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AB-181 Education finance: education omnibus budget trailer bill. (2021-2022)

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Assembly Bill No. 181

CHAPTER 52

An act to amend Sections 313.3, 1630, 2574, 2575.2, 8281.5, 8901, 8902, 14002, 14041, 17375, 35780, 39807.5, 41203.1, 41480, 41490, 41544, 41590, 42238.02, 42238.025, 42238.05, 42238.051, 42280, 42282, 42284, 42287, 44259.1, 44395, 44415.5, 44418, 44690, 45500, 46120, 46392, 47606.5, 47654, 47655, 48205, 48850, 48853.5, 49069.5, 49421.5, 51225.2, 51745, 51745.5, 51746, 51747, 51747.5, 51749.5, 51749.6, 52063, 52064, 52065, 52066, 52069, 52073.2, 56122, 56402, 56836.07, 56836.144, 56836.146, 56836.148, 60900, 60900.5, and 69617 of, to amend and repeal Section 42238.052 of, to add Sections 2575.3, 2575.4, 39800.1, 41850.1, 41204.7, 42162, 42163, 42238.023, 44415.6, 44415.7, 48000.1, 51225.31, 51475, 51744, 52064.3, and 52073.3 to, to add Article 8.5 (commencing with Section 41585) to Chapter 3.2 of Part 24 of Division 3 of Title 2 of, to add Chapter 16.1 (commencing with Section 53020) to Part 28 of Division 4 of Title 2 of, to repeal Sections 41851, 41851.2, 41851.5, 41851.7, 41852, 41853, 41854, 41855, 41856, and 42286 of, to repeal Article 10.5 (commencing with Section 41860) of Chapter 5 of Part 24 of Division 3 of Title 2 of, to repeal Article 4.7 (commencing with Section 42300) of Chapter 7 of Part 24 of Division 3 of Title 2 of, and to repeal and add Section 41851.12 of, the Education Code, to amend Sections 7901, 7906, and 20309 of the Government Code, to amend Section 13265 of the Welfare and Institutions Code, to amend Sections 113 and 119 of Chapter 24 of the Statutes of 2020, to amend Sections 123, 138, and 147 of Chapter 44 of the Statutes of 2021, and to amend Sections 47 and 52 of Chapter 252 of the Statutes of 2021, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 30, 2022. Filed with Secretary of State June 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 181, Committee on Budget. Education finance: education omnibus budget trailer bill.

(1) Existing law requires the State Department of Education to develop, on or before December 31, 2022, a standardized English language teacher observation protocol for use by teachers in evaluating a pupil's English language proficiency.

This bill would extend the date for the development of that protocol by one year to December 31, 2023.

(2) Existing law places various requirements on county superintendents of schools and the Superintendent of Public Instruction in reviewing and determining whether a county office of education's adopted budget will allow the county office of education to meet its financial obligations during the fiscal year and, based on current forecasts, for 2 subsequent fiscal years, as provided, and, if certain determinations are made, requires the Superintendent to take certain actions, as necessary, to enable the county office of education to meet its financial obligations. Existing law requires a county office of education to pay reasonable fees charged by

the Superintendent for administrative expenses incurred for undertaking the required actions or for costs associated with improving the county office of education's financial management practices.

This bill would require the county office of education to instead pay 75% of fees charged by the Superintendent for those administrative expenses or costs, and would require the other 25% to be covered by the Superintendent.

(3) 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 the Superintendent to annually calculate a county local control funding formula for each county superintendent of schools that includes a county office of education operations grant that includes, among other things, \$109,320 per school district under the county office of education's jurisdiction, and \$70 per unit of countywide average daily attendance up to 30,000 units, \$60 per unit for 30,001 to 60,000 units, \$50 per unit for 60,001 to 140,000 units, and \$40 per unit above 140,000 units. Existing law adjusts these amounts for inflation in each fiscal year, as specified.

This bill, commencing with the 2022–23 fiscal year, would add \$175,000 to the per-school district amount, and \$14 to each unit amount, as those amounts are adjusted for inflation.

(4) Existing law requires the Superintendent to add specified amounts to a county superintendent of school's local control funding formula allocation, dependent upon the number and size of school districts under its jurisdiction that are determined to be in need of differentiated assistance. Existing law excludes a county superintendent of schools in a county where the county board of education serves as the governing board of any school district under its jurisdiction from that funding, as provided.

This bill instead would include those county superintendents of schools in that funding. The bill would require the Superintendent to also add \$100,000 per charter school determined to be in need of differentiated assistance to each county superintendent of school's local control funding formula allocation, as specified, and would require additional specified adjustments to the allocation formula.

(5) Existing law establishes the California Prekindergarten Planning and Implementation Grant Program as a state early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at local educational agencies, defined as school districts, county offices of education, and charter schools. Existing law appropriates \$300,000,000 from the General Fund to the State Department of Education for allocation to local educational agencies for grants for the 2021–22 fiscal year. Existing law requires the Superintendent to allocate \$200,000,000 of that amount to local educational agencies as base grants, enrollment grants, and supplemental grants for specified purposes. Existing law requires local educational agencies that receive grants to provide specified data to the department.

This bill would require the department to initiate collection proceedings for certain grant funds that are unexpended by local educational agencies by June 30, 2026, and for grant funds that are used by local educational agencies in a manner inconsistent with the program or that fail to provide required data. For the 2022–23 fiscal year, the bill would appropriate \$300,000,000 from the General Fund to the department for allocation to local educational agencies for purposes of the program, as specified.

(6) Existing law establishes the California Community Schools Partnership Act and appropriates specified moneys from the General Fund to the Superintendent of Public Instruction to administer the California Community Schools Partnership Program to award grants, including implementation and coordination grants, on a competitive basis to qualifying entities, as defined, to support the establishment of new, and for the expansion or continuation of existing, community schools at local educational agencies, as provided, and to contract with local educational agencies to create a network of at least 5 regional technical assistance centers to provide support and assistance to local educational agencies and community schools. Existing law requires the Superintendent to prioritize grant funding to qualifying entities who meet specified criteria. Existing law appropriates \$2,836,660,000 for purposes of the act, and makes those moneys available for expenditure or encumbrance until June 30, 2028.

