Coordinator as a position in the department and to establish 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.

(36) This bill would appropriate $4,000,000 from the General Fund to the State Department of Education for the 2019–20 fiscal year. The bill would require the Superintendent of Public Instruction to allocate these funds to the Special Olympics of Northern and Southern California for purposes of specified programs.

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

This bill would specify that those appropriations shall be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the 2018–19 fiscal year.

(38) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(39) Certain 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.

(40) 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: yes

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

SECTION 1. Section 8207 is added to the Education Code, to read:

8207. (a) The Legislature finds and declares all of the following:

(1) Providing children in California with a healthy start is one of the best investments the state can make.

(2) Research links early childhood interventions and improved life outcomes, including higher education levels, better health, and stronger career opportunities.

(3) All children, from birth through 12 years of age, should have access to culturally, linguistically, and developmentally appropriate, nurturing, educational, and high-quality early learning and care opportunities.

(4) All families should have access to a variety of early learning and care settings that meet their needs and are affordable.

(5) Parents are more likely to be successful in school and work if they know that their children are safe and productively engaged throughout the day.

(6) Children who are emotionally, developmentally, and academically supported in an early learning and care setting are more likely to start school ready to learn and continue to excel once they are enrolled in school.

(7) High-quality early learning and care programs require a competent, effective, well-compensated, and professionally supported workforce that reflects the racial, ethnic, and linguistic diversity and needs of the children and families served, including children who are dual language learners and children with exceptional needs.

(8) Early learning and care programs must be integrated with other supports and services for children, families, and the workforce.

(9) Subsidized access to high-quality early learning and care programs requires funding sources that are adequate and sustainable to meet the costs of care, respond to the diverse needs of children and families, and adequately compensate and support the workforce.

(b) To guide the implementation of a well-aligned, comprehensive state early learning and care system, the Secretary of California Health and Human Services, or the secretary’s designee, in concurrence with the executive director of the state board, or the executive director’s designee, and in consultation with the Superintendent, or the Superintendent’s designee, shall enter into a contract with one or more nongovernmental research entities to review existing research and data and to conduct research on priority areas of study identified pursuant to subdivision (d). This work shall be compiled in a report, or series of reports, released on a continuing basis and shall be completed on or before October 1, 2020, and provided to the Governor, the chairpersons of the relevant legislative policy and budget committees, the Secretary of California Health and Human Services, the executive director of the state board, the Superintendent, and the Director of Finance.

(c) The report or series of reports prepared pursuant to subdivision (b) shall be designed to support and incorporate relevant components of the 2019 California Assembly Blue Ribbon Commission on Early Childhood Education Final Report, and are intended to be used to develop a master plan to ensure comprehensive, quality, and affordable childcare and universal preschool for children from birth to school age. To the extent necessary and appropriate, the entities conducting research pursuant to this section shall engage a diverse group of stakeholders and experts, including families and providers, to inform their recommendations. All reports shall take into account fiscal sustainability and include costs to implement the recommendations and strategies for prioritizing investments into the recommendations over a multiyear period.

(d) The amount appropriated for purposes of this section in the Budget Act of 2019 shall be allocated for the following priority areas of study:

(1) A fiscal framework that provides options for ongoing funding to significantly expand early learning and care in the state, including options to generate needed revenues and examine alternate funding streams. This framework shall incorporate the principles of shared responsibility, fiscal sustainability, and regional variability, including by examining the appropriate role for government, businesses, and parents in meeting high-quality, affordable childcare and prekindergarten education needs.

(2) Early learning and care facility needs statewide, including surveys of subsidized early learning and care providers to collect information regarding ownership or rental of the facilities, monthly facility payments, ancillary costs, interest in expanding existing facilities, and any associated challenges, including ongoing facility maintenance. This study shall identify areas of the state most in need of early learning and care facility expansion and shall recommend the most appropriate setting types given the unique geographic and capacity characteristics of the region. Additionally, this study shall also seek input from relevant regional entities to identify existing publicly owned facilities that could house early learning and care programs with modifications to meet health and safety requirements, including those facilities owned by school districts, county offices of education, cities, and counties.

(3) Need for early learning and care services by families eligible for subsidies, including those not currently receiving services. The study shall include, but not be limited to, surveys of parents to collect information on current early learning and care arrangements, hours of care needs, key considerations regarding choice of provider and setting, and data about the racial, ethnic, and linguistic diversity of eligible families. This study shall include the need for early learning and care with a priority focus on those children from birth through 5 years of age, but shall also include children from birth through 12 years of age, and shall highlight regions of the state with the lowest relative access to care. The study shall also make recommendations on how to support and promote types of early learning and care that meet families' cultural and linguistic needs.

(4) An actionable quality improvement plan that includes, but is not limited to, both of the following:

(A) A cohesive set of minimum quality and program guidelines for all subsidized childcare providers by and across settings that balances the improved social, emotional, cognitive, and academic development of children with the resources available to providers, and that takes into account gender, class, race, language access, implicit bias, and lived experience in the construction of quality.

(B) An accessible and cohesive career pathway for all types of childcare professionals, including those whose primary language is not English, that considers a ladder of mobility, aligned with the state's system of provider reimbursement, based on competencies that are evidence based and driven by characteristics of quality, and that may consider educational attainment to produce a trained and stable workforce.

(5) Necessary steps to provide universal prekindergarten education for all three- and four-year-old children in California, including by considering both of the following:

(A) Recommendations to address the overlap between the transitional kindergarten, state preschool, and Head Start programs, and ensure that all children, regardless of family income, have access to the same level of prekindergarten program quality.

(B) Recommendations to align prekindergarten education with the subsidized childcare system and the elementary and secondary education system, to ensure that children have access to a full day of care, as needed, and ensure seamless matriculation to elementary and secondary education.

(e) The Secretary of California Health and Human Services shall report to the Department of Finance and the Joint Legislative Budget Committee on the proposed expenditures of funding for research identified pursuant to subdivision (d) before entering into any contract for this purpose.

(f) For purposes of subdivisions (b) to (d), inclusive, the California Health and Human Services Agency may enter into exclusive or nonexclusive contracts with nongovernmental research entities on a bid or negotiated basis. A contract entered into or amended pursuant to subdivision (b) shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(g) Notwithstanding any other law, the one or more nongovernmental research entities may subcontract as necessary in the performance of its duties, subject to approval of the Secretary of California Health and Human Services.

SEC. 2. Section 8227.7 of the Education Code is amended to read:

8227.7. (a) Commencing July 1, 2020, alternative payment programs shall provide notice to a childcare provider of a change in reimbursement amounts for childcare services, a change in the hours of care, rates, or schedules, an increase or decrease in parent fees, or a termination of services. For purposes of this section, the notice shall occur either electronically, if requested by the childcare provider, or via the United States Postal Service. The alternative payment program shall provide the notice at least 14 calendar days before the effective date of the intended action.

(b) The notification shall not be deemed a violation of the parent’s confidentiality but as a method to ensure the proper administration of subsidy funds.

SEC. 3. Section 8236.3 is added to the Education Code, to read:

8236.3. (a) Commencing January 1, 2020, and notwithstanding any other law, a provider operating a state preschool program within the attendance boundary of a public school, except a charter or magnet school, where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals, may enroll four-year-old children, as defined in Section 8208, as follows:

(1) First priority shall be given to children as provided for in paragraph (1) of subdivision (a) of Section 8236.

(2) Second priority shall be given to children as provided for in paragraph (2) of subdivision (a) of Section 8236.

(3) Third priority shall be given to families meeting the eligibility requirements of Section 8263.

(4) Any remaining slots may be open to enrollment of any families not otherwise eligible pursuant to paragraph (1) of subdivision (a) of Section 8263, subject to both of the following:

(A) Enrollment of eligible four-year-old children pursuant to this paragraph shall be limited to families that establish residency within the attendance boundary of the qualifying public school pursuant to this subdivision. Providers shall require proof of residency as a condition of enrollment.

(B) To the best of their ability, providers shall give first enrollment priority for slots available pursuant to this paragraph to families with the lowest income, and last enrollment priority to families with the highest income.

(b) (1) Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (a), the department shall implement subdivision (a) through management bulletins or similar letters of instruction issued on or before December 1, 2019.

(2) The department shall initiate a rulemaking action to implement subdivision (a) on or before December 31, 2020. The department shall convene a workgroup of parents, advocates, department staff, child development program representatives, and other stakeholders to develop recommendations regarding the implementation of subdivision (a).

(c) For purposes of this section, “magnet school” means an entire school with a focus on a special area of study, such as science, the performing arts, or career education, designed to attract pupils from across the school district who may choose to attend the magnet school instead of their local public school.

SEC. 4. Section 8239 of the Education Code is amended to read:

8239. (a) The Superintendent shall encourage state preschool program applicants or contracting agencies to offer full-day services through a combination of part-day preschool slots and wraparound general childcare and development programs. In order to facilitate a full day of services, all of the following shall apply:

(1) Part-day preschool programs provided pursuant to this section shall operate between 175 and 180 days.

(2) Wraparound general childcare and development programs provided pursuant to this section may operate a minimum of 246 days per year unless the child development contract specified a lower minimum days of operation. Part-day general childcare and development programs may operate a full day for the remainder of the year after the completion of the preschool program.

(3) Part-day preschool services combined with wraparound childcare services shall be reimbursed at a base rate determined pursuant to Section 8265 and in the annual Budget Act, using adjustment factors pursuant to Section 8265.5.

(4) Three- and four-year-old children are eligible for wraparound childcare services to supplement the part-day California state preschool program if the family meets the requirements of subdivision (a) of Section 8263.

(b) For purposes of this section, “wraparound childcare services” and “wraparound general childcare and development programs” mean services provided for the remaining portion of the day or remainder of the year following the completion of part-day preschool services that are necessary to meet the childcare needs of parents eligible pursuant to subdivision (a) of Section 8263. These services shall be provided consistent with the general childcare and development programs provided pursuant to Article 8 (commencing with Section 8240).

SEC. 5. Section 8263 of the Education Code, as amended by Section 6 of Chapter 945 of the Statutes of 2018, is amended to read:

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

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

(B) A family needs the childcare services (i) because the child is identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a Head Start program, or an emergency or transitional shelter as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated.

(2) Notwithstanding paragraph (1), after all families meeting at least one of the criteria specified in subparagraph (B) of paragraph (1) have been enrolled, a full-day California state preschool program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria specified in subparagraph (B) of paragraph (1).

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

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

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

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

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

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

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

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

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

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

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

(2) A family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility as described in subdivision (b) of Section 8263.1, and the family's ongoing eligibility for services shall at that time be recertified.

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

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

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

(4) A family may at any time voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification.

(i) (1) Because a family that meets eligibility requirements at its most recent eligibility certification or recertification is considered eligible until the next recertification, as provided in subdivision (h), a payment made by a child development program for a child during this period shall not be considered an error or an improper payment due to a change in the family's circumstances during that same period.

(2) Notwithstanding paragraph (1), the Superintendent or the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(j) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5 of this code, until regulations are filed with the Secretary of State to implement subdivision (h), the department shall implement subdivision (h) through management bulletins or similar letters of instruction on or before October 1, 2017.

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

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

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

SEC. 6. Section 8263 of the Education Code, as added by Section 7 of Chapter 945 of the Statutes of 2018, is amended to read:

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

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

(B) A family needs the childcare services (i) because the child is identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a Head Start program, or an emergency or transitional shelter as (I) a recipient of protective services, (II) being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or (III) being homeless or (ii) because the parents are (I) engaged in vocational training leading directly to a recognized trade, paraprofession, or profession, (II) engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate, (III) employed or seeking employment, (IV) seeking permanent housing for family stability, or (V) incapacitated.

(2) Notwithstanding paragraph (1), after all families meeting at least one of the criteria specified in subparagraph (B) of paragraph (1) have been enrolled, a full-day California state preschool program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria specified in subparagraph (B) of paragraph (1).

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

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

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

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

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

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

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

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

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

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

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

(2) A family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility as described in subdivision (b) of Section 8263.1, and the family's ongoing eligibility for services shall at that time be recertified.

(3) A family may at any time voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification.

(i) (1) Because a family that meets eligibility requirements at its most recent eligibility certification or recertification is considered eligible until the next recertification, as provided in subdivision (h), a payment made by a child development program for a child during this period shall not be considered an error or an improper payment due to a change in the family's circumstances during that same period.

(2) Notwithstanding paragraph (1), the Superintendent or the Superintendent's designated agent may seek to recover payments that are the result of fraud.

(j) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5 of this code, until regulations are filed with the Secretary of State to implement subdivision (h), the department shall implement subdivision (h) through management bulletins or similar letters of instruction on or before October 1, 2017.

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

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

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

SEC. 7. Section 8265.5 of the Education Code is amended to read:

8265.5. (a) In order to reflect the additional expense of serving children who meet any of the criteria outlined in subdivision (c), the provider agency's reported child days of enrollment for these children shall be multiplied by the adjustment factors listed below.

(b) (1) Except as provided in paragraph (2), the adjustment factors described in subdivision (c) shall apply to a state preschool program and those programs for which assigned reimbursement rates are at or below the standard reimbursement rate. In addition, the adjustment factors shall apply to those programs for which assigned reimbursement rates are above the standard reimbursement rate, but the reimbursement rate, as adjusted, shall not exceed the adjusted standard reimbursement rate. The adjustment factors shall apply to those state preschool programs for which assigned reimbursement rates are above the state preschool reimbursement rate, but the reimbursement rate, as adjusted, shall not exceed the adjusted state preschool reimbursement rate.

(2) The adjustment factors described in paragraphs (5) and (6) of subdivision (c) shall apply only for full-day preschool programs and those part-day preschool programs for which assigned reimbursement rates are at or below the standard reimbursement rate.

(c) Notwithstanding any other law, commencing January 1, 2019, the adjustment factors shall be as follows:

(1) For infants who are 0 to 18 months of age and are served in a child daycare center or a family childcare home, the adjustment factor shall be 2.44.

(2) For toddlers who are 18 to 36 months of age and are served in a child daycare center or a family childcare home, the adjustment factor shall be 1.8.