This bill would revise provisions of the act to, among other things, extend the expenditure and encumbrance period of the above-described appropriation by 3 years, thereby making an appropriation, make changes to the definition of qualifying entity, remove the authority to issue coordination grants and instead authorize extensions of implementation grants to local educational agency implementation grantees, revise priority criteria, and revise program evaluation requirements. The bill would require up to \$140,000,000 of those appropriated moneys to be allocated to county offices of education serving at least 2 qualifying entities receiving grant funding pursuant to the act to coordinate county-level governmental, nonprofit community-based organizations, and other external partnerships to support community school implementation at grant recipients in their county, including by designating a county-level community schools liaison, as provided. By expanding the purposes for which appropriated moneys may be used, the bill would make an appropriation. The bill would additionally appropriate \$1,132,554,000 from the General Fund in the 2022–23 fiscal year to the Superintendent for implementation grants and grant extensions, to be allocated beginning with the 2023–24 fiscal year, as provided.

(7) Existing law continuously appropriates from the General Fund to Section A of the State School Fund for allocation by the Controller any amount necessary to meet the requirements of specified programs during each fiscal year upon certification by the Superintendent of those amounts. Existing law requires the Controller to provide in each warrant a portion of the total amount certified by the Superintendent as apportioned for specified programs during the fiscal year 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 of that county, and to the county school tuition fund of that county.

The bill would include among these programs a specified transportation allowance, which would constitute an appropriation.

(8) Existing law establishes the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program, under the administration of the State Allocation Board, to provide one-time grants to school districts or county offices of education to construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms, as specified. Existing law appropriates \$490,000,000 for one-time grants for the 2021–22 fiscal year.

This bill would make community college districts eligible to receive grants for preschool facilities under the program if the community college district operates a preschool program on behalf of, or in lieu of, a school district or county office of education. By expanding the purposes for which those appropriated funds may be used, the bill would make an appropriation. The bill would require applicants seeking a preschool facilities grant under the program to hold title to the real property where the facilities will be located. The bill would appropriate an additional \$100,000,000 from the General Fund in the 2021–22 fiscal year to the State Allocation Board for one-time grants under the program for the 2022–23 fiscal year, as specified.

(9) Existing law requires a school district that has been organized for more than 3 years to be lapsed, as defined, under certain conditions related to the number of registered electors or average daily attendance of pupils in the school district. Existing law authorizes a county board of education to defer the lapsation of a school district for one year under certain conditions and prohibits a county board of education from making more than 3 deferments for any school district.

This bill instead would not limit the number of these deferments made for a school district by a county board of education.

(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 2021–22 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2022–23 fiscal year.

(11) The Classroom Instructional Improvement and Accountability Act, an initiative approved by the voters as Proposition 98 at the November 8, 1988, statewide general election, amended the California Constitution to, among other things, set 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 based on one of 3 tests in any given fiscal year, the first of which is based on the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87.

This bill, commencing with the 2022–23 fiscal year, would require the Director of Finance to annually adjust the above percentage so that any annual increase in local control funding formula apportionments generated by an increase in average daily attendance due to the implementation of certain provisions relating to transitional kindergarten result in a commensurate increase in General Fund proceeds of taxes and allocated local proceeds of taxes that are required to be applied by the state for the support of school districts and community college districts.

(12) Existing law establishes the Educator Effectiveness Block Grant, appropriates \$1,500,000,000 to the Superintendent of Public Instruction for purposes of the block grant, and requires the Superintendent to apportion those funds to school districts, county offices of education, charter schools, and the state special schools to provide professional learning for teachers, administrators, paraprofessionals who work with pupils, and classified staff that interact with pupils, as provided.

This bill would authorize those grant funds to also be used for, among other things, coursework that would allow existing staff to become credentialed or fully credentialed for their assignment, costs reasonably related to providing and attending professional learning, and strategies to improve beginning teacher retention and support through teacher induction programs. By expanding the purposes for which those appropriated funds may be used, the bill would make an appropriation. The bill would extend the deadline for developing an expenditure plan and for certain reporting requirements related to the block grant.

(13) Existing law appropriates \$50,000,000 from the General Fund to the Superintendent to apportion to the Orange County Department of Education to award no less than \$30,000,000 as grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multi-tiered Systems of Support framework. Existing law requires the grants to be awarded on or before December 15, 2021.

This bill would require any funds not awarded on or before December 15, 2021, to be available for the Orange County Department of Education, in consultation with the Superintendent and the executive director of the state board, to award as grants to local educational agencies on or before December 15, 2022, thereby making an appropriation.

(14) Existing law, until January 1, 2027, authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires each middle college high school to be structured as a broad-based, comprehensive instructional program focusing on college preparatory and school-to-work curricula, among other things. Under existing law, pupils in early college high schools begin taking college courses as soon as they demonstrate readiness and the college credit earned may be applied toward completing an associate or bachelor's degree, transfer to a 4-year university, or obtaining a skills certificate.

This bill would appropriate \$200,000,000 from the General Fund to the State Department of Education for the department, in consultation with the office of the Chancellor of the California Community Colleges, by January 1, 2023, to administer a competitive grant program to, among other things, enable local educational agencies to establish opportunities for pupils to obtain college credits while enrolled in high school and provide dual enrollment opportunities, as provided. The bill would authorize local educational agencies to apply for one-time grants of up to \$250,000 to support the costs to plan for, and start up, a middle college or early college high school that is located on the campus of a local educational agency, a partnering community college, or other location determined by the local partnership, as provided. The bill would authorize local educational agencies to also apply for one-time grants of up to \$100,000 to establish a CCAP partnership, as provided.

(15) Under existing law, when the governing board of a school district provides for the transportation of pupils to and from schools, or between the regular full-time day schools they would attend and the regular full-time occupational training classes, the governing board of the school district may require the parents and guardians of all or some of the pupils transported to pay a portion of the cost of this transportation, as specified. Existing law requires the governing board to exempt from these charges pupils of parents and guardians who are indigent, as provided.

This bill instead would, when a local educational agency provides for the transportation of pupils to and from schools, or between the regular full-time day schools they would attend and the regular full-time occupational training classes, authorize the governing board to require the parents and guardians of all or some of the pupils transported to pay a portion of the cost of this transportation, as specified. The bill instead would require the governing board to exempt from these charges pupils of parents and guardians who are unduplicated pupils, as provided.

(16) Existing law provides certain allowances for home-to-school transportation, and requires that each school district or county office of education receive the same home-to-school transportation allowance received in the prior fiscal year. Existing law precludes that home-to-school transportation allowance from exceeding the prior year's approved home-to-school transportation costs of a school district or county office of education, increased by an amount provided in the annual Budget Act.

This bill would revise and recast these provisions. The bill would, among other things, commencing with the 2022–23 fiscal year, require a transportation allowance equal to 60% of the home-to-school transportation expenditures reported by the school district or county superintendent of schools as determined by its Function 3600 entry in the Standardized Account Code Structure report for the prior year, excluding capital outlay and nonagency expenditures, and reduced by the amount of a school district's or county superintendent of schools' transportation add-on under the local control funding formula, as adjusted.

The bill would, as a condition of receiving these apportionments, require a local educational agency to develop a plan describing the transportation services it will offer to its pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income, among other requirements related to this plan.

(17) Existing law makes a school district eligible to receive a supplemental apportionment for transportation if certain conditions are met. Existing law also authorizes certain school districts and county offices of education to apply to the State Department of Education for a one-time-only apportionment for the purchase of transportation equipment.

The bill would repeal both of those provisions.

(18) Existing law requires the Oakland Unified School District, for the 2018–19 fiscal year, in collaboration with and with the concurrence of the Alameda County Superintendent of Schools and the County Office Fiscal Crisis and Management Assistance Team, to take certain actions by March 1, 2019, regarding its financial plans and school district construction plans, as specified. Existing law requires the Inglewood Unified School District, for the 2018–19 fiscal year, to take certain actions to improve the school district's fiscal solvency.

This bill would require the Oakland Unified School District, in collaboration with and with the concurrence of the Alameda County Superintendent of Schools and the County Office Fiscal Crisis and Management Assistance Team, to take certain actions by April 1, 2023, regarding its financial plans and school district construction plans, as specified, and to undergo an on-time annual independent audit. The bill would provide that the Budget Act of 2023 shall include certain appropriations for the Oakland Unified School District, as provided. The bill would make the disbursement of moneys from those appropriations contingent upon the completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency, as provided.

This bill would require the Inglewood Unified School District to take certain actions by April 1, 2023, including meeting the requirements for qualified or positive certification, completing a comprehensive operational review, and undergoing an on-time annual independent audit, as provided. The bill would provide that, beginning with the 2022–23 fiscal year, the Budget Act shall include certain appropriations for the school district, as specified. The bill would make the disbursement of moneys from those appropriations contingent upon the completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency, as provided.

Because the bill would impose additional duties on local agencies, this bill would impose a state-mandated local program.

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

(19) 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 that are based on the percentage of unduplicated pupils, as specified, served by the school district or charter school. Existing law requires the local control funding formula to include, in addition to a grade span-adjusted base grant, a 10.4% adjustment to the kindergarten and grades 1 to 3, inclusive, base grant for school districts that maintain an average class enrollment of not more than 24 pupils for those grades unless a collective bargained alternative is agreed to by the school district.

This bill would, for the 2022–23 fiscal year, require the Superintendent to increase the base grants for transitional kindergarten and grades 1 to 12, inclusive, by an additional 6.28% as specified. The bill would, commencing with the 2022–23 fiscal year, require the Superintendent to compute an additional add-on of \$2,813 for transitional kindergarten, as specified, require the add-on to be annually adjusted for inflation commencing with the 2023–24 fiscal year, as specified. Notwithstanding the authorization to collectively bargain an alternative average class enrollment for transitional kindergarten, the bill would instead require a school district to maintain an average transitional kindergarten class enrollment of not more than 24 pupils.

Existing law requires funding pursuant to the local control funding formula to also include funds received for specified pupil transportation programs, as provided.

This bill would, commencing in the 2023–24 fiscal year, require funds received for these specified pupil transportation programs to receive an annual cost-of-living adjustment, as provided.

(20) Existing law includes average daily attendance as a component of the calculation under the local control funding formula. Existing law requires a school district's average daily attendance to include the 2nd principal apportionment regular average daily attendance for the current fiscal year, or the prior fiscal year if the prior year average daily attendance is greater, as specified. Existing law requires the average daily attendance for charter schools to be the total current year average daily attendance in the corresponding grade level ranges for the charter school.

This bill would instead, for the 2021–22 fiscal year for school districts, county offices of education, and charter schools that meet specified requirements relating to independent study, require the Superintendent to calculate an attendance yield for the 2019–20 and 2021–22 fiscal years, as specified, and to adjust the 2021–22 fiscal year average daily attendance for purposes of apportionments under the local control funding formula for these local educational agencies, as provided. The bill also would revise the calculation of a school district's average daily attendance, as specified.

(21) Existing law provides for the funding of necessary small schools and high schools, as specified. Existing law requires, among other things, that funding to include various specified amounts per pupil and teacher for different tiers of numbers of pupils and teachers.

This bill, commencing with the 2022–23 fiscal year, would revise the funding for necessary small schools and high schools, as provided, including, among other things, by increasing the various amounts per pupil and per teacher, as specified. The bill would extend certain necessary small school funding provisions to school districts where a school eligible for funding pursuant to those necessary small school funding provisions was destroyed as a result of a state of emergency that was declared by the Governor in August 2021, as provided.

(22) Existing law authorizes a regionally accredited institution of higher education to offer a 4-year or 5-year integrated program of professional preparation that allows a student to earn a baccalaureate degree and a preliminary multiple or single subject

teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, including student teaching requirements, concurrently and within 4 or 5 years of study. Existing law requires integrated programs offered by the California State University be designed to concurrently lead to a preliminary multiple subject or single subject teaching credential, or an education specialist instruction credential authorizing the holder to teach special education, and a baccalaureate degree.