(3) For children with exceptional needs who are 0 to 21 years of age, the adjustment factor shall be 1.54.

(4) For severely disabled children who are 0 to 21 years of age, the adjustment factor shall be 1.93.

(5) For children at risk of neglect, abuse, or exploitation who are 0 to 14 years of age, the adjustment factor shall be 1.1.

(6) For limited-English-speaking and non-English-speaking children who are two years of age through kindergarten age, the adjustment factor shall be 1.1.

(7) For children who are served in a California state preschool program, infants and toddlers who are 0 to 36 months of age and are served in general childcare and development programs, or children who are 0 to 5 years of age and are served in a family childcare home education network setting funded by a general childcare and development program, where early childhood mental health consultation services are provided, pursuant to Section 8265.2, the adjustment factor shall be 1.05.

(d) Use of the adjustment factors shall not increase the provider agency's total annual allocation.

(e) (1) Days of enrollment for children who meet more than one of the criteria outlined in paragraphs (1) to (6), inclusive, of subdivision (c) shall not be reported under more than one of the categories specified in those paragraphs.

(2) Notwithstanding paragraph (1), for children for whom an adjustment factor is applied pursuant to any of paragraphs (1) to (6), inclusive, of subdivision (c), and who are additionally eligible for the adjustment factor established in paragraph (7) of subdivision (c), reported child days of enrollment shall be multiplied by the sum of the applicable adjustment factor under paragraphs (1) to (6), inclusive, of subdivision (c) and 0.05.

(f) The difference between the reimbursement resulting from the use of the adjustment factors outlined in subdivision (c) and the reimbursement that would otherwise be received by a provider in the absence of the adjustment factors shall be used for special and appropriate services for each child for whom an adjustment factor is claimed.

SEC. 8. Section 8266.2 is added to the Education Code, to read:

8266.2. Commencing with the 2019–20 fiscal year and each fiscal year thereafter, for purposes of this chapter, reimbursement rates for part-day California state preschool programs shall be adjusted in order to reflect the additional expense of serving children who meet the criteria described in paragraph (3) or (4) of subdivision (c) of Section 8265.5. For part-day California state preschool programs serving children for less than four hours per day, the part day reimbursement rate established by the annual Budget Act shall be adjusted pursuant to paragraphs (3) and (4) of subdivision (c) of Section 8265.5.

SEC. 9. Section 8278.3 of the Education Code is amended to read:

8278.3. (a) (1) The Child Care Facilities Revolving Fund is hereby established in the State Treasury to provide funding for loans for the renovation, repair, or improvement of an existing building to make the building suitable for licensure for childcare and development services, and for the purchase of new relocatable childcare facilities for lease to local educational agencies and contracting agencies that provide childcare and development services, pursuant to this chapter. The Superintendent may transfer state funds appropriated for childcare facilities into this fund for allocation to local educational agencies and contracting agencies, as specified, for the purchase, transportation, and installation of facilities for replacement and expansion of capacity. Local educational agencies and contracting agencies using facilities purchased by the use of these funds shall be charged a leasing fee, either at a 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. The Superintendent shall deposit all revenue derived from the lease payments or renovation or repair loan repayments into the Child Care Facilities Revolving Fund.

(2) Notwithstanding Section 13340 of the Government Code, all moneys in the fund, including moneys deposited from lease payments or loan repayments, are continuously appropriated, without regard to fiscal years, to the Superintendent for expenditure pursuant to this article.

(3) Augmentations to the Child Care Facilities Revolving Fund made in the Budget Act of 2014 shall be used for loans for renovation or repair of existing local educational agency facilities to ensure those facilities meet applicable health and safety standards or the purchase of new relocatable childcare facilities for lease to local educational agencies, for the purpose of expanding access to California state preschool program services pursuant to this chapter.

(b) On or before August 1 of each fiscal year, the Superintendent shall submit to the Department of Finance and the Legislative Analyst's Office a report detailing the number of funding requests received and their purpose, the types of agencies that received funding from the Child Care Facilities Revolving Fund, the increased capacity that these facilities generated, a description of the manner in which the facilities are being used, and a projection of the lease payments and loan repayments collected and the funds available for future use.

(c) A local educational agency that provides childcare pursuant to the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2) is eligible to apply for and receive funding pursuant to this section.

(d) Except as provided in subdivision (b) of Section 8280, this section shall become inoperative on January 1, 2020.

SEC. 10. Article 13.1 (commencing with Section 8280) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 13.1. Early Learning and Care Infrastructure and Workforce Development

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 one hundred forty-two million seven hundred five thousand dollars ($142,705,000) 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, fifty-eight million seven hundred five thousand dollars ($58,705,000).

(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.

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 ninety-five million dollars ($195,000,000) 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, one hundred twenty-nine million dollars ($129,000,000).

(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, 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. 11. Article 14 (commencing with Section 8286) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code is repealed.

SEC. 12. Article 14 (commencing with Section 8286) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 14. Early Childhood Policy Council

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 be appointed 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 member 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 terms of three years and no member may serve more than two terms.

(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 members and the cochairs of the parent advisory committee shall be appointed by the Governor, the Legislature, and the Superintendent.

(3) Committee members shall include parent participants of the childcare subsidy system, including those receiving subsidies through vouchers and contracted Title 5 programs, those on a subsidy waiting list, and those paying privately.

(4) 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 members and the cochairs of the workforce advisory committee shall be appointed by the Governor, the Legislature, and the Superintendent.

(3) Committee members shall include licensed family childcare providers, family, friend, and neighbor childcare providers, center-based teachers and directors from subsidized and nonsubsidized childcare programs, and statewide organizations representing childcare providers.

(4) 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. 13. Article 19.5 (commencing with Section 8430) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 19.5. Childcare Providers

8430. The Legislature finds and declares that this article is intended to support future collective bargaining legislation. It is the intent of the Legislature to enact future legislation granting family childcare providers the right to democratically choose a representative to meet and negotiate in a formal process with the state regarding the applicable scope of bargaining.

8431. As used in this article:

(a) (1) “Family childcare provider” or “provider” means a childcare provider who participates in a state-funded early care and education program as specified in subdivision (c) and is either of the following:

(A) An individual who operates a family daycare home, as defined in Section 1596.78 of the Health and Safety Code, and who is licensed pursuant to the requirement in Section 1596.80 of the Health and Safety Code.

(B) An individual who provides early care and education in their own home or in the home of the child receiving care and is exempt from licensing requirements pursuant to Section 1596.792 of the Health and Safety Code.

(2) In no instance shall an assistant-provider, a volunteer, or any other individual who works or volunteers for a family daycare home, as defined in Section 1596.78 of the Health and Safety Code, and does not possess a license pursuant to Section 1596.80 of the Health and Safety Code be considered a family childcare provider for purposes of this article. However, any individual who, separate and apart from such work or volunteer service within a family daycare home, participates in a state-funded early care and education program and provides care that is exempt from licensing requirements pursuant to Section 1596.792 of the Health and Safety Code shall be considered a family childcare provider for purposes of this article in their capacity as the provider of this separate, license-exempt care.

(b) “Provider organization” means an organization that has all of the following characteristics:

(1) Includes family childcare providers as members.

(2) Has as one of its main purposes the representation of family childcare providers in their relations with public or private entities in California concerning the terms of their participation in state-funded early care and education programs.

(3) Is not an entity that contracts with the state or a county to administer or process payments for a state-funded early care and education program.

(4) Its organizational bylaws or other internal governing documents give family childcare providers the right to be members of the organization and to participate in the democratic control of the organization.

(c) “State-funded early care and education program” means a program administered by the State Department of Education, the State Department of Social Services, another department or agency, or a political subdivision of the state, including programs established subsequent to the enactment of this article, to subsidize early learning and care for children, but does not include the public education system.

8432. (a) For purposes of this section, the Public Employment Relations Board, as established pursuant to Section 3541 of the Government Code, shall determine if an entity seeking information is a provider organization within the meaning of subdivision (b) of Section 8431, as follows:

(1) The general counsel of the Public Employment Relations Board shall have the authority to determine if an organization is a provider organization upon application by that organization. The general counsel shall issue their determination within 10 days of receiving the application.

(2) If an organization is determined not to be a provider organization, the general counsel of the Public Employment Relations Board shall state the reasons for this determination. An applicant determined not to be a provider organization may appeal this adverse determination to the board within 30 days of the determination.

(3) Once a provider organization has been determined to be a provider organization by the general counsel of the Public Employment Relations Board, this determination shall remain valid for one year.

(b) Within 10 days of receipt of a request from a provider organization determined to be such by the Public Employment Relations Board in accordance with subdivision (a), the State Department of Social Services shall make available in manipulable electronic format to that provider organization information regarding all providers of a family daycare home, as defined in Section 1596.78 of the Health and Safety Code, who are licensed pursuant to the requirement in Section 1596.80 of the Health and Safety Code. The information shall include the name; home address; mailing address; county; work and cellular telephone numbers; email address, if known; and state facility license number of each provider of a family daycare home.

(c) (1) Upon receipt of a request from a provider organization, the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program, with the assistance of any contractors or subcontractors and any political subdivisions of the state that are administering a state-funded early care and education program, shall immediately commence collecting information regarding any individual who has been a family childcare provider, as defined in subdivision (a) of Section 8431, within the preceding three months, including each family childcare provider's name; home address; mailing address; county; work and cellular telephone numbers; email address, if known; the agency, contractor, subcontractor, or political subdivision of the state administering the state-funded early care and education program in which the provider participates; the date the provider began subsidy care; the date the provider ended subsidy care, if applicable; whether the provider is licensed or not; the unique provider identification number, if applicable; and the state facility license number, if known. The State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program, with the assistance of any contractors or subcontractors and any political subdivisions of the state administering a state-funded early care and education program, shall make reasonable efforts to collect the information under this subdivision in a timely manner.

(2) Within 60 days of receipt of an initial request from a provider organization, the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program shall make available to the provider organization, in a manipulable electronic format unless demonstrably impracticable to do so, all of the information described in paragraph (1) that is available based on the reasonable efforts of the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program to collect the information.

(3) As soon as it is in the department's or agency's possession, the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program shall make available to the provider organization any information described in paragraph (1) that cannot be reasonably collected within 60 days.

(d) Following an initial request as described in subdivision (c), but no earlier than 90 days following receipt of that request, the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program shall use reasonable efforts to continue to collect and make available to the requesting provider organization, in a manipulable electronic format unless demonstrably impracticable to do so, an updated list of the information described in paragraph (1) of subdivision (c), as of that date, every 30 days unless more frequent or more detailed lists are required by an agreement with a provider organization.

(e) Nothing in this section shall be construed to permit an agency, department, contractor, subcontractor, or a political subdivision of the state to delay or obstruct the collection or provision to a provider organization of information pursuant to subdivisions (c) and (d).

(f) This section does not preclude a provider organization and the Governor or the Governor's designee from agreeing to a different interval within which the State Department of Social Services, the State Department of Education, and any other state department or agency administering a state-funded early care and education program must provide the provider organization with this information.

(g) Any information regarding providers of small family daycare homes, as defined in Section 1596.78 of the Health and Safety Code, that is made available to the provider organization under this section shall be provided in a manner consistent with Section 1596.86 of the Health and Safety Code.

(h) The information provided under this section shall be provided in a manner consistent with Section 6207 of the Government Code for a participant in the address confidentiality program established pursuant to Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code.

(i) Upon receipt of a written request by a family childcare provider, the State Department of Education, the State Department of Social Services, and any other state department or agency administering a state-funded early care and education program shall remove the family childcare provider's contact information from any lists subsequently made available to a provider organization pursuant to subdivisions (c) and (d).

(j) The Public Employment Relations Board shall have initial exclusive jurisdiction to resolve any disputes arising among the provider organization, the Governor or the Governor's designated representative, the State Department of Social Services, the State Department of Education, any other state department or agency administering a state-funded early care and education program, and family childcare providers regarding lists of family childcare providers given to the provider organization pursuant to this section.

(k) The Public Employment Relations Board shall perform its duties under this section consistent with its regulations and shall have the authority to make additional regulations, including emergency regulations, necessary to effectuate this section.

SEC. 14. Chapter 8.5 (commencing with Section 10850) is added to Part 7 of Division 1 of Title 1 of the Education Code, to read:

CHAPTER 8.5. California Cradle-to-Career Data System Act

10850. This chapter shall be known, and may be cited, as the California Cradle-to-Career Data System Act.

10851. For purposes of this chapter, the following definitions apply:

(a) “Data system” means statewide data infrastructure that integrates data from various partner entities and supports the purposes identified in this chapter.

(b) “Director” means the Director of State Planning and Research, or the director’s designee.

(c) “Partner entity” means an organization that can provide information to the data system to advance the purposes identified in this chapter and includes, but is not limited to, state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs.

(d) “Planning facilitator” means an entity with expertise in data governance, privacy, security, quality, reporting, and user-centered design.

(e) “Workgroup” means the California Cradle-to-Career Data System Workgroup established pursuant to Section 10853.

10852. It is the intent of the Legislature in enacting this chapter to do all of the following:

(a) Build a data system to enable partner entities to share information in a manner that promotes data privacy and security.

(b) Design a data system that minimizes the need for new infrastructure, is adaptable, and is flexible to meet future needs.

(c) Serve students and families by doing all of the following:

(1) Identifying and tracking predictive indicators to enable parents, teachers, health and human services providers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities and improve outcomes for all students.

(2) Creating direct support tools for teachers, parents, advisors, and students.

(3) Enabling agencies to plan for and optimize educational, workforce, and health and human services programs.

(4) Advancing academic and governmental research on improving policies from birth through career.

(d) Improve the quality and reliability of data reported, and ensure consistency of key data definitions.

(e) Identify additional data points and metrics that can be developed and integrated into the data system to support the goals of this chapter.

10853. (a) The California Cradle-to-Career Data System Workgroup is hereby established to do both of the following:

(1) Assess and recommend data system structural components, processes, and options for expansion and enhancement of data system functionality, to be outlined in the reports required pursuant to Sections 10856 and 10857.

(2) Advise ongoing efforts to develop, administer, and enhance the data system.