This bill would additionally authorize the California State University to meet the above-described requirement if the integrated program is designed to concurrently lead to an early childhood education specialist credential and a baccalaureate degree, and would additionally authorize a regionally accredited institution of higher education to offer a 4-year or 5-year integrated program of professional preparation that allows a student to earn a baccalaureate degree and a early childhood education specialist credential concurrently within 4 or 5 years of study.

Existing law, contingent upon appropriation of funds in the annual Budget Act or another statute, requires the Commission on Teacher Credentialing to develop and implement a program to award grants of up to \$250,000 each to regionally accredited institutions of higher education for the development of transition plans to guide the creation of 4-year integrated programs of professional preparation, as provided.

This bill would revise and recast that program to instead require the commission to award planning grants of up to \$250,000 each to regionally accredited institutions of higher education to develop plans for the creation of integrated programs of professional preparation that lead to more credentialed teachers with an emphasis on identified shortage fields, as provided. The bill would require the commission to award implementation or expansion grants of up to \$500,000 each for regionally accredited institutions of higher education to develop new programs of professional preparation or to establish a new partnership with a California community college, as provided. The bill would make these grant programs contingent upon appropriation of funds in the annual Budget Act or another statute.

(23) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program to award grants to teachers who, among other things, have attained certification from the National Board for Professional Teaching Standards. Existing law requires grants to be disbursed in two parts, as provided.

This bill would require grants to instead be disbursed from the State Department of Education to the National Board for Professional Teaching Standards, as provided, and require unused funds to be applied to future candidates.

(24) Existing law establishes the Teacher Residency Grant Program and appropriates funds from the General Fund to the Commission on Teacher Credentialing to make one-time grants to develop new, or expand, strengthen, or improve access to existing, teacher residency programs that support, among other things, a list of designated shortage fields.

This bill would revise the program by, among other things, adding school counselor to the list of shortage fields and authorizing the residency programs to support candidates seeking a PK-3 early childhood education specialist credential, as provided. By expanding the purposes for which appropriated money may be used, the bill would make an appropriation. The bill would also appropriate \$184,000,000 from the General Fund to the commission to augment the Teacher Residency Grant Program to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors, as provided.

This bill would appropriate \$20,000,000 from the General Fund to the commission to select a local educational agency to serve as a statewide technical assistance center to support teacher residency programs, as provided.

(25) Existing law establishes 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 local educational agencies, as provided. Existing law requires grantees to identify metrics to measure the effectiveness of professional learning and requires the State Department of Education and the California Collaborative for Educational Excellence to evaluate the professional learning opportunities offered or funded through the 21st Century California School Leadership Academy for their effectiveness.

This bill instead would require the department and the collaborative to establish criteria and measures to assess the performance of the grantees, as provided, and would authorize the collaborative to enter into contracts to assist with program evaluation.

(26) Existing law establishes the Expanded Learning Opportunities Program and requires the Superintendent of Public Instruction to allocate certain amounts to school districts and certain charter schools that have a prior fiscal year unduplicated pupil percentage of 80% or more, and allocate the remainder of funds on a per unit basis of the school district or charter school's prior year reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance attributable to unduplicated pupils, as specified. Existing law requires, commencing with the 2022–23 school year, as a condition of receipt of the first category of funds, school district and charter schools to offer access to programs that meet certain conditions, including minimum

day and hour requirements, to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and to provide access to any pupil whose parent or guardian requests their placement in a program.

This bill, commencing with the 2022–23 school year, would require the Superintendent to instead allocate a different specified amount to all school districts and charter schools, and for the 2022–23 school year, as a condition of receipt of those funds, would instead require schools districts and charter schools to offer access to programs to all unduplicated pupils and to provide access to programs to at least 50% of enrolled unduplicated pupils. The bill, commencing with the 2023–24 school year, would require, as a condition of receipt of those funds, school districts and charter schools that have a prior fiscal year unduplicated pupil percentage of 75% or more to offer access to programs to all pupils and to provide access to programs to any pupil whose parent or guardian requests their placement in a program, and school districts and charter schools that have a prior fiscal year unduplicated pupil percentage of 75% or less to offer access to programs to at least all unduplicated pupils and to provide access to any unduplicated pupil whose parent or guardian requests their placement in a program. The bill, commencing with the 2023–24 school year, would require the Superintendent to withhold certain amounts from a school district or charter school's apportionment if it does not offer or provide eligible pupils with access to programs or if the programs do not meet specified day or hour requirements. The bill would revise and recast other program requirements.

(27) The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools. Existing law authorizes a charter school that established a schoolsite outside the boundaries of the chartering authority before January 1, 2020, or that established a resource center, meeting space, or other satellite facility outside the boundaries of the school district in which the charter school is located before January 1, 2020, to continue to operate that site if the charter school satisfies specified requirements, in which case existing law requires the State Department of Education to regard the charter school as a continuing charter school. Existing law defines an acquiring charter school as a state charter school site deemed a continuing charter school that has wholly combined with one or more other affected state charter school sites, as provided. Under existing law, on July 1, 2023, a charter school meeting the definition of an acquiring charter school is no longer regarded as a continuing charter school, as provided.

This bill would extend by 2 years until July 1, 2025, the date at which a charter school meeting the definition of an acquiring charter school would no longer be regarded as a continuing charter school, as provided, and would make conforming changes to extend related provisions.

(28) Existing law requires school districts and charter schools, as a condition of receiving funds for pupils in a transitional kindergarten program, to maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite and to maintain specified adult to pupil ratios, as provided, and to ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, at least one of 3 specified requirements relating to early childhood education units and a child development teacher permits.

This bill would, among other things, commencing with the 2022–23 school year, require the Superintendent to withhold from the school district's or charter school's apportionment of funds pursuant the local control funding formula, as specified, if a school district or charter school fails to comply with those requirements.