(b) Meetings of the workgroup are subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

10854. (a) (1) On or before July 15, 2019, the executive director of the state board shall designate a representative to serve on the workgroup.

(2) On or before July 15, 2019, the State Department of Education shall designate representatives, including one representative from the divisions responsible for early learning activities and educational data reporting, for a total of no more than three representatives, to serve on the workgroup.

(3) On or before July 15, 2019, the following entities shall each designate one representative to serve on the workgroup:

(A) The Office of the Chancellor of the California Community Colleges.

(B) The University of California.

(C) The California State University.

(D) The Commission on Teacher Credentialing.

(E) The executive director of the Student Aid Commission on behalf of the commission.

(F) The Employment Development Department.

(G) The Labor and Workforce Development Agency.

(H) The California Health and Human Services Agency.

(I) The State Department of Social Services.

(J) The Department of Technology.

(K) The Bureau for Private Postsecondary Education.

(4) On or before July 15, 2019, the Association of Independent California Colleges and Universities shall designate one representative to serve on the workgroup.

(5) On or before July 15, 2019, California School Information Services shall designate one representative to serve on the workgroup.

(6) Each of the entities listed in paragraphs (3) to (5), inclusive, shall also bring an appropriate data expert to consult with the workgroup.

(7) In meeting the requirements of paragraph (3), the Labor and Workforce Development Agency may designate its representative from an appropriate department overseen by the Labor and Workforce Development Agency, provided that it does not designate another representative from the Employment Development Department.

(8) In meeting the requirements of paragraph (3), the California Health and Human Services Agency may designate its representative from an appropriate department overseen by the California Health and Human Services Agency, provided that it does not designate another representative from the State Department of Social Services.

(b) Each entity with a representative serving on the workgroup pursuant to subdivision (a) other than the University of California shall, and the University of California is requested to, collaborate with its respective constituents and represent its field and stakeholders in performing workgroup functions. For purposes of this subdivision, constituents and stakeholders may include, but are not limited to, potential end users of the data system and individuals impacted by the programs or services about which data may be collected within the data system.

(c) Once established, the workgroup shall adopt, with the approval of the director, conflict-of-interest guidelines that prohibit a member from advocating for an expenditure or recommendation in which the member has a professional or economic interest.

10855. (a) The director shall lead the workgroup.

(b) The Office of Planning and Research shall contract with planning facilitators to perform all of the following duties:

(1) Provide facilitation and staff support to the workgroup.

(2) Conduct research and gather relevant information for consideration by the workgroup in fulfilling its responsibilities pursuant to paragraph (1) of subdivision (a) of Section 10853.

(3) Produce the reports required pursuant to Sections 10856 and 10857.

(4) Support the partner entities in advancing the purposes of this chapter, including, but not limited to, by assisting the partner entities to complete the activities specified in Section 10858.

(c) For purposes of subdivision (b), the Office of Planning and Research may enter into exclusive or nonexclusive contracts with planning facilitators on a bid or negotiated basis. A contract entered into or amended pursuant to subdivision (b) shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(d) Notwithstanding any other law, a planning facilitator may subcontract as necessary in the performance of its duties, subject to approval of the director.

(e) The Office of Planning and Research shall report to the Department of Finance and relevant subcommittees of the Legislature on awarded contracts described in this section within 30 days of awarding any contract. The report shall include information about funding amounts provided to contractors and subcontractors.

(f) (1) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) shall, in consultation with the director, convene one or more advisory groups to obtain additional input from potential end users of the data system and other interested stakeholders and to inform the planning facilitator’s work in fulfilling its responsibilities pursuant to subdivision (b).

(2) At a minimum, the advisory groups convened pursuant to paragraph (1) shall be comprised of representatives of students, parents, labor, business and industry, equity and social justice organizations, researchers, privacy experts, early education experts, school districts, charter schools, and county offices of education, as selected by the director within 60 days of contracting with the planning facilitator.

(3) In selecting the membership of the advisory groups, the director is encouraged to seek representation broadly reflective of the state’s population.

(4) The planning facilitator shall initially meet with the advisory groups within 30 days of the director selecting its membership, and then at least once every quarter, and, if approved by the director, within 15 days upon request of a majority of the advisory group.

10856. (a) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance and the Legislature by July 1, 2020, on the proposed structure of the data system, including, but not limited to, the entity charged with managing the data system, the architecture of the data system, and the information that will be available on the data system.

(b) At a minimum, the workgroup shall examine how the data system could have the capacity to do both of the following:

(1) Disaggregate data by race, ethnicity, region, gender, military status, parents’ education, and age.

(2) Transfer high school pupil educational records to postsecondary educational institutions.

(c) At a minimum, the workgroup shall examine how the data system could inform policy relating to all of the following:

(1) The impact of early education on student success and achievement as a student progresses through education segments and the workforce.

(2) The long-term effect of state intervention programs and targeted resource allocations in primary education.

(3) How prepared high school pupils are to succeed in college.

(4) How long it takes students who transfer from community college to the University of California, the California State University, or another four-year postsecondary educational institution to graduate with a baccalaureate degree.

(5) College access, completion, and long-term effects of access to state financial aid.

(6) The workforce effect of graduation from high school, community college, and four-year postsecondary educational institutions.

(d) It is the intent of the Legislature that the workgroup review and build upon prior reports, including those produced pursuant to Senate Bill 1298 of the 2007–08 Regular Session (Chapter 561 of the Statutes of 2008), and review and build upon existing data systems and best practices, as appropriate and relevant.

(e) For purposes of this section, the workgroup shall not be required to reach a consensus as a condition of having a specified recommendation included in the report.

(f) The report submitted to the Legislature pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

10857. (a) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance and the Legislature by January 1, 2021, its recommendations on all of the following:

(1) How access to data will be controlled and authorized.

(2) A means of developing common data definitions.

(3) Additional data elements necessary for partner entities to collect for future linkage to the data system.

(4) Any specific changes to state law that may be necessary for implementation.

(5) Plans for training and support of users.

(6) How users will be able to access the data system.

(7) How authorized users will enter and correct data.

(8) How to ensure data quality from each component of the education system and participating entities.

(9) How to address security and data privacy considerations, including compliance with existing state and federal data privacy and use laws, and standard elements that will be included in agreements necessary to share data among partner entities.

(10) How to connect data in a manner that limits the number of memoranda of understanding necessary and maximizes efficiencies.

(11) How to respond to requests from researchers to access data.

(12) How the data system should be expanded to incorporate childcare, early education, workforce, financial aid, and health and human services data.

(13) An implementation timeline, including key project milestones and sequencing for functionality expansions and enhancements.

(14) The estimated fiscal impact of developing the data system and the cost of recommended expansions and enhancements, including the ongoing management costs.

(15) A prioritization of key components needed to best enhance and expand the data system if available funding is insufficient to address all desirable elements.

(16) How to create a public-facing interface to share information with the public that can help inform decisions.

(17) How to identify and track students who do not have a preexisting statewide student identifier from the State Department of Education.

(b) (1) To the extent practicable, the workgroup shall prioritize the implementation of the data system in the following order:

(A) Phase 1: K–12 and higher education.

(B) Phase 2: Workforce.

(C) Phase 3: Early care and education.

(D) Phase 4: Health and human services, and other data connections.

(2) Paragraph (1) does not preclude the workgroup from recommending an alternative implementation order, provided there is sufficient justification included in the report.

(c) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance and the Legislature on its progress in preparing the recommendations described in subdivision (a) by October 1, 2020.

(d) For purposes of this section, the workgroup shall not be required to reach a consensus as a condition of having a specified recommendation included in the report.

(e) The reports submitted to the Legislature pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

10858. (a) The partner entities shall, and the University of California is requested to, enter into memoranda of understanding for data sharing purposes, as necessary, for the implementation of this chapter.

(b) (1) By the 2020–21 academic year, the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges shall, and the University of California is requested to, identify and track currently and newly enrolled students in their respective data systems with the statewide student identifier assigned to pupils in the data system maintained by the department for each student who attended a local educational agency in California in a manner that maximizes efficiencies and limits the need for multiple memoranda of understanding.

(2) To the extent feasible, the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges shall, and the University of California is requested to, prospectively identify and track each applicant for admission in their respective data systems with the statewide student identifier assigned to pupils in the data system maintained by the department for each applicant for admission who attended a local educational agency in California in a manner that maximizes efficiencies and limits the need for multiple memoranda of understanding.

(c) For purposes of subdivision (b), the department shall collaborate with the Office of the Chancellor of the California Community Colleges, the Office of the Chancellor of the California State University, and the University of California to ensure the appropriate assignment and match of a statewide student identifier from the data system maintained by the department.

10859. The sum of ten million dollars ($10,000,000) is hereby appropriated from the General Fund in the 2019–20 fiscal year to the Office of Planning and Research on a one-time basis, available for encumbrance and expenditure through the 2021–22 fiscal year, subject to all of the following:

(a) Two million dollars ($2,000,000) for the Office of Planning and Research to contract with planning facilitators pursuant to Section 10855.

(b) Two million dollars ($2,000,000) to be allocated as follows:

(1) Five hundred thousand dollars ($500,000) to be retained by the Office of Planning and Research to lead the workgroup established pursuant to Section 10853 and perform other administrative functions to implement this chapter.

(2) (A) One million three hundred thousand dollars ($1,300,000) for the Office of Planning and Research to allocate one hundred thousand dollars ($100,000) to each of the state entities identified in paragraphs (1) to (3), inclusive, of subdivision (a) of Section 10854 for workgroup and planning activities.

(B) Upon order of the Director of Finance, the funds in subparagraph (A) shall be provided to the state entities identified in paragraphs (1) through (3), inclusive, of subdivision (a) of Section 10854.

(3) Two hundred thousand dollars ($200,000) for the Office of Planning and Research to provide one hundred thousand dollars ($100,000) to each of the entities identified in paragraphs (4) and (5) of subdivision (a) of Section 10854 for workgroup and planning activities.

(c) (1) Three hundred thousand dollars ($300,000) for the Office of Planning and Research, to be transferred as follows:

(A) Upon order of the Director of Finance, one hundred thousand dollars ($100,000) to the California Community Colleges, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.

(B) Upon order of the Director of Finance, one hundred thousand dollars ($100,000) to the California State University, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.

(C) Upon order of the Director of Finance, one hundred thousand dollars ($100,000) to the University of California, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.

(2) The funds provided in paragraph (1) shall be available to implement statewide student identifiers pursuant to Section 10858.

(d) The remaining funds shall only be released to the Office of Planning and Research with the approval of an expenditure plan by the Department of Finance and notification to the Joint Legislative Budget Committee based upon reporting from the planning facilitators pursuant to Sections 10856 and 10857.

SEC. 15. Section 14002.05 is added to the Education Code, to read:

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

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

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

SEC. 16. Section 17375 of the Education Code is amended to read:

17375. (a) (1) The Full-Day Kindergarten Facilities Grant Program is hereby established, under the administration of the State Allocation Board pursuant to the requirements of this section, to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms pursuant to Section 8973.

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

(3) For the 2018–19 fiscal year, the sum of one hundred million dollars ($100,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section.

(4) (A) For the 2019–20 fiscal year, the sum of three hundred million dollars ($300,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section. These moneys shall be available for encumbrance or expenditure by the State Allocation Board until June 30, 2022.

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

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

(iii) Savings and interest retained by a school district must be expended within one year of project completion or returned to the state as defined by associated regulations and any accompanying grant agreement.

(C) For purposes of this section and for the 2019–20 and 2020–21 fiscal years, funds appropriated in this paragraph shall be limited to schoolsites that did not offer a full-day kindergarten program as of July 1, 2019, and will use the funding to convert a part-day kindergarten program to a full-day kindergarten program. For any funds remaining after the 2020–21 fiscal year, this subparagraph shall not apply.

(5) New school facilities built pursuant to this section shall not be included in the eligibility determination used for purposes of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10).

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

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

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

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

(3) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10 and as specified in paragraph (4), a school district that applies for a grant pursuant to this section for new construction shall provide 50 percent of the cost of the project, and a school district that applies for a grant pursuant to this section for a retrofit project shall provide 40 percent of the cost of the project.

(4) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10, a school district that will convert a part-day kindergarten program to a full-day kindergarten program shall provide 25 percent of the cost of the project whether the project is for new construction or retrofit. A school district that was awarded a grant from funds appropriated pursuant to paragraph (3) of subdivision (a) and met the requirements of this paragraph shall have its grant amount adjusted from funds appropriated pursuant to paragraph (4) of subdivision (a) to reflect this local match requirement.

(5) A school district seeking a grant from moneys in the Full-Day Kindergarten Facilities Account shall provide the Office of Public School Construction with schoolsite enrollment data for the year in which its application is processed and the three immediately preceding years. The Office of Public School Construction shall use this data to verify the schoolsite's overall need for funding pursuant to this section based on the schoolsite's enrollment patterns. As part of this verification, the Office of Public School Construction, in consultation with the State Department of Education, shall determine if the schoolsite's need for funding shall be limited to retrofit projects.

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

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

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

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

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

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

(2) (A) A school district may use grant funds awarded for a retrofit project to retrofit an existing school facility to adequately house kindergarten pupils, which may only include the costs of design, engineering, testing, inspection, plan checking, construction management, demolition, construction, necessary utility costs, utility connection and other related fees, the purchase and installation of air-conditioning equipment and insulation materials and related costs, furniture and equipment, including telecommunication equipment to increase school security, fire safety improvements, playground safety improvements, the identification, assessment, or abatement of hazardous asbestos, seismic safety improvements, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

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

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

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

(i) The Office of Public School Construction shall report to the Director of Finance, and shall post on its internet website, information regarding the use of grant funds that have been made available to school districts during each fiscal year grant funds are disbursed pursuant to this section. A final report shall also be issued after projects have been audited pursuant to Section 41024 and any savings have been spent or returned to the state.

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

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

(l) For purposes of this section, kindergarten includes transitional kindergarten, as defined in Section 48000.

SEC. 17. Section 33050 of the Education Code is amended to read:

33050. (a) The governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the state board to waive all or part of any section of this code or any regulation adopted by the state board that implements a provision of this code that may be waived, except:

(1) Chapter 12.5 (commencing with Section 2574) of Part 2 of Division 1 of Title 1.

(2) Article 1 (commencing with Section 15700) and Article 2 (commencing with Section 15780) of Chapter 4 of Part 10 of Division 1 of Title 1.

(3) Chapter 6 (commencing with Section 16000) of Part 10 of Division 1 of Title 1.

(4) Chapter 12 (commencing with Section 17000), Chapter 12.5 (commencing with Section 17070.10), and Chapter 14 (commencing with Section 17085) of Part 10 of Division 1 of Title 1.

(5) Part 13 (commencing with Section 22000), Part 13.5 (commencing with Section 25900), and Part 14 (commencing with Section 26000) of Division 1 of Title 1.

(6) Section 35735.1.

(7) Paragraph (8) of subdivision (a) of Section 37220.

(8) The following provisions of Part 10.5 (commencing with Section 17210) of Division 1 of Title 1:

(A) Chapter 1 (commencing with Section 17210).

(B) Article 1 (commencing with Section 17251) to Article 6 (commencing with Section 17365), inclusive, of Chapter 3.

(C) Sections 17416 to 17429, inclusive; Sections 17459 and 17462; subdivision (a) of Section 17464; and Sections 17582 to 17590, inclusive.

(9) The following provisions of Part 24 (commencing with Section 41000) of Division 3:

(A) Sections 41000 to 41360, inclusive.

(B) Sections 41420 to 41423, inclusive.

(C) Section 41544.

(D) Sections 41600 to 41863, inclusive.

(E) Sections 41930 to 42850, inclusive.

(10) Sections 44504 and 44505.

(11) Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 of Division 3 and regulations in Title 5 of the California Code of Regulations adopted pursuant to Article 3 (commencing with Section 44930) of Chapter 4 of Part 25 of Division 3.

(12) Part 26 (commencing with Section 46000) of Division 4.

(13) The following provisions of Part 26.8 (commencing with Section 47600) of Division 4:

(A) Subdivision (i) of Section 47632.

(B) Section 47635.

(C) Section 47652.

(D) Article 6 (commencing with Section 47660) of Chapter 6.

(14) Section 48310.

(15) Section 48359.5.

(16) Chapter 6 (commencing with Section 48900) and Chapter 6.5 (commencing with Section 49060) of Part 27 of Division 4.

(17) Section 51513.

(18) Section 52163.

(19) The identification and assessment criteria relating to any categorical aid program, including Sections 52164.1 and 52164.6.

(20) Sections 52165, 52166, and 52178.

(21) Section 56364.1, except that this restriction shall not prohibit the state board from approving any waiver of Section 56364.2, relating to full inclusion.

(22) Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, relating to the California Assessment of Student Performance and Progress (CAASPP), and any other provisions of Chapter 5 (commencing with Section 60600) of Part 33 of Division 4 that establish requirements for the CAASPP.

(23) Part 38 (commencing with Section 65000) of Division 4.

(b) A request for a waiver submitted by the governing board of a school district or a county board of education pursuant to subdivision (a) shall include a written statement as to both of the following:

(1) Whether the exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, participated in the development of the waiver.

(2) The exclusive representative’s position regarding the waiver.

(c) A request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of Division 4, which is operated by a joint powers entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

(1) Each joint waiver request shall comply with all of the requirements of this article.

(2) The submission of a joint waiver request shall be approved by a unanimous vote of the governing board of the joint powers agency.

SEC. 18. Section 35147 of the Education Code is amended to read:

35147. (a) Except as specified in this section, any meeting of the councils or committees specified in subdivision (b) is exempt from the provisions of this article, the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Division 3 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code).

(b) The councils and schoolsite advisory committees established pursuant to Sections 52063, 52069, 52176, and 52852, subdivision (b) of Section 54425, Sections 54444.2, 62002.5, and 65000, and committees formed pursuant to Section 11503 are subject to this section.

(c) (1) Any meeting held by a council or committee specified in subdivision (b) shall be open to the public, and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee. Notice of the meeting shall be posted at the schoolsite, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The notice shall specify the date, time, and location of the meeting and contain an agenda describing each item of business to be discussed or acted upon. The council or committee may not take any action on any item of business unless that item appeared on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.

(2) Questions or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school district, or that can be resolved solely by the provision of information, need not be described on an agenda as items of business. If a council or committee violates the procedural

meeting requirements of this section, upon demand of any person, the council or committee shall reconsider the item at its next meeting, after allowing for public input on the item.

(d) Any materials provided to a schoolsite council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

SEC. 19. Section 37700 of the Education Code is amended to read:

37700. (a) Notwithstanding any other law, the Big Sur Unified School District, the Leggett Valley Unified School District, and the Reeds Creek Elementary School District may operate one or more schools in their respective school districts on a four-day school week, if the school district complies with the instructional time requirements specified in Section 37701 and the other requirements of this chapter.

(b) (1) A school district operating one or more schools on a four-day school week pursuant to this section shall annually, not later than June 1, submit to the department for review and approval a plan for how the school district will ensure that the minimum instructional minutes required under Section 46207 will be met in the following school year.

(2) If the school district offered less than the minimum instructional minutes required under Section 46207, the school district shall be subject to the penalties described in subdivision (b) of Section 46207 and subdivision (c) of Section 46208. Nothing in this section shall be construed to subject a school district that has met the minimum instructional minutes required under Section 46207 to those penalties.

(c) A school district with an exclusive bargaining representative may operate a school on a four-day school week pursuant to this section only if the school district and the representative of each bargaining unit of school district employees mutually agree to that operation in a memorandum of understanding.

(d) Instructional time penalties shall not be imposed pursuant to this section, as this section read on June 1, 2019, for the 2016–17 fiscal year to the 2018–19 fiscal year, inclusive, on a school district operating one or more schools on a four-day school week.

SEC. 20. Section 41202 of the Education Code is amended to read:

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

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

(b) “General Fund revenues which may be appropriated pursuant to Article XIII B,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means General Fund revenues that are the proceeds of taxes as defined by subdivision (c) of Section 8 of Article XIII B of the California Constitution, including, for the 1986–87 fiscal year only, any revenues that are determined to be in excess of the appropriations limit established pursuant to Article XIII B of the California Constitution for the fiscal year in which they are received. General Fund revenues for a fiscal year to which paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution is being applied shall include, in that computation, only General Fund revenues for that fiscal year that are the proceeds of taxes, as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, and shall not include prior fiscal year revenues. Commencing with the 1995–96 fiscal year, and each fiscal year thereafter, “General Fund revenues that are the proceeds of taxes,” as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, includes any portion of the proceeds of taxes received from the state sales tax that are transferred to the counties pursuant to, and only if, legislation is enacted during the 1995–96 fiscal year the purpose of which is to realign children’s programs. The amount of the proceeds of taxes shall be computed for any fiscal year in a manner consistent with the manner in which the amount of the proceeds of taxes was computed by the Department of Finance for purposes of the Governor’s Budget for the Budget Act of 1986 (Chapter 186 of the Statutes of 1986).

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

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

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

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

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

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

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

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

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

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

(i) For purposes of calculating the 4-percent entitlement pursuant to subdivision (a) of Section 8.5 of Article XVI of the California Constitution, “the total amount required pursuant to Section 8(b)” shall mean the General Fund aid required for schools pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, and shall not include allocated local proceeds of taxes.

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

SEC. 21. Section 41202.5 of the Education Code is amended to read:

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

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

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

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

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

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

(2) General Fund revenues appropriated in the 2010–11 fiscal year or any subsequent fiscal year for any program within Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1, with the exception of (A) funds appropriated to local educational agencies, as defined in Section 8208, for the part-day California state preschool programs set forth in Article 7 (commencing with Section 8235), (B) funds appropriated to local educational agencies, as defined in Section 8208, to create a full day of care for children participating in the California state preschool program, and (C) the After School Education and Safety Program in Article 22.5 (commencing with Section 8482), are not included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B” for purposes of paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

SEC. 22. Section 41203.1 of the Education Code is amended to read:

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

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

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

SEC. 23. Section 41207.46 is added to the Education Code, to read:

41207.46. If the Director of Finance determines that, for the 2018–19 fiscal year, the state has applied moneys for the support of school districts and community college districts in an amount that exceeds the minimum funding obligation required for the 2018–19 fiscal year pursuant to Section 8 of Article XVI of the California Constitution, the excess, up to three hundred sixty-eight million three hundred fifty-five thousand dollars ($368,355,000), shall be deemed, as of June 30, 2019, a payment in satisfaction of the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2009–10 fiscal year.

SEC. 24. Section 41404.5 is added to the Education Code, to read:

41404.5. A school district with an average daily attendance of more than 400,000 as of the 2016–17 second principal apportionment shall be exempt from any reduction in state support pursuant to Section 41404 for the 2019–20 fiscal year to the 2021–22 fiscal year, inclusive. A school district subject to this exemption shall submit the following to the Superintendent, the Department of Finance, and the budget committees of both houses of the Legislature:

(a) By September 1, 2019, a report containing the administrator-to-teacher ratio calculated pursuant to this article for the 2011–12 fiscal year to the 2019–20 fiscal year, inclusive, a description of the reasons for not meeting the ratio requirement for each fiscal year in which the ratio was not met, including the estimated impact on pupils, and a plan setting out goals for meeting the ratio by the 2023–24 fiscal year.

(b) By each September 1 from 2020 to 2022, inclusive, a report detailing the administrator-to-teacher ratio calculated pursuant to this article for the prior fiscal year and the progress towards meeting the goals set out in the report provided pursuant to subdivision (a).

SEC. 25. Section 44226 is added to the Education Code, to read:

44226. The commission may receive donations, bequests, grants, and philanthropic funding, subject to such conditions or restrictions as the executive director of the commission may deem advisable, and subject to the approval of the Director of Finance as provided in Section 11005 of the Government Code.

SEC. 26. Article 5 (commencing with Section 44690) is added to Chapter 3.1 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 5. 21st Century California School Leadership Academy

44690. (a) The Legislature finds and declares all of the following:

(1) Skilled school and school district leaders are critical for building a strong and stable workforce, and for making the important shifts in practice envisioned by the local control funding formula and the Common Core State Standards.

(2) Strong leadership is a key predictor of pupil achievement, and highly skilled leadership is critical to successful improvement efforts for local educational agencies and schools.

(3) The roles of principals and other school leaders have evolved considerably since the California School Leadership Academy was first established more than three decades ago, with a broad range of knowledge, skills, and competencies needed to successfully support success for the diverse learners served in California public schools.

(4) Focused investments in leadership development for principals and other school leaders will benefit pupils and staff at California's public schools and, ultimately, improve outcomes for pupils.

(b) The 21st Century California School Leadership Academy is hereby established.

(c) (1) The department and the California Collaborative for Educational Excellence shall establish a process, administered by the department, to organize and offer professional learning opportunities, and to select, subject to approval by the executive director of the state board, providers of high-quality professional learning for administrators and other school leaders to receive grants in a manner that ensures the availability of professional learning through the 21st Century California School Leadership Academy, free of charge, to local educational agencies that receive federal Title II funds on a statewide basis.

(2) In designing professional learning opportunities and in selecting grantees pursuant to this section, the department and the California Collaborative for Educational Excellence shall ensure that professional learning provided through the 21st Century California School Leadership Academy includes all of the following:

(A) Training and coaching for principals and other school leaders in critical areas identified by the department and the California Collaborative for Educational Excellence, in consultation with the executive director of the state board.

(B) Training mentors for novice principals and teachers.

(C) Training coaches to support leaders in high-need settings.

(D) Training for central office leaders, principals, and other school leaders, including teacher leaders, involved in school improvement efforts.

(3) Professional learning opportunities may include, but are not necessarily limited to, coaching and training around supporting effective standards-aligned instruction and other instruction that promotes critical thinking, inclusive practices, social-emotional learning, restorative practices and other alternative behavioral programs, implementing effective language acquisition programs for English learners, strategies for addressing performance gaps among pupil groups, leveraging wraparound services to support healthy development of pupils, civic engagement, building collegial environments, effectively engaging parents and guardians, and using resources provided by the department related to the California Assessment of Student Performance and Progress system established pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, such as formative or interim assessments, to improve outcomes for pupils.

(4) In designing and offering professional learning opportunities and in selecting grantees pursuant to this section, the department and the California Collaborative for Educational Excellence shall ensure that professional learning is provided through the 21st Century California School Leadership Academy in a manner that is consistent 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.

(d) Grantees eligible to be selected pursuant to this section shall be limited to local educational agencies, institutions of higher education, and nonprofit educational services providers.

(e) Priority for professional learning through this program may be given to school districts and county offices of education eligible to receive differentiated assistance pursuant to Sections 52071 and 52071.5 and schools identified for comprehensive support as described in Section 1003(e)(1)(B) of the federal Every Student Succeeds Act.

(f) (1) Grants shall be awarded for a term not to exceed three years.

(2) The department and the California Collaborative for Educational Excellence shall evaluate the professional learning opportunities offered or funded through the 21st Century California School Leadership Academy for their effectiveness. The process for selecting grantees shall ensure that grantees identify metrics to measure the effectiveness of the professional learning provided and under which the grantees will be evaluated in performing the duties specified in this section.

(3) At the conclusion of each grant term, the department and the California Collaborative for Educational Excellence may renew the selection of the grantees or reopen the selection process in a manner consistent with subdivision (c).

(4) Before renewing the selection of a grantee, the department and the California Collaborative for Educational Excellence shall evaluate the grantee's performance relative to the metrics identified pursuant to paragraph (2) and the grantee's success in fulfilling the purposes of this section.

(g) Grantees receiving funds pursuant to this section shall provide program information to, and as needed by, the department and the California Collaborative for Educational Excellence as a condition of receiving the funds.

SEC. 27. Article 14 (commencing with Section 45500) is added to Chapter 5 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 14. Classified School Employee Summer Assistance Program

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 for fewer than 11 months per fiscal year.

(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 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 summer recess period of the previous fiscal year.

(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 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, consistent with the determination made pursuant to subdivision (f).

(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 California State Teachers' Retirement System.