(29) Existing law, notwithstanding the requirement that each person between 6 and 18 years of age who is not otherwise exempted is subject to compulsory full-time education, requires a pupil to be excused from school for specified types of absences, including, among others, if the absence was for the benefit of the pupil's mental or behavioral health. Existing law requires the State Board of Education to update its illness verification regulations, as necessary, to account for including a pupil's absence for the benefit of the pupil's mental or behavioral health within the scope of this provision.

This bill would delete the above-described requirement on the state board.

(30) Existing law provides specified education-related rights and supports for foster children, alternately known as pupils in foster care. Existing law defines a foster child for these purposes to include, among other categories, (A) a child who is under the jurisdiction of a juvenile court, has been removed from their home by the juvenile court, and is in foster care, as specified, and (B) a nonminor under the transition jurisdiction of the juvenile court who meets certain criteria.

This bill would change, for the purposes of those provisions specifying education-related rights and supports, those 2 categories of covered foster children to instead include a child who has been removed from their home pursuant to the temporary custody provisions of the juvenile dependency law and a child who is the subject of a juvenile wardship or dependency petition, whether or not the child has been removed from their home. By imposing additional duties on local educational agencies related to certain foster children, the bill would impose a state-mandated local program.

(31) Existing law requires a pupil to complete designated coursework while in grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school.

This bill would require a local educational agency to exempt an individual with exceptional needs who satisfies specified eligibility criteria from all coursework and other requirements adopted by the governing board or governing body of the local educational agency that are additional to the above-described coursework requirements and to award the pupil a diploma of graduation from high school, as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(32) Existing law establishes the State Seal of Civic Engagement to recognize pupils who have demonstrated excellence in civics education and participation and have demonstrated an understanding of the United States Constitution, the California Constitution, and the democratic system of government, as provided. Under existing law, by executive order, CaliforniaVolunteers is established in the office of the Governor and is charged with overseeing programs and initiatives for service and volunteerism.

This bill would establish the California Serves Program under the administration of the State Department of Education, in collaboration with CaliforniaVolunteers, for purposes of promoting access to effective service learning for pupils in grade 12 who are enrolled at participating local educational agencies. The bill would require the department, in partnership with CaliforniaVolunteers, to review available evidence on ways to incorporate effective service learning for pupils in grades 9 to 12, inclusive, develop model uniform metrics for the measurement of pupil progress, provide recommendations to the Legislature on, and post on the department's and CaliforniaVolunteers' internet websites information related to, evidence-based strategies to expand access to high-quality service learning programs, as provided. Commencing with the 2022–23 fiscal year, the bill would appropriate \$5,000,000 from the General Fund, each fiscal year, to the department to award grants of up to \$500,000 annually to local educational agencies in which at least 55% of enrolled pupils are unduplicated pupils, as defined, to be used for paid planning time and professional development for school and local educational agency administrators and classroom teachers, the purchase of instructional materials, and participation and personnel costs, as provided.

(33) Existing law authorizes a school district, charter school, or county office of education to provide an independent study program for, and independent study courses to, pupils enrolled in kindergarten and grades 1 to 12, inclusive, in accordance with prescribed conditions. Existing law prohibits a local educational agency from being eligible to receive apportionments for independent study by pupils unless the local educational agency has adopted and implemented written policies, including a requirement that a current written agreement with specified content for each independent study pupil is maintained on file, and authorizes a local educational agency to claim apportionment credit for independent study only to the extent of the time value of pupil work products. Existing law prohibits an individual with exceptional needs, as defined, from participating in independent study unless the pupil's individualized education program specifically provides for that participation.

This bill would make various changes to these provisions, including requiring the certificated employee designated as having responsibility for the special education programming of the pupil to sign the written agreement, as specified, and authorizing local educational agencies to claim apportionment credit for independent study for the combined time value of pupil work product and pupil participation in synchronous instruction, as provided. Upon a parent or guardian of an individual with exceptional needs requesting independent study, as provided, the bill would require the pupil's individualized education program team to make an individualized determination as to whether the pupil can receive a free appropriate public education in an independent study placement, as provided. To the extent that these individualized determinations impose new requirements on local educational agencies, the bill would impose a state-mandated local program.

(34) Existing law requires the governing board of a school district and the county superintendent of schools to establish parent advisory committees to provide advice to certain persons and entities regarding school accountability, as specified. Existing law requires a parent advisory committee to include parents or legal guardians of certain pupils, including pupils who are eligible for free or reduced-price meals, pupils who are foster youth, and pupils of limited English proficiency.

This bill would revise requirements regarding the composition of those parent advisory committees to, among other things, require the inclusion of parents or legal guardians of pupils with disabilities currently enrolled in those schools. To the extent this requirement imposes additional duties on local educational agencies, the bill would impose a state-mandated local program.

(35) Existing law State Board of Education to adopt a template for use by school districts, county superintendents of schools, and charter schools for a local control and accountability plan and an annual update to the local control and accountability plan. Existing law also authorizes the state board to require the inclusion of additional information in the template in order to meet requirements of federal law.

This bill would require the state board to, on or before January 31, 2025, adopt an IDEA Addendum relating to improvements in services for individuals with exceptional needs, as specified. The bill would require certain school districts, charter schools, and county offices of education identified by the State Department of Education, as provided, to complete the IDEA Addendum and to undertake certain activities related to the addendum. To the extent that these provisions impose additional duties on these local educational agencies than required by federal law, the bill would impose a state-mandated local program.

(36) Existing law requires a county superintendent of schools to annually prepare a summary of how the county superintendent plans to support school districts and schools within the county in implementing certain provisions related to school accountability and to present the summary to the county board of education at a specified public meeting.

This bill would require this summary to include one or more goals relating to providing support to school districts in developing and implementing the special education addendum, as provided.

(37) Existing law establishes the California Collaborative for Educational Excellence to advise and assist school districts, county superintendents of schools, and charter schools in achieving their local control and accountability plan goals. Existing law requires the State Department of Education and the collaborative to establish a process, administered by the department, to select, subject to approval by the executive director of the state board in consultation with the Department of Finance, special education local plan areas or consortia of special education local plan areas to serve as special education resource leads to work with the lead agencies and other county offices of education to improve pupil outcomes as part of the statewide system of support. Existing law requires at least 3 resource leads to be selected in a manner to ensure statewide representation and focus directly on building special education local plan area capacity, as specified.