(o) (1) For the 2019–20 fiscal year, the program shall be funded pursuant to Section 85 of the act adding this section.

(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.

SEC. 28. Section 46392 of the Education Code is amended to read:

46392. (a) If the average daily attendance of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year because of any of the following, the fact shall be established to the satisfaction of the Superintendent by affidavits of the members of the governing board or body of the school district, county office of education, or charter school and the county superintendent of schools:

(1) Fire.

(2) Flood.

(3) Impassable roads.

(4) Epidemic.

(5) Earthquake.

(6) The imminence of a major safety hazard as determined by the local law enforcement agency.

(7) A strike involving transportation services to pupils provided by a nonschool entity.

(8) An order provided for in Section 41422.

(b) (1) In the event a state of emergency is declared by the Governor in a county, a decrease in average daily attendance in the county below the approximate total average daily attendance that would have been credited to a school district, county office of education, or charter school had the state of emergency not occurred shall be deemed material. The Superintendent shall determine the length of the period during which average daily attendance has been reduced by the state of emergency.

(2) The period determined by the Superintendent shall not extend into the next fiscal year following the declaration of the state of emergency by the Governor, except upon a showing by a school district, county office of education, or charter school, to the satisfaction of the Superintendent, that extending the period into the next fiscal year is essential to alleviate continued reductions in average daily attendance attributable to the state of emergency.

(3) Notwithstanding any other law, the Superintendent shall extend through the 2018–19 fiscal year the period during which it is essential to alleviate continued reductions in average daily attendance attributable to a state of emergency declared by the Governor in October 2017, for a school district where no less than 5 percent of the residences within the school district or school district facilities were destroyed by the qualifying emergency.

(c) The average daily attendance of the school district, county office of education, or charter school for the fiscal year shall be estimated by the Superintendent in a manner that credits to the school district, county office of education, or charter school for determining the apportionments to be made to the school district, county office of education, or charter school from the State School Fund approximately the total average daily attendance that would have been credited to the school district, county office of education, or charter school had the emergency not occurred or had the order not been issued.

(d) Notwithstanding any other law, for a school district or charter school physically located within a school district, where no less than 5 percent of the residences within the school district, or the school district’s facilities, were destroyed as a result of a state of emergency that was declared by the Governor in November 2018, all of the following shall apply:

(1) In the 2020–21 fiscal year, for school districts, the Superintendent shall calculate the difference between the school district’s certified second principal apportionment local control funding formula entitlement pursuant to Section 42238.02 in the 2020–21 fiscal year and the 2019–20 fiscal year and, if there is a difference, allocate the amount of that difference to the school district.

(2) In the 2019–20 and 2020–21 fiscal years, for charter schools, the Superintendent shall calculate the difference between the charter school’s certified second principal apportionment local control funding formula entitlement pursuant to 42238.02 in the current year and each respective prior year and, if there is a difference, allocate the amount of that difference to the charter school.

(3) For a county office of education funded pursuant to paragraph (1) of subdivision (g) of Section 2575 that has within the boundaries of the county school districts or charter schools affected pursuant to this subdivision and that has in the schools operated by the county office of education at least a 10-percent decrease in average daily attendance in the current fiscal year, in the 2019–20 and 2020–21 fiscal years, the Superintendent shall calculate the difference between the county office of education’s alternative education grant entitlement certified at the annual principal apportionment pursuant to Section 2574 in the current fiscal year and each respective prior fiscal year and, if there is a difference, allocate the amount of that difference to the county office of education.

(4) A school district may transfer funds received pursuant to paragraph (1) to the county office of education for the portion of the funds that represents pupils served by the county office of education who are funded through the school district’s local control funding formula apportionment pursuant to Section 2576.

(5) In each fiscal year, the allocations shall be made to school districts and charter schools by the Superintendent as soon as practicable after the second principal apportionment and to county offices of education as soon as practicable after the annual principal apportionment. The allocations made shall be final. The Superintendent may provide a preliminary allocation of up to 50 percent no sooner than the first principal apportionment.

(6) (A) The amounts described in this subdivision shall be continuously appropriated from the General Fund to the Superintendent for these purposes.

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

(e) This section applies to any average daily attendance that occurs during any part of a school year.

SEC. 29. Section 47604.33 of the Education Code is amended to read:

47604.33. (a) Each charter school shall annually prepare and submit the following reports to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority:

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

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

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

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

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

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

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

SEC. 30. Section 47605 of the Education Code is amended to read:

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

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

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

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

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

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school’s charter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

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

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

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

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

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

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the school district to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

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

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

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

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

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

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

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

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

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

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to Section 41020.

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

SEC. 31. Section 47605.6 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

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

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

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

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

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

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

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

(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

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

SEC. 32. Section 47606.5 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

SEC. 33. Section 47632 of the Education Code is amended to read:

47632. For purposes of this chapter, the following terms shall be defined as follows:

(a) “General-purpose entitlement” means an amount computed by the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03.

(b) “Economic impact aid-eligible pupils” means those pupils that are included in the economic impact aid-eligible pupil count pursuant to Section 54023. For purposes of applying Section 54023 to charter schools, “economically disadvantaged pupils” means the pupils described in paragraph (2) of subdivision (a) of Section 54026.

(c) “General-purpose funding” means those funds that consist of state aid, local property taxes, and other revenues applied toward a school district’s local control funding formula, pursuant to Section 42238.02, as implemented by Section 42238.03.

(d) “Categorical aid” means aid that consists of state or federally funded programs, or both, that are apportioned for specific purposes set forth in statute or regulation.

(e) “Educationally disadvantaged pupils” means those pupils who meet federal eligibility criteria for free and reduced-price meals as specified in Section 49531, as that section read on January 1, 2013, except in regard to meals in family day care homes.

(f) “Operational funding” means all funding except funding for capital outlay.

(g) “School district of a similar type” means a school district that is serving similar grade levels.

(h) “Similar pupil population” means similar numbers of pupils by grade level, with a similar proportion of educationally disadvantaged pupils.

(i) “Sponsoring local educational agency” means the following:

(1) If a charter school is granted by a school district, the sponsoring local educational agency is the school district.

(2) If a charter is granted by a county office of education after having been previously denied by a school district, the sponsoring local educational agency means the school district that initially denied the charter petition.

(3) If a charter is granted by the state board after having been previously denied by a local educational agency, the sponsoring local educational agency means the local educational agency designated by the state board pursuant to paragraph (1) of subdivision (k) of Section 47605, or if a local educational agency is not designated, the pupils’ school district of residence if the school district is a basic aid school district. For purposes of this paragraph, “basic aid school district” means a school district that did not receive an apportionment of state funds in the prior fiscal year as described in subdivision (o) of Section 42238.02.

(4) For pupils attending county-sponsored charter schools pursuant to Section 47605.5 who do not meet the criteria identified in subdivision (b) of Section 47631, the sponsoring local educational agency means the pupils’ school district of residence.

(5) For pupils attending countywide charter schools pursuant to Section 47605.6 who reside in a basic aid school district, the sponsoring local educational agency means the pupils’ school district of residence. For purposes of this paragraph, “basic aid school district” means a school district that did not receive an apportionment of state funds as described in subdivision (o) of Section 42238.02 in the prior fiscal year.

SEC. 34. Section 47635 of the Education Code is amended to read:

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

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

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

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

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

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

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

(A) Six percent in August.

(B) Twelve percent in September.

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

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

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

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

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

attendance of pupils described in this subdivision unless the amount transferred by the basic aid school district is less than the local control funding formula grant pursuant to Section 42238.02, as implemented by Section 42238.03, earned by the charter school, in which event the Superintendent shall apportion the difference to the charter school from state funds.

SEC. 35. Section 48985 of the Education Code is amended to read:

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

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

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

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

SEC. 36. Section 51222 of the Education Code is amended to read:

51222. (a) All pupils, except pupils excused or exempted pursuant to Section 51241, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays. Any pupil may be excused from physical education classes during one of grades 10, 11, or 12 for not to exceed 24 clock hours in order to participate in automobile driver training. Such pupil who is excused from physical education classes to enroll in driver training shall attend upon a minimum of 7,000 minutes of physical education instruction during such school year.

(b) The governing board of each school district that maintains a high school and that elects to exempt pupils from required attendance in physical education courses pursuant to paragraph (1) or (2) or both of subdivision (b) of Section 51241 shall offer those pupils so exempted a variety of elective physical education courses of not less than 400 minutes each 10 schooldays.

(c) (1) A complaint that a school district or county superintendent of schools has not complied with the instructional minute requirements of subdivision (a) may be filed with a school district or county superintendent of schools pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a school district or county superintendent of schools may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written appeal decision within 60 days of the department’s receipt of the appeal.

(3) If a school district or county superintendent of schools finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district or county superintendent of schools shall provide a remedy to all affected pupils, parents, and guardians.

(d) The Legislature finds and declares that neither the original provisions of this section, nor any subsequent amendments to it, were intended to create a private right of action. However, nothing in this subdivision shall restrict or expand the existing right of any party to seek relief from noncompliance with this section pursuant to a writ of mandate.

SEC. 37. Section 52064.5 of the Education Code is amended to read:

52064.5. (a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:

(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(2) To assist a county superintendent of schools, the department, or a chartering authority in identifying school districts, county offices of education, and charter schools in need of technical assistance pursuant to Section 52071, 52071.5, or 47607.3, as

applicable, and the specific priorities upon which the technical assistance should be focused.

(3) To assist the Superintendent in identifying school districts and county offices of education for which intervention pursuant to Section 52072 or 52072.5, as applicable, is warranted.

(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.

(c) As part of the evaluation rubrics, the state board shall adopt state and local indicators to measure school district and individual schoolsite performance in regard to each of the state priorities described in subdivision (d) of Section 52060. No later than January 31, 2021, local indicators shall reflect school-level data to the extent the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide.

(d) The state board may adopt alternate methods for calculating the state and local indicators described in subdivision (c) for alternative schools, as described in subdivision (d) of Section 52052, if appropriate to more fairly evaluate the performance of these schools or of a specific category of these schools. Alternate methods may include an individual pupil growth model.

(e) (1) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060. The standards shall be based on the state and local indicators specified in subdivision (c).

(2) No later than January 31, 2020, the standards for local indicators shall, at a minimum, ensure that the governing board of a school district, the county board of education, and the governing body of a charter school review any data to be publicly reported for local indicators in conjunction with adoption of the local control and accountability plan pursuant to Section 52062, 52068, or 47606.5, as applicable. No later than January 31, 2021, the standards for local indicators for which the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide shall, to the extent practicable, be based on objective criteria, which may include, but are not necessarily limited to, the extent of any disparities across schoolsites within a school district or county office of education or performance relative to statewide data.

(f) The department, in collaboration with, and subject to the approval of, the executive director of the state board, shall develop and maintain the California School Dashboard, a Web-based system for publicly reporting performance data on the state and local indicators included in the evaluation rubrics.

(g) As part of the evaluation rubrics, the state board shall adopt performance criteria for local educational agency assistance and intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5. The criteria shall be based on performance by pupil subgroups either across two or more of the state and local indicators specified in subdivision (c) or across two or more of the state priorities described in subdivision (d) of Section 52060 and subdivision (d) of Section 52066.

SEC. 38. Section 52065 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

SEC. 39. Section 52073 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) Identify existing resources, professional development activities, and other efforts currently available within its designated geographic area to assist school districts and county offices of education to improve outcomes under the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066, and upon request, share information about these existing resources.

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

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

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

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

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

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

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

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

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

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

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

SEC. 40. Section 52452 of the Education Code is amended to read:

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

(b) The staffing of the unit shall at all times be composed of an appropriate number of full-time employees, including the State Supervisor of Agricultural Career Technical Education and the Assistant State Supervisor of Agricultural Career Technical Education. The State Supervisor of Agricultural Career Technical Education shall, under the direction of the Superintendent, assume responsibility for the administration of the state program adopted under this article throughout the public school system as well as the articulation of the state program to the requirements and mandates of federally assisted career technical education. The Assistant State Supervisor of Agricultural Career Technical Education shall, under the direction of the State Supervisor of Agricultural Career Technical Education, assume responsibility for the coordination of the state program of agricultural career technical education adopted under this article and the coordination of the activities of student agricultural organizations and associations.

(c) (1) An appropriate number of employees of the department shall serve as regional program consultants in agricultural career technical education in a manner that ensures statewide coverage. Duties of a regional program consultant in agricultural career technical education include, but are not limited to, all of the following:

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

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

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

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

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

(2) Each regional program consultant shall be geographically located within the region for which the regional program consultant is assigned, and to the extent possible, geographically located in those areas most readily accessible to the school districts they assist.

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

SEC. 41. Section 53070 of the Education Code is amended to read:

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

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

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

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

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

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

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

SEC. 42. Section 53071 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) The high school graduation rate.

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

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

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

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

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

(I) A postsecondary educational institution.

(II) A state apprenticeship program.

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

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

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

(ii) Whether other metrics should be included.

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

SEC. 43. Section 53072 of the Education Code is amended to read:

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

(a) School districts.

(b) County offices of education.

(c) Charter schools.

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

SEC. 44. Section 53073 of the Education Code is amended to read:

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

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

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

SEC. 45. Section 53075 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

(D) Operate within rural school districts.

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

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

SEC. 46. Section 56122 of the Education Code is amended to read:

56122. (a) The Superintendent shall establish guidelines for the development of local plans, including a standard format for local plans, and provide assistance in the development of local plans. The purposes of the guidelines and assistance shall be to help districts and county offices benefit from the experience of other local agencies that implement programs under this part, including, but not limited to, reducing paperwork, increasing parental involvement, improving transparency, and providing effective staff development activities. To the extent possible, all forms, reports, and evaluations shall be designed to satisfy simultaneously state and federal requirements.

(b) On or before July 1, 2019, the department shall develop templates that shall be used by special education local plan areas, districts, and county superintendents of schools to meet the requirements of Sections 56195.1 and 56205.

(c) Commencing July 1, 2021, each local plan shall include an annual assurances support plan. The purpose of the annual assurances support plan is to demonstrate how the special education local plan area and its participating agencies are coordinating for purposes of assuring effective outcomes for pupils with disabilities. The department shall develop a template for the annual assurances support plan by July 1, 2020. The annual assurances support plan shall include all of the following elements:

(1) A description of how the governing board of the special education local plan area has determined that the special education local plan area will support participating agencies in achieving the goals, actions, and services identified in their local control and accountability plans.

(2) A description of how the governing board of the special education local plan area has determined that the special education local plan area will connect its participating agencies in need of technical assistance to the statewide system of support.

(3) A brief description of the services, technical assistance, and support the governing board of the special education local plan area has determined that it will provide in meeting the requirements under paragraphs (1) to (21), inclusive, of subdivision (a) of Section 56205.

SEC. 47. Section 56213 of the Education Code is repealed.

SEC. 48. Section 56213 is added to the Education Code, 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) Funded units of average daily attendance, as calculated pursuant to subdivision (a) of Section 56836.15 or clause (i) of subparagraph (B) of paragraph (3) of subdivision (b) of Section 56836.08, as applicable.

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

SEC. 49. The heading of Chapter 4.7 (commencing with Section 56475) of Part 30 of Division 4 of Title 2 of the Education Code is amended to read:

CHAPTER 4.7. Interagency Cooperation

SEC. 50. Section 56477 is added to the Education Code, to read:

56477. (a) Commencing with the 2019–20 fiscal year, the department shall jointly convene with the State Department of Developmental Services and the State Department of Health Care Services one or more workgroups that include representatives from local educational agencies, appropriate county agencies, regional centers, and legislative staff. The workgroups shall convene for the following purposes:

(1) Improving transition of three-year-old children with disabilities from regional centers to local educational agencies, to help ensure continuity of services for young children and families.

(2) Improving coordination and expansion of access to available federal funds through the Medi-Cal Billing Option Program, the School-based Medi-Cal Administrative Activities Program, and medically necessary federal Early and Periodic Screening, Diagnostic, and Treatment benefits.

(b) On or before October 1, 2020, the workgroups shall provide the chairs of the relevant policy committees and budget subcommittees of the Legislature and the Department of Finance with recommendations for all of the following:

(1) Strategies to improve the state’s performance in meeting federal deadlines for transitioning three-year-old children from individualized family service plans administered by a regional center to individualized education programs administered by a local educational agency.

(2) Best practices for regional centers and local educational agencies to ensure every three-year-old child receives an uninterrupted continuum of support services.

(3) Program requirements and support services needed for the Medi-Cal Billing Option Program, the School-based Medi-Cal Administrative Activities Program, and medically necessary federal Early and Periodic Screening, Diagnostic, and Treatment benefits to ensure ease of use and access for local educational agencies and parity of eligible services throughout the state and country.

(c) Recommendations provided pursuant to this section shall include any specific changes needed to state regulations or statute, need for approval of amendments to the state Medicaid plan or federal waivers, changes to implementation of federal regulations, changes to state agency support and oversight, and associated staffing or funding needed to implement recommendations.

SEC. 51. Section 56836.045 is added to the Education Code, immediately following Section 56836.04, to read:

56836.045. For the 2020–21 fiscal year, the Superintendent shall only make the computations described in paragraph (3) of subdivision (b) of Section 56836.08 and Section 56836.40 upon receiving a joint notification from the Director of Finance, or the director’s designee, and the chairperson and vice chairperson of the Joint Legislative Budget Committee, or their designees, that 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, that is identified in the Budget Act of 2020 makes statutory changes designed to improve the academic outcomes of individuals with exceptional needs. These statutory changes may include, but are not limited to, all of the following topics:

(a) An examination of the role of special education local plan areas in the delivery of special education services and supports for individuals with exceptional needs, including increasing accountability and incorporation into the statewide system of support.

(b) Expansion of inclusive practices to ensure that every individual with exceptional needs has access to learn in the least restrictive environment.

(c) Opportunities for local educational agencies to receive state and regional support to address disproportionality of special education identification, placement, and discipline, as applicable, and ensure equitable access to services for individuals with exceptional needs.

(d) Review of existing funding allocations for special education, including, but not limited to, computations made pursuant to Sections 56836.08 and 56836.40.

SEC. 52. 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 subparagraph (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, increased by the inflation factor for the 2019–20 fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02. 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 56836.16).

(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. 53. Section 56836.165 of the Education Code is amended to read:

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

(b) The department shall assign each facility described in paragraphs (1), (2), and (3) of subdivision (a) a severity rating. The severity ratings shall be on a scale from 1 to 14. Foster family homes and small family homes shall be assigned a severity rating of 1. Foster family agencies shall be assigned a severity rating of 2. Facilities described in paragraph (2) of subdivision (a) shall be assigned the same severity rating as its State Department of Social Services rate classification level. For facilities described in paragraph (3) of subdivision (a), skilled nursing facilities shall be assigned a severity rating of 14, intermediate care facilities shall be assigned a severity rating of 11, and community care facilities shall be assigned a severity rating of 8.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Notwithstanding subdivision (b) and paragraphs (2) and (3), for purposes of the out-of-home care funding amount for group homes, foster family homes, small family homes, and foster family agencies for the 2017–18, 2018–19, and 2019–20 fiscal years, the Superintendent shall use the data received from the State Department of Social Services that was used for the funding for the 2016–17 fiscal year.

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

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

SEC. 54. Section 56836.24 of the Education Code is amended to read:

56836.24. (a) Commencing with the 2018–19 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computations to determine the amount of funding for the purposes specified in Section 56836.23 for apportionment to each special education local plan area for the fiscal year in which the computation is made:

(1) For the 2018–19 fiscal year, the Superintendent shall make the following computations:

(A) Compute the statewide average for program specialists and regionalized services, exclusive of the amount computed 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 2012–13 fiscal year.

(B) Multiply the computed amount in subparagraph (A) by one plus the inflation factor for the 2013–14 to 2017–18 fiscal years, inclusive, computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(C) Multiply the amount computed in subparagraph (B) by one plus the inflation factor for the 2018–19 fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(D) Multiply the amount computed in subparagraph (C) by the number of units of average daily attendance upon which funding is based pursuant to subdivision (d) of Section 56836.10 for the special education local plan area.

(2) For the 2019–20 fiscal year and each fiscal year thereafter, the Superintendent shall make the following computations:

(A) Multiply the prior fiscal year statewide average amount by one plus the inflation factor for the current fiscal year computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(B) Multiply the amount computed in subparagraph (A) by the number of units of average daily attendance upon which funding is based pursuant to clause (i) of subparagraph (B) of paragraph (3) of subdivision (b) of Section 56836.08 for the special education local plan area.

(b) For the purposes of this section, a special education local plan area that only includes charter schools shall be apportioned by the Superintendent for each unit of average daily attendance reported pursuant to subdivision (a) of Section 56836.06.

SEC. 55. Article 6.5 (commencing with Section 56836.39) is added to Chapter 7.2 of Part 30 of Division 4 of Title 2 of the Education Code, to read:

Article 6.5. Special Education Early Intervention Preschool Grant

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

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

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

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

(d) In order to ensure the success of pupils with disabilities, additional resources for early intervention and preschool should be provided to school districts to support young learners with disabilities and those at risk of requiring related services.

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.

(2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of preschool children with exceptional needs for the current 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 amount 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 supplement existing special education resources currently required to be provided pursuant to federal and state law.

(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. 56. Section 64001 of the Education Code is amended to read:

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

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

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

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

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

(f) (1) A complaint that a local educational agency has not complied with the requirements of Part 36 (commencing with Section 64000), this part, or Part 38 (commencing with Section 65000) may be filed with a local educational agency pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) The department may require submission of the SPSA for any school that is the specific subject of a complaint involving any program or service subject to this part.

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 57. Section 65001 of the Education Code is amended to read:

65001. (a) Schools with a common site administration may operate a shared schoolsite council if the schoolsite has a pupil population of less than 300.

(b) Up to three schools with a combined pupil population of less than 1,000 may operate a shared schoolsite council if the schools have at least one of the following characteristics:

(1) A shared campus.

(2) Geographic proximity to one another with similar pupil populations.

(c) In the case of a shared schoolsite council, each council shall be composed of members in a manner consistent with subdivision (c) of Section 65000.

(d) (1) If the requirement in paragraph (2) is met, a school with a population of fewer than 300 pupils may operate a schoolsite council that has the representation of all of the following:

(A) One principal.

(B) One teacher, selected by the teachers.

(C) One school staff member representing the other school personnel, selected by the other school personnel.

(D) If the school is an elementary school, three parents or community members selected by parents, or if the school is a secondary school, two parents or community members selected by parents and one pupil selected by the pupils.

(2) The local governing board or body of the local educational agency shall obtain approval from its local bargaining unit, if applicable.

(e) The state board may grant a waiver of any provision of this part to a school district or county office of education. A school district governing board or county board of education, on behalf of a schoolsite council, may request that the state board grant a waiver of any provision of this part.

(f) The state board may adopt rules and regulations as necessary to implement the provisions of this part.

SEC. 58. Article 5.1 (commencing with Section 69617) is added to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 5.1. Golden State Teacher Grant Program

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) 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.

(e) (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. 59. Section 88827 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

SEC. 60. Section 88828 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

(2) Offers high-quality curriculum and instruction aligned with the California Career Technical Education Model Curriculum Standards adopted by the State Board of Education pursuant to Section 51226, including, but not limited to, providing a coherent sequence of career technical education courses that enable pupils to transition to postsecondary education or training programs that lead to a career pathway or attain employment upon graduation from high school.

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

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

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

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

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

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

(B) Data reported pursuant to this paragraph shall include, but is not limited to, metrics aligned with the core metrics required by the federal Workforce Innovation and Opportunity Act (Public Law 113-128), the College/Career Indicator included in the California School Dashboard, and the quality indicators described in the California State Plan for Career Technical Education required by the federal Strengthening Career and Technical Education for the 21st Century Act (Perkins V), and the following metrics:

(i) The high school graduation rate.

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

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

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

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

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

(II) A state apprenticeship program.

(III) Another form of job training.

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

(D) Data collected pursuant to this section shall be reported by the grant recipient to the State Department of Education and their K–14 Technical Assistance Provider by November 1 immediately following the fiscal year for which the data is being reported. The K–14 Technical Assistance Provider shall annually notify the K–12 Selection Committee in each region of any grant recipient that fails to provide the required outcome data. The K–12 Selection Committee, in consultation with the consortium, may terminate or rescind contracts and grants from grantees that fail to provide the required outcome-based data pursuant to this paragraph.

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

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

SEC. 61. Section 88830 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

(A) Existing structures, requirements, and resources of the federal Strengthening Career and Technical Education for the 21st Century Act (Perkins V) (Public Law 115-224), the partnership academies program pursuant to Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2, or the agricultural career technical education incentive program pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2.

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

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

(3) Operate within rural school districts.

SEC. 62. Section 88831 of the Education Code is amended to read:

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

(1) School districts.

(2) County offices of education.

(3) Charter schools.

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

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

SEC. 63. Section 88833 of the Education Code is amended to read:

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

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

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

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

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

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

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

(A) School districts.

(B) County offices of education.

(C) Charter schools.

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

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

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

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

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

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

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

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

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

(A) School districts.

(B) County offices of education.

(C) Charter schools.

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

(E) Community college districts.

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

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

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

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

SEC. 64. Section 6253.21 is added to the Government Code, immediately following Section 6253.2, to read:

6253.21. (a) Notwithstanding any other provision of this chapter to the contrary, information regarding family childcare providers, as defined in subdivision (a) of Section 8431 of the Education Code, is not subject to public disclosure pursuant to this chapter, except as provided in subdivision (b).

(b) Copies of names, addresses, home and work telephone numbers, personal cellular telephone numbers, and email addresses of persons described in subdivision (a) shall be made available, upon request, to provider organizations that have been determined to be a provider organization pursuant to subdivision (a) of Section 8432 of the Education Code. This information shall not be used by the receiving entity for any purpose other than for purposes of organizing, representing, and assisting family childcare providers.

(c) This section does not prohibit or limit the disclosure of information otherwise required to be disclosed by the California Child Day Care Facilities Act (Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.6 (commencing with Section 1597.30) of, or Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code).

(d) All confidentiality requirements applicable to recipients of information pursuant to Section 1596.86 of the Health and Safety Code shall apply to protect the personal information of providers of small family day care homes, as defined in Section 1596.78 of the Health and Safety Code, that is disclosed pursuant to subdivision (b).

(e) Upon written request of any family childcare provider as defined by subdivision (a) of Section 8431 of the Education Code, a public agency shall not disclose the employee's home address, home telephone number, personal cellular telephone number, email address, or birth date pursuant to subdivision (b).

SEC. 65. Section 17581.6 of the Government Code is amended to read:

17581.6. (a) Funding apportioned pursuant to this section shall constitute reimbursement pursuant to Section 6 of Article XIII B of the California Constitution for the performance of any state mandates included in the statutes and executive orders identified in subdivision (f).

(b) Any school district, county office of education, or charter school may elect to receive block grant funding pursuant to this section.

(c) (1) A school district, county office of education, or charter school that elects to receive block grant funding pursuant to this section in a given fiscal year shall submit a letter requesting funding to the Superintendent of Public Instruction on or before August 30 of that fiscal year.

(2) The Superintendent of Public Instruction shall, in the month of November of each year, apportion block grant funding appropriated pursuant to Item 6100-296-0001 of Section 2.00 of the annual Budget Act to all school districts, county offices of education, and charter schools that submitted letters requesting funding in that fiscal year according to the provisions of that item.

(3) A school district or county office of education that receives block grant funding pursuant to this section shall not be eligible to submit claims to the Controller for reimbursement pursuant to Section 17560 for any costs of any state mandates included in the statutes and executive orders identified in subdivision (f) incurred in the same fiscal year during which the school district or county office of education received funding pursuant to this section.

(d) Commencing with the 2017–18 fiscal year, the per unit average daily attendance funding rates specified in the provisions of Item 6100-296-0001 of the annual Budget Act shall be adjusted annually by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(e) Block grant funding apportioned pursuant to this section is subject to annual financial and compliance audits required by Section 41020 of the Education Code.