The bill would authorize county offices of education or consortia of county offices of education to be eligible for selection to serve as special education resource leads under the above-described process. The bill would require at least 3 resource leads to instead be selected in a manner to ensure statewide representation and focus directly on building local and regional capacity. Commencing with the grant cycle beginning July 1, 2023, the bill would require at least one resource lead to be selected to support the development and implementation of high-quality individualized education programs and at least one resource lead to be selected to, in partnership with a family support organization or coalition of family support organizations, provide capacity building, training, and technical assistance on family support for families of pupils with disabilities, and conflict prevention and alternate dispute resolution in special education.

(38) Existing law establishes the Community Engagement Initiative and requires the California Collaborative for Educational Excellence and a selected lead agency to convene professional learning networks for purposes of improving local pupil outcomes and community engagement, as specified.

This bill would establish the Community Engagement Initiative Expansion and would, for the 2022–23 fiscal year, appropriate \$100,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to the collaborative to expand and strengthen the Community Engagement Initiative, as provided. The bill would require the department and the collaborative, with approval from the executive director of the state board, to select an expert community engagement lead agency to coadminister the expansion with the collaborative, as provided.

(39) Existing law establishes the California Career Pathways Trust as a state education and economic and workforce development initiative with the goal of preparing pupils in kindergarten and grades 1 to 12, inclusive, to successfully transition to postsecondary education and training and to employment in high-skill, high-wage, and high-growth or emerging sectors of the state's economy.

This bill would establish the Golden State Pathways Program to promote pathways in high-wage, high-skill, high-growth areas, including technology, health care, education, and climate-related fields that, among other things, allow pupils to advance seamlessly from high school to college and career and provide the workforce needed for economic growth. The bill would appropriate \$500,000,000 from the General Fund to the department to competitively award grant funds to school districts, charter schools, county offices of education, or regional occupational centers or programs operated by a joint powers authority or county office of education. The bill would also authorize community college districts to partner with local educational agencies to submit applications to receive funding to support the offering of a Golden State Pathways Program. The bill would require grant applicants to, among other things, commit to providing high school pupils with various academic and career development opportunities, as provided. The bill would condition grant eligibility on certain funding commitments, alignment with the priorities and activities of the grantee's local control and accountability plan, and data collection, as provided. The bill would authorize the Superintendent to award up to 10% of the total grant funds as consortium development and planning grants and no less than 85% of the total grant funds as implementation grants, as provided. The bill would authorize the department to use up to 5% of the total appropriation to contract with up to 10 local educational agencies for the provision of technical assistance to local educational agencies, applicants, and grant recipients, as provided.

(40) Existing law requires a school district to submit to the Superintendent 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, 2023, each local plan to include an annual assurances support plan, as provided. Existing law requires the State Department of Education to develop a template for the annual assurances support plan by July 1, 2022.

This bill would extend the date for the department to develop a template for the annual assurances support plan by 4 years to July 1, 2026. The bill would extend the date for each local plan to include an annual assurances support plan by 4 years to July 1, 2027.

(41) Existing law, commencing with the 2020–21 fiscal year, requires the Superintendent, to the extent there is an appropriation of federal funds or a General Fund appropriation in the annual Budget Act for purposes of educationally related mental health services or mental health-related services, respectively, to allocate funds to a special education local plan area per unit of average daily attendance reported for the 2019–20 fiscal year.

This bill, commencing with the 2023–24 fiscal year, would require, to the extent there is one of the above-described appropriations, the Superintendent to instead allocate funds per unit of average daily attendance, as specified, reported for a local educational agency for the prior or current fiscal year, respectively, as of the second principal apportionment.

(42) Existing law, commencing with the 2020–21 fiscal year, requires the Superintendent to calculate allocations to special education local plan areas based on the reported average daily attendance, as specified. Existing law, for the 2021–22 fiscal year, requires the Superintendent to calculate the amount of funding per unit of average daily attendance for each special education local plan area as either \$715 per unit of average daily attendance, as adjusted annually by a specified inflation factor, or the amount of funding per unit of average daily attendance the special education local plan area received in the 2020–21 fiscal year, as adjusted annually by a specified inflation factor, whichever is greater.

This bill, commencing with the 2022–23 school year, would require the Superintendent to instead calculate special education funding allocations based on the average daily attendance of each local educational agency and charter school that is a local educational agency for purposes of special education, as specified. The bill, for the 2022–23 fiscal year, would increase the amount of funding per unit of average daily attendance for each special education local plan area to be either \$820 per unit of average daily attendance, as adjusted annually by a specified inflation factor, or the amount of funding per unit of average daily attendance the special education local plan area received in the 2021–22 fiscal year, as adjusted annually by a specified inflation factor, whichever is greater, and would require the Superintendent to instead calculate special education funding allocations based on the average daily attendance of each local educational agency and charter school that is a local educational agency for purposes of special education accountability, as specified. Also commencing with the 2022–23 fiscal year, the bill would require each special education local plan area to report to their member local educational agencies the amount of funding each local educational agency generates for the special education local plan area, as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would revise various other special education funding calculations and would make related clarifying and conforming changes.

(43) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission to award grants to students enrolled in professional preparation programs leading to a preliminary teaching credential who commit to teach in a high-need field at a priority school for 4 years, as provided. Existing law defines “high-need field” to include, among others, subjects that are based on an analysis of the availability of teachers in California, as provided. Existing law makes funds appropriated for the program in the Budget Acts of 2020 and 2021 available for encumbrance or expenditure by the commission until June 30, 2026.

This bill would remove the grant condition of teaching in a high-need field and would expand grant eligibility to students enrolled, or who have applied for enrollment, in professional preparation programs leading to a preliminary teaching credential or a pupil personnel service credential who instead commit to work at a priority school for 4 years within 8 years of the date the student completes the professional preparation program, as provided. By expanding who is eligible to receive a grant under the program, which is funded by an existing appropriation, the bill would make an appropriation. The bill would require the commission to develop a process for interested students to request a preenrollment conditional award notice from the commission, as specified. The bill also would make conforming, clarifying, and other revisions to the operation of the program.

(44) The California Constitution prohibits the total annual appropriations subject to limitation of the state and each local government from exceeding the appropriations limit of the entity of government for the prior year, as adjusted. Existing law defines “proceeds of taxes” for those purposes and requires each school district to report to the Superintendent and to the Director of Finance, at least annually, the amount of its state aid apportionments and subventions included within the proceeds of taxes of the school district, among other things. The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to require a school district that receives funds under the act to agree to establish a restricted account within the school district’s general fund for the exclusive purpose of providing moneys for ongoing and major maintenance of school buildings, as provided.

This bill, for the 2021–22 fiscal year, and each year thereafter, would exclude funds deposited into a restricted account described above by a local jurisdiction, as defined, from the definition of “proceeds of taxes.” The bill would require a local jurisdiction that deposited money into a restricted account in the 2021–22 fiscal year to revise the above-described annual report. The bill would authorize the Director of Finance to direct the Superintendent to make necessary adjustments to the revised report, retroactive to

the 2 fiscal years before making the adjustments, and to direct the Superintendent to notify the local jurisdiction of the adjustments made.

(45) Existing law authorizes a member of the Public Employees' Retirement System (PERS) who is subsequently employed to perform service subject to coverage by the Defined Benefit Program of the State Teachers' Retirement Plan to elect to retain coverage by PERS for that subsequent service. Existing law prescribes requirements for the exercise of this election, including that the election be submitted in writing, as specified, within 60 days after the member's date of hire to perform the service.

This bill, until January 1, 2024, would authorize a member of PERS who provides emergency teaching services pursuant to a specified executive order to elect to retain coverage under the provisions described above, notwithstanding the failure to meet specified administrative requirements.

(46) Existing law, subject to an appropriation of funds for this purpose in the annual Budget Act, requires the State Department of Social Services to administer the California Newcomer Education and Well-Being Program to provide services for refugees, unaccompanied undocumented minors, and immigrant families, as those terms are defined, by allocating funding to school districts, as specified.

This bill would require the State Department of Social Services to administer this program in collaboration with the State Department of Education, and to expand the provision of those services to newcomer pupils and English learners, as defined. The bill would expand the program to include county offices of education in the allocation of funding.

(47) Existing law establishes the Early Literacy Support Block Grant and appropriates \$50,000,000 for its purposes. Existing law authorizes the State Department of Education to establish conditions for the grant and otherwise administer the grant as necessary to advance the purposes of the grant, and authorizes the department to use \$3,000,000 of the \$50,000,000 appropriated to offset its costs in administering the grant.

This bill would appropriate \$2,960,000 from the General Fund to the Superintendent to offset the department's costs associated with the Early Literacy Support Block Grant and would delete the department's authority to use the \$3,000,000 described above for that same purpose.

(48) Existing law establishes the California Dyslexia Initiative and requires the State Department of Education and the California Collaborative for Educational Excellence, with approval from the executive director of the State Board of Education, to designate an applicant county office of education to administer the initiative, as provided. Existing law requires the designated county office of education to encumber or expend certain funds appropriated for these purposes by June 30, 2023.

The bill would extend the date for the designated county office of education to encumber or expend those appropriated funds by one year to June 30, 2024, thereby making an appropriation.

(49) Existing law requires the department to develop and maintain the California School Dashboard for publicly reporting local educational agency performance data. Existing law requires the department, for purposes of identifying local educational agencies for technical assistance or intervention in December 2022, to use performance data on the state and local indicators using data from the 2021–22 school year, as specified.

This bill would exclude from the above requirement English Language Proficiency Assessments for California data from the 2020–21 school year for the purposes of producing status for the English Learner Progress Indicator.

(50) Existing law appropriates \$30,000,000 from the General Fund to the department to allocate to local educational agencies for food service staff to receive training on promoting nutritious foods, as specified, thereby making an appropriation.

This bill would authorize local educational agencies, to the extent any funds remain after food service staff receive training on promoting nutritious foods, to use that remaining funding on cooking equipment and supporting infrastructure system needs, service equipment, refrigeration and storage, or transportation of ingredients, meals, and equipment between sites, as specified, thereby making an appropriation.

(51) Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the issuance and renewal of credentials, certificates, and permits. Existing law, until July 1, 2022, authorizes any holder of a credential or permit issued by the commission that authorizes the holder to substitute teach in a general, special, or career technical education assignment to serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment.

This bill would extend the date of that authorization by one year to July 1, 2023.

(52) Existing law requires a specified amount appropriated to the Superintendent of Public Instruction for emergency assistance to nonpublic schools, as provided under the federal Coronavirus Response and Relief Supplemental Appropriations Act, 2021, to

be allocated to eligible nonpublic schools to address the impact of COVID-19 on nonpublic school pupils and teachers in the state. Existing law requires these funds to be available for encumbrance through September 30, 2022.

This bill would extend the date those funds are available for encumbrance by one year through September 30, 2023, thereby making an appropriation.

(53) Existing law defines a nonpublic, nonsectarian school as a private, nonsectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and that is certified by the department.

This bill would authorize a local educational agency to claim apportionment for a pupil who receives services from a nonpublic, nonsectarian school through a virtual program if certain conditions are met, including that the pupil is an individual with exceptional needs whose individualized education program includes a placement at a nonpublic, nonsectarian school, and the local educational agency offers, and the pupil's parent or guardian requests, independent study, as provided. The bill would repeal these provisions on January 1, 2025.

(54) Existing law requires the department to develop a 3-year plan of activities, with the approval of the state board, supporting the continuous improvement of the assessments developed and administered pursuant to the California Assessment of Student Performance and Progress. Existing law requires the department to periodically contract for a 3-year independent evaluation of the consortium computer-adaptive assessments in English language arts and mathematics in designated grades. Existing law further requires these independent evaluation reports and specified interim annual reports to be submitted to the Governor, the Superintendent of Public Instruction, the state board, and the chairs of the education policy committees of both houses of the Legislature by October 31 of each year. These provisions became inoperative on July 1, 2021, and as of January 1, 2022, were repealed.