(f) Block grant funding apportioned pursuant to this section is specifically intended to fund the costs of the following programs and activities:

(1) Academic Performance Index (01-TC-22; Chapter 3 of the Statutes of 1999, First Extraordinary Session; and Chapter 695 of the Statutes of 2000).

(2) Agency Fee Arrangements (00-TC-17 and 01-TC-14; Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes of 2001).

(3) AIDS Instruction and AIDS Prevention Instruction (CSM 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of 1991; and Chapter 403 of the Statutes of 1998).

(4) Cal Grant: Opt-Out Notice and Grade Point Average Submission (16-TC-02; Chapter 679 of the Statutes of 2014 and Chapter 82 of the Statutes of 2016).

(5) California Assessment of Student Performance and Progress (CAASPP) (14-TC-01 and 14-TC-04; Chapter 489 of the Statutes of 2013; and Chapter 32 of the Statutes of 2014).

(6) California State Teachers' Retirement System (CalSTRS) Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994; Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838 of the Statutes of 1997; Chapter 965 of the Statutes of 1998; Chapter 939 of the Statutes of 1999; and Chapter 1021 of the Statutes of 2000).

(7) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes of 1994).

(8) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998; and Chapter 78 of the Statutes of 1999).

(9) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes of 2002).

(10) Child Abuse and Neglect Reporting (01-TC-21; Chapters 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters 133 and 754 of the Statutes of 2001).

(11) Collective Bargaining (CSM 4425; Chapter 961 of the Statutes of 1975).

(12) Comprehensive School Safety Plans (98-TC-01 and 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of the Statutes of 1999; and Chapter 828 of the Statutes of 2003).

(13) Consolidation of Annual Parent Notification/Schoolsite Discipline Rules/Alternative Schools (CSM 4488, CSM 4461, 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469 of the Statutes of 1981; Chapter 459 of the Statutes of 1985; Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988; Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997; Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the Statutes of 1999, First Extraordinary Session; Chapter 73 of the Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

(14) Consolidation of Law Enforcement Agency Notification and Missing Children Reports (CSM 4505; Chapter 1117 of the Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of 1986; and Chapter 832 of the Statutes of 1999).

(15) Consolidation of Notification to Teachers: Pupils Subject to Suspension or Expulsion I and II, and Pupil Discipline Records (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

(16) Consolidated Suspensions, Expulsions, and Expulsion Appeals (96-358-03, 03A, 98-TC-22, 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of 1996; Chapter 637 of the Statutes of 1997; Chapter 489 of the Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001) (CSM 4455; Chapter 1253 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498 of the Statutes of 1983; Chapter 622 of the Statutes of 1984; Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256, and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes of 1994) (CSM 4456; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987) (CSM 4463; Chapter 1253 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

(17) County Office of Education Fiscal Accountability Reporting (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of 1995).

(18) Criminal Background Checks (97-TC-16; Chapters 588 and 589 of the Statutes of 1997).

(19) Criminal Background Checks II (00-TC-05; Chapters 594 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of 1999).

(20) Developer Fees (02-TC-42; Chapter 955 of the Statutes of 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983; Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter 1228 of the Statutes of 1994).

(21) Differential Pay and Reemployment (99-TC-02; Chapter 30 of the Statutes of 1998).

(22) Expulsion of Pupil: Transcript Cost for Appeals (SMAS; Chapter 1253 of the Statutes of 1975).

(23) Financial and Compliance Audits (CSM 4498 and CSM 4498-A; Chapter 36 of the Statutes of 1977).

(24) Graduation Requirements (CSM 4181; Chapter 498 of the Statutes of 1983).

(25) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter 1184 of the Statutes of 1975).

(26) Immunization Records (SB 90-120; Chapter 1176 of the Statutes of 1977).

(27) Immunization Records—Mumps, Rubella, and Hepatitis B (98-TC-05; 14-MR-04; Chapter 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979; Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995; Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882 of the Statutes of 1997; and Chapter 434 of the Statutes of 2010).

(28) Immunization Records—Pertussis (11-TC-02; Chapter 434 of the Statutes of 2010).

(29) Interdistrict Attendance Permits (CSM 4442; Chapters 172 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the Statutes of 1992).

(30) Intradistrict Attendance (CSM 4454; Chapters 161 and 915 of the Statutes of 1993).

(31) Juvenile Court Notices II (CSM 4475; Chapters 1011 and 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994; and Chapter 71 of the Statutes of 1995).

(32) Notification of Truancy (CSM 4133; Chapter 498 of the Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter 19 of the Statutes of 1995).

(33) Parental Involvement Programs (03-TC-16; Chapter 1400 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of 1998; and Chapter 1037 of the Statutes of 2002).

(34) Physical Performance Tests (96-365-01; Chapter 975 of the Statutes of 1995).

(35) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the Statutes of 1978).

(36) Public Contracts (02-TC-35; Chapter 1073 of the Statutes of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992; and Chapter 726 of the Statutes of 1994).

(37) Pupil Health Screenings (CSM 4440; Chapter 1208 of the Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter 750 of the Statutes of 1992).

(38) Pupil Promotion and Retention (98-TC-19; Chapter 100 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982; Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes of 1990; and Chapters 742 and 743 of the Statutes of 1998).

(39) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332 of the Statutes of 1986; Chapter 445 of the Statutes of 1992; Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

(40) Race to the Top (10-TC-06; Chapters 2 and 3 of the Statutes of 2009).

(41) School Accountability Report Cards (97-TC-21, 00-TC-09, 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997; Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

(42) School District Fiscal Accountability Reporting (97-TC-19; Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of 1995).

(43) School District Reorganization (98-TC-24; Chapter 1192 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

(44) Student Records (02-TC-34; Chapter 593 of the Statutes of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the Statutes of 1998; and Chapter 67 of the Statutes of 2000).

(45) The Stull Act (98-TC-25; Chapter 498 of the Statutes of 1983; and Chapter 4 of the Statutes of 1999).

(46) Threats Against Peace Officers (CSM 96-365-02; Chapter 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of 1995).

(47) Training for School Employee Mandated Reporters (14-TC-02; Chapter 797 of the Statutes of 2014).

(48) Uniform Complaint Procedures (03-TC-02; Chapter 1117 of the Statutes of 1982; Chapter 1514 of the Statutes of 1988; and Chapter 914 of the Statutes of 1998).

(49) Williams Case Implementation I, II, and III (05-TC-04, 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

(g) Notwithstanding Section 10231.5, on or before November 1 of each fiscal year, the Superintendent of Public Instruction shall produce a report that indicates the total amount of block grant funding each school district, county office of education, and charter school received in that fiscal year pursuant to this section. The Superintendent of Public Instruction shall provide this report to the appropriate fiscal and policy committees of the Legislature, the Controller, the Department of Finance, and the Legislative Analyst's Office.

SEC. 66. Section 1596.86 of the Health and Safety Code is amended to read:

1596.86. (a) The director shall annually publish and make available to interested persons a list or lists covering all licensed child day care facilities, other than small family day care homes, and the services for which each facility has been licensed or issued a special permit. The lists shall also specify the licensed capacity of the facility and whether it is licensed by the department or by another public agency.

(b) To encourage the recruitment of small family day care homes and protect their personal privacy, the department shall prevent the use of lists containing names, addresses and other identifying information of facilities identified as small family day care homes, except as necessary for administering the licensing program, facilitating the placement of children in these facilities, and providing the names and addresses to resource and referral agencies funded by the State Department of Education, food and nutrition programs funded by the State Department of Education, alternative payment programs funded by the State Department of Education, county programs under the Greater Avenues for Independence Act of 1985 (Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code), family day care organizations, provider organizations that have been determined to be provider organizations pursuant to subdivision (a) of Section 8432 of the Education Code, or specialized health care service plans licensed under the Knox-Keene Health Care Service Plan Act of 1975, as contained in Chapter 2.2 (commencing with Section 1340), which provide employee assistance program services that include childcare referral services. Upon request, parents seeking local day care services may receive the names and telephone numbers of local small family day care providers.

(c) The department, in consultation with the Child Development Division of the State Department of Education, shall adopt regulations relating to the confidentiality of information provided pursuant to subdivision (b) on small family day care homes. These regulations shall include procedures for updating lists or other information on small family day care providers to ensure referral only to licensed homes in good standing with the department. Any person or entity violating the regulations under this subdivision may be denied access by the department to information on small family day care homes and shall be reported by the department to the appropriate funding or licensing department.

SEC. 67. Chapter 3 (commencing with Section 5886) is added to Part 4 of Division 5 of the Welfare and Institutions Code, to read:

CHAPTER 3. Mental Health Student Services Act

5886. (a) The Mental Health Student Services Act is hereby established as a mental health partnership competitive grant program for the purpose of establishing mental health partnerships between a county's mental health or behavioral health departments and school districts, charter schools, and the county office of education within the county.

(b) The Mental Health Services Oversight and Accountability Commission shall award grants to county mental health or behavioral health departments to fund partnerships between educational and county mental health entities.

(1) County, city, or multicounty mental health or behavioral health departments, or a consortium of those entities, including multicounty partnerships, may, in partnership with one or more school districts and at least one of the following educational

entities located within the county, apply for a grant to fund activities of the partnership:

(A) The county office of education.

(B) A charter school.

(2) An educational entity may be designated as the lead agency at the request of the county, city, or multicounty department, or consortium, and authorized to submit the application. The county, city, or multicounty department, or consortium, shall be the grantee and receive any grant funds awarded pursuant to this section even if an educational entity is designated as the lead agency and submits the application pursuant to this paragraph.

(c) The commission shall establish criteria for the grant program, including the allocation of grant funds pursuant to this section, and shall require that applicants comply with, at a minimum, all of the following requirements:

(1) That all school districts, charter schools, and the county office of education have been invited to participate in the partnership, to the extent possible.

(2) That applicants include with their application a plan developed and approved in collaboration with participating educational entity partners and that include a letter of intent, a memorandum of understanding, or other evidence of support or approval by the governing boards of all partners.

(3) That plans address all of the following goals:

(A) Preventing mental illnesses from becoming severe and disabling.

(B) Improving timely access to services for underserved populations.

(C) Providing outreach to families, employers, primary care health care providers, and others to recognize the early signs of potentially severe and disabling mental illnesses.

(D) Reducing the stigma associated with the diagnosis of a mental illness or seeking mental health services.

(E) Reducing discrimination against people with mental illness.

(F) Preventing negative outcomes in the targeted population, including, but not limited to:

(i) Suicide and attempted suicide.

(ii) Incarceration.

(iii) School failure or dropout.

(iv) Unemployment.

(v) Prolonged suffering.

(vi) Homelessness.

(vii) Removal of children from their homes.

(viii) Involuntary mental health detentions.

(4) That the plan includes a description of the following:

(A) The need for mental health services for children and youth, including campus-based mental health services, as well as potential gaps in local service connections.

(B) The proposed use of funds, which shall include, at a minimum, that funds will be used to provide personnel or peer support.

(C) How the funds will be used to facilitate linkage and access to ongoing and sustained services, including, but not limited to, objectives and anticipated outcomes.

(D) The partnership's ability to do all of the following:

(i) Obtain federal Medicaid or other reimbursement, including Early and Periodic Screening, Diagnostic, and Treatment funds, when applicable, or to leverage other funds, when feasible.

(ii) Collect information on the health insurance carrier for each child or youth, with the permission of the child or youth's parent, to allow the partnership to seek reimbursement for mental health services provided to children and youth, where applicable.

(iii) Engage a health care service plan or a health insurer in the mental health partnership, when applicable, and to the extent mutually agreed to by the partnership and the plan or insurer.

(iv) Administer an effective service program and the degree to which mental health providers and educational entities will support and collaborate to accomplish the goals of the effort.

(v) Connect children and youth to a source of ongoing mental health services, including, but not limited to, through Medi-Cal, specialty mental health plans, county mental health programs, or private health coverage.

(vi) Continue to provide services and activities under this program after grant funding has been expended.

(d) Grants awarded pursuant to this section shall be used to provide support services that include, at a minimum, all of the following:

(1) Services provided on school campuses, to the extent practicable.

(2) Suicide prevention services.

(3) Drop-out prevention services.

(4) Outreach to high-risk youth and young adults, including, but not limited to, foster youth, youth who identify as lesbian, gay, bisexual, transgender, or queer, and youth who have been expelled or suspended from school.

(5) Placement assistance and development of a service plan that can be sustained over time for students in need of ongoing services.

(e) Funding may also be used to provide other prevention, early intervention, and direct services, including, but not limited to, hiring qualified mental health personnel, professional development for school staff on trauma-informed and evidence-based mental health practices, and other strategies that respond to the mental health needs of children and youth, as determined by the commission.

(f) The commission shall determine the amount of grants and shall take into consideration the level of need and the number of schoolage youth in participating educational entities when determining grant amounts.

(g) The commission may establish incentives to provide matching funds by awarding additional grant funds to partnerships that do so.

(h) Partnerships currently receiving grants from the Investment in Mental Health Wellness Act of 2013 (Part 3.8 (commencing with Section 5848.5)) are eligible to receive a grant under this section for the expansion of services funded by that grant or for the inclusion of additional educational entity partners within the mental health partnership.

(i) Grants awarded pursuant to this section may be used to supplement, but not supplant, existing financial and resource commitments of the county, city, or multi-county mental health or behavioral health departments, or a consortium of those entities, or educational entities that receive a grant.

(j) (1) The commission shall develop metrics and a system to measure and publicly report on the performance outcomes of services provided using the grants.

(2) (A) The commission shall provide a status report to the fiscal and policy committees of the Legislature on the progress of implementation of this section no later than March 1, 2022. The report shall address, at a minimum, all of the following:

(i) Successful strategies.

(ii) Identified needs for additional services.

(iii) Lessons learned.

(iv) Numbers of, and demographic information for, the schoolage children and youth served.

(v) Available data on outcomes, including, but not limited to, linkages to ongoing services and success in meeting the goals identified in paragraph (3) of subdivision (c).

(B) A report to be submitted pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(k) This section does not require the use of funds included in the minimum funding obligation under Section 8 of Article XVI of the California Constitution for the partnerships established by this section.

(l) The commission may enter into exclusive or nonexclusive contracts, or amend existing contracts, on a bid or negotiated basis in order to implement this section. Contracts entered into or amended pursuant to this subdivision are exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(m) This section shall be implemented only to the extent moneys are appropriated in the annual Budget Act or another statute for purposes of this section.

SEC. 68. (a) The Legislature finds and declares all of the following:

(1) Chapter 760 of the Statutes of 2017 (Assembly Bill 1360 of the 2017–18 Regular Session) became effective on January 1, 2018. The intent of the Legislature in enacting that bill was, in part, to ensure “equal access to interested pupils at charter schools and prohibit practices that discourage enrollment or disproportionately push out segments of already enrolled pupils” and that “charter school discipline policies are fair and transparent.”

(2) The California Longitudinal Pupil Achievement Data System (CALPADS), authorized pursuant to Chapter 10 (commencing with Section 60900) of Part 33 of Division 4 of Title 2 of the Education Code, contains pupil enrollment data that may provide important insight into pupil mobility and whether there are trends in enrollment patterns at individual schools or types of schools.

(3) There are opportunities to use existing data to help policymakers address disparities in opportunities and improve outcomes for all pupils and assess whether policies and programs are achieving their intended purpose.

(b) The State Department of Education shall study the feasibility of both of the following:

(1) Analyzing pupil enrollment patterns at charter schools based on pupil enrollment data from CALPADS to identify pupils who were enrolled at a charter school in the fall but were no longer enrolled at the charter school in the spring.

(2) Matching assessment results and graduation rates for pupils described in paragraph (1) and comparing the results to those who remain enrolled at the charter school.

(c) In completing the study required pursuant to subdivision (b), the State Department of Education shall address any resource or technical barriers to completing the tasks described in subdivision (b) and shall develop recommendations for overcoming any barriers and additional recommendations, as deemed appropriate by the State Department of Education, on any of the following issues:

(1) The enrollment data elements within CALPADS that should be used.

(2) The grade levels that should be analyzed.

(3) The potential to address any data limitations that may be caused by small sample sizes.

(4) The potential to use statistically reliable sampling methods.

(5) Any potential limitations on conclusions that may be drawn given the underlying data.

(d) By November 1, 2019, the State Department of Education shall submit a report summarizing the findings of the feasibility study conducted and any recommendations developed pursuant to this section to the relevant policy and fiscal committees of the Legislature, the Director of Finance, and the Legislative Analyst’s Office.

SEC. 69. Notwithstanding any other law, the Paradise Unified School District may request the Fiscal Crisis and Management Assistance Team to conduct an evaluation of the need for additional funding and statutory changes for the 2021–22 fiscal year as a result of the state of emergency declared by the Governor in November 2018 and provide recommendations to the Department of Finance, the Legislature, and the Superintendent of Public Instruction by October 30, 2020.

SEC. 70. (a) A basic aid school district that experiences a decrease in local property tax revenues as a result of the state of emergency declared by the Governor in November 2018 shall be reimbursed from the General Fund for losses experienced in the 2018–19 and 2019–20 fiscal years. The amounts of the reimbursements shall be submitted to the Department of Finance by the respective county auditor-controllers of the affected counties not later than November 30 of each respective fiscal year. The funds needed for reimbursement shall be allocated by the Controller to the affected school districts according to a schedule provided by the Department of Finance not later than January 30 of each respective fiscal year.

(b) For purposes of this section, the term “basic aid school district” means a school district that did not receive from the state, for the 2018–19 fiscal year as of the first principal apportionment, an apportionment of state funds as described in subdivision (o) of Section 42238.02 of the Education Code.

SEC. 71. For purposes of the 2019–20 and 2020–21 school years, the population density requirements in Section 8484.65 of the Education Code shall be waived for those local educational agencies in the County of Butte that were directly impacted by the Camp Fire.

SEC. 72. For the 2018–19 school year, to the extent a pupil was enrolled in a school in the County of Butte on October 3, 2018, the 2018–19 California Longitudinal Pupil Achievement Data System (CALPADS) Census Day, and the pupil was made homeless because of the Camp Fire, the pupil may be counted as an unduplicated pupil based on categorical eligibility for the National School Lunch Program for purposes of funding through the local control funding formula pursuant to Sections 2574 and 42238.02 of the Education Code, provided that a homeless program record is submitted in CALPADS before January 28, 2019, or through an audit finding or auditor’s letter of concurrence consistent with the procedures established pursuant to Section 42238.02 of the Education Code.

SEC. 73. (a) The Breakfast After the Bell Program is hereby established and shall be administered by the State Department of Education. Funding for the program is provided in Item 6100-488 of the Budget Act of 2019.

(b) The objective of the program is to increase the reach and efficiency of school breakfast programs in order to impart related health and academic benefits to pupils, particularly socioeconomically disadvantaged pupils.

(c) The department shall award grants under the program to local educational agencies for programs at schoolsites within the jurisdiction of the local educational agencies.

(d) (1) In awarding grants, the department shall give first priority to local educational agencies that will use the funds to start up or expand a breakfast after the bell program at a schoolsite at which at least 60 percent of enrolled pupils are needy children.

(2) In awarding grants, the department shall give consideration to local educational agencies that meet some or all of the following criteria:

(A) The local educational agency will start up or expand a breakfast after the bell program at a schoolsite at which less than 20 percent of pupils who are needy children were served by a school breakfast program in the school year before applying for grant funds.

(B) Upon starting up or expanding a breakfast after the bell program at a schoolsite with a grant award, the local educational agency agrees to operate that program for a period of at least three years.

(C) In applying for the grant award, the local educational agency demonstrates preparedness to implement a breakfast after the bell program.

(e) A grant awarded under this section may be used for any costs associated with the startup or expansion of a breakfast after the bell program in accordance with allowable uses of the schoolsite’s cafeteria fund.

(f) Participation in the program shall not prohibit a schoolsite from also making breakfast available to pupils before the schoolday begins for a majority of pupils enrolled at the schoolsite.

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

(1) “Breakfast after the bell program” means a schoolsite providing a nutritionally adequate breakfast that is available to pupils after the schoolday has begun for a majority of pupils enrolled at the schoolsite and allowing pupils to consume that breakfast after the schoolday has begun for a majority of pupils enrolled at the schoolsite.

(2) “Cafeteria fund” means the nonprofit school food service account, as defined in Section 210.2 of Title 7 of the Code of Federal Regulations.

(3) “Department” means the State Department of Education.

(4) “Local educational agency” means a school district, charter school, or county office of education.

(5) “Nutritionally adequate breakfast” has the same meaning as described in subdivision (a) of Section 49553 of the Education Code.

SEC. 74. With respect to Section 19 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances facing the Big Sur Unified School District, the Leggett Valley Unified School District, and the Reeds Creek Elementary School District.

SEC. 75. With respect to Section 24 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances facing the Los Angeles Unified School District.

SEC. 76. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 77. (a) The sum of ten million dollars ($10,000,000) is hereby appropriated from the General Fund to the Controller for allocation to the State Department of Education, the State Department of Social Services, the Department of Human Resources, and the Public Employment Relations Board for costs associated with the implementation of Article 19.5 (commencing with Section 8430) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code.

(b) The State Department of Education, the State Department of Social Services, the Department of Human Resources, and the Public Employment Relations Board shall submit expenditure plans for costs associated with the implementation of Article 19.5 (commencing with Section 8430) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code to the Department of Finance for approval. Thirty days before providing any schedule to the Controller for the allocation of funds pursuant to subdivision (a), the Director of Finance, or the director’s designee, shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson’s designee, of the Department of Finance’s approval of an expenditure plan and intent to provide a schedule for the allocation of funds to the Controller.

(c) Funds allocated to the State Department of Education and the State Department of Social Services pursuant to subdivision (b) may be used for the planning, development, and implementation of processes and data systems that will allow for the ongoing production of family childcare provider lists pursuant to subdivisions (b) to (i), inclusive, of Section 8432 of the Education Code, with the goal of facilitating the election of a certified provider organization.

SEC. 78. (a) Consistent with the intent expressed in subdivision (c) of Section 76 of Chapter 15 of the Statutes of 2017, the sum of two million dollars ($2,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the Southern California Regional Occupational Center for instructional and operating costs in the 2019–20 fiscal year. It is the intent of the Legislature that this allocation assist the Southern California Regional Occupational Center to transition to a fully fee-supported funding model.

(b) As a condition of receiving funding appropriated pursuant to subdivision (a), the Southern California Regional Occupational Center shall submit an updated operational plan to the Department of Finance and the Legislative Analyst’s Office on or before September 1, 2019.

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

SEC. 79. (a) For the 2019–20 fiscal year, the sum of three hundred fifty thousand dollars ($350,000) is hereby appropriated from the General Fund to the State Department of Education to support the alignment and integration of the online platforms supporting the California School Dashboard, the Local Control and Accountability Plan Electronic Template System, and the School Accountability Report Card. In performing this work, every effort shall be made to maximize the consistency of school-level data reported through the School Accountability Report Card with the state priorities described in subdivision (d) of Section 52060 of the Education Code and included in California’s accountability system and reported through the California School Dashboard.

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

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

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

SEC. 80. (a) There is hereby appropriated from the General Fund to the State Department of Education the following amounts for the maintenance and support of the California School Dashboard and the School Accountability Report Card:

(1) For the 2019–20 fiscal year, one hundred seventy-eight thousand dollars ($178,000).

(2) Commencing with the 2020–21 fiscal year, and each fiscal year thereafter, the sum of one hundred fifty-four thousand dollars ($154,000).

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

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

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

SEC. 81. (a) On or before June 30, 2020, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2019.

(b) The funds appropriated in subdivision (a) shall only be available to the extent that revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code are less than the estimated amount reflected in the Budget Act of 2019, as determined by the Director of Finance.

(c) On or before June 30, 2020, the Director of Finance shall determine if the revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code exceed the estimated amount reflected in the Budget Act of 2019 and shall reduce Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2019 by the amount of that excess.

(d) In making the determinations pursuant to subdivisions (b) and (c), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2019.

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

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

SEC. 82. (a) For the 2019–20 fiscal year, the sum of three million nine thousand dollars ($3,009,000) is hereby appropriated from the General Fund to the State Department of Education for the purposes set forth in subdivision (c).

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

(c) The State Department of Education shall allocate the funds appropriated pursuant to subdivisions (a) and (b) to the Kern County superintendent of schools for the County Office Fiscal Crisis and Management Assistance Team for the Standardized

Account Code Structure system replacement project.

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

SEC. 83. (a) The sum of seven million five hundred thousand dollars ($7,500,000) is hereby appropriated from the General Fund to the Controller for allocation to the State Department of Education for the Broadband Infrastructure Grant Program to improve broadband connectivity at California local educational agencies and improve digital learning opportunities for pupils. Notwithstanding Section 16304 of the Government Code, this funding shall be available for encumbrance until June 30, 2024.

(b) (1) The State Department of Education shall contract with the Corporation for Education Network Initiatives in California to identify external broadband connectivity solutions that provide fiber broadband connectivity to the most poorly connected schoolsites to allow digital learning opportunities for pupils.

(2) Broadband connectivity solutions identified by the Corporation for Education Network Initiatives in California shall be approved by the executive director of the State Board of Education and the Department of Finance.

(c) Upon approval of identified solutions pursuant to paragraph (2) of subdivision (b), the State Department of Education shall release the necessary funding to the Corporation for Education Network Initiatives in California to implement the approved broadband connectivity solutions.

(d) (1) Of the funds appropriated in subdivision (a), up to one hundred thousand dollars ($100,000) shall be available annually for the State Department of Education to administer the Broadband Infrastructure Grant Program.

(2) Of the funds appropriated in subdivision (a), up to one million dollars ($1,000,000) shall be available annually for administrative costs for the Corporation for Education Network Initiatives in California to identify and implement broadband infrastructure solutions pursuant to this section.

(e) The Corporation for Education Network Initiatives in California may collaborate with the K–12 High-Speed Network established pursuant to Section 11800 of the Education Code, as needed, to meet the requirements of this section.

(f) All broadband connectivity solutions identified by the Corporation for Education Network Initiatives in California pursuant to this section shall maximize federal E-rate subsidies and California Teleconnect Fund subsidies.

(g) Any federal E-rate subsidies and California Teleconnect Fund subsidies received by the Corporation for Education Network Initiatives in California as a result of broadband connectivity solutions pursuant to this section shall be used for additional broadband connectivity solutions pursuant to subdivision (b).

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.

(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 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. 85. (a) The sum of thirty-six million dollars ($36,000,000) is hereby appropriated from the General Fund to the Controller for allocation by the State Department of Education for the Classified School Employee Summer Assistance Program established pursuant to Section 45500 of the Education Code. Moneys appropriated pursuant to this section shall be available for expenditure and encumbrance through the 2021–22 fiscal year.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2009–10 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2009–10 fiscal year.

SEC. 86. For the 2019–20 fiscal year, the sum of four million dollars ($4,000,000) is hereby appropriated from the General Fund to the State Department of Education. The Superintendent of Public Instruction shall allocate these funds to the Special Olympics of Northern and Southern California for the purposes of supporting the Unified Champion Schools Program, the Healthy Athletes Program, and the Community Sports Program. This funding shall be available for the 2019–20, 2020–21, and 2021–22 fiscal years.

SEC. 87. The sum of four million dollars ($4,000,000) appropriated for allocation to the San Francisco Unified School District pursuant to Section 150 of Chapter 32 of the Statutes of 2018 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 88. The sum of two million dollars ($2,000,000) appropriated for allocation to the Sweetwater Union High School District pursuant to Section 151 of Chapter 32 of the Statutes of 2018 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 89. The sum of one million seven hundred thousand dollars ($1,700,000) appropriated for allocation pursuant to Section 216 of the Education Code, as provided in Section 130 of Chapter 32 of the Statutes of 2018, shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 90. The Legislature finds and declares that Section 64 of this act, which adds Section 6253.21 to the Government Code, imposes a limitation on the public’s right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

This act balances the right of the public to access writings and meetings of public agencies while protecting the privacy of providers.

SEC. 91. 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.