This bill would authorize the department, in consultation with the executive director of the state board, to extend the contract for the independent evaluation of assessments by a period of up to 2 years if additional time is needed to complete the evaluation, as specified. The bill would also extend the submission of the independent evaluation report to October 31, 2023, as specified.

(55) The Schools and Local Public Safety Protection Act of 2012, an initiative measure approved by the voters at the November 6, 2012, statewide general election, among other things, increased certain tax rates for taxable years beginning on and after January 1, 2012, and before January 1, 2017, and deposited the revenues from those increases in tax into the Education Protection Account. The act provides that all moneys in the Education Protection Account are continuously appropriated for the support of school districts, county offices of education, charter schools, and community college districts, and requires 89% of the moneys appropriated to be allocated quarterly by the Superintendent of Public Instruction to school districts, county offices of education, and charter schools in proportion to certain calculations to provide general purpose funding to those local educational agencies, as specified. The act requires that allocation to be offset by certain amounts, provided that no local educational agency receives less than \$200 per unit of average daily attendance. These provisions were extended for taxable years before January 1, 2031, by Proposition 55, an initiative measure approved by the voters at the November 8, 2016, statewide general election.

This bill would, for 2021–22 fiscal year to the 2032–33 fiscal year, inclusive, require the Superintendent, for purposes of those calculations, to adjust the amounts calculated for those local educational agencies by a certain inflation adjustment applicable to the local control funding formula, as specified.

(56) This bill would authorize the Director of Finance to order certain funds reappropriated by the Budget Act of 2022 to instead be transferred to, and for administration by, the Office of Public School Construction, thereby making an appropriation.

(57) This bill would, for 2022–23 fiscal year, appropriate \$1,125,000,000 from the General Fund, to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies, as specified, and would appropriate \$375,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement those vehicle investments, as specified. The bill, commencing with the 2023–24 fiscal year, would require the state board to award grants totaling \$225,000,000, and require the commission to award grants totaling \$75,000,000, in each fiscal year to local educational agencies, as specified. The bill would require the Department of General Services, in consultation with the commission and the California Workforce Development Board, to establish statewide contracts with manufacturers of zero- or low-emission schoolbuses, as provided.

(58) This bill would, for the 2022–23 fiscal year, appropriate \$85,000,000 from the General Fund to the Superintendent for allocation to county offices of education to provide professional development and support family engagement in mathematics and science for pupils in preschool, transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, as specified. The bill would allocate \$35,000,000 of that amount to the Fresno County Office of Education to expand the existing California Statewide Early Math Initiative, as specified. The bill would allocate \$50,000,000 of that amount to a county office of education to partner with the

Fresno County Office of Education's Early Math Initiative, as provided. To the extent that this provision would impose additional duties on the Fresno County Office of Education, the bill would impose a state-mandated local program.

(59) This bill would appropriate \$413,000,000 from the General Fund to the Superintendent for apportionment to classroom-based charter schools that are continuing operations in the 2022–23 fiscal year in accordance with prescribed calculations. The bill would authorize the Director of Finance to increase the amount appropriated for this purpose if necessary to fund all eligible charter schools pursuant to these provisions.

(60) This bill would appropriate \$20,000,000 from the General Fund to the State Department of Education to further support the Educator Workforce Investment Grant Program to coordinate and support professional learning opportunities for educators across the state, as specified.

(61) The bill would appropriate \$15,000,000 from the General Fund to the department for allocation to one or more local educational agencies to coordinate and support professional learning opportunities for educators across the state, as specified.

(62) This bill would appropriate \$15,000,000 to the Commission on Teacher Credentialing for the Reading and Literacy Supplementary Authorization Incentive Grant Program, which the bill would establish to support the preparation of credentialed teachers to earn a supplementary authorization in reading and literacy, as specified.

(63) This bill would appropriate \$1,700,000 from the General Fund to the Commission on Teacher Credentialing to be transferred to the Tulare County Office of Education to continue to administer the California Center on Teaching Careers, as specified.

(64) For the 2022–23 fiscal year, this bill would appropriate \$1,300,000,000 from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998, as provided.

(65) 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, 2023, 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 2022. 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, 2023, 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 2022 and, if so, would require the Director of Finance to reduce the specified appropriation in the Budget Act of 2022 by the amount of that excess.

(66) This bill would appropriate \$30,000,000 from the General Fund to the department to be allocated by the Superintendent to the Special Olympics of Northern and Southern California for specified purposes, as provided.

(67) This bill would appropriate \$600,000,000 from the General Fund to the department for allocation to certain school districts, county offices of education, and charter schools to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, as defined, including for freshly prepared onsite meals, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets, as specified.

(68) This bill would appropriate \$100,000,000 from the General Fund to the State Department of Education for allocation, in consultation with the Department of Food and Agriculture, for allocation to local educational agencies to expend on implementing school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program, as provided. The bill would require the State Department of Education, in consultation with the Department of Food and Agriculture, to develop eligibility criteria for California-grown, whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with appropriated funds, as provided.

(69) This bill would appropriate \$3,560,885,000 from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools, in accordance with a formula based on a per-pupil basis, as provided. The bill would authorize funds to be used to obtain standards-aligned professional development and acquire instructional materials in specified subject areas, to develop diverse book collections and obtain culturally relevant texts, and for operational costs, as provided.

(70) This bill would appropriate \$250,000,000 from the General Fund to the State Allocation Board to be available for allocation to the Lynwood Unified School District to support the reconstruction and rehabilitation of Lynwood High School, as provided.

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

(71) Existing law appropriates \$1,200,000 to support the development of model curricula for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies, contingent upon the enactment of legislation during the 2021–22 Regular Session prescribing the process for the development of those model curricula. Existing law, enacted during the 2021–22 Regular Session, requires the department, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, for each of those model curricula, to enter into a contract with a county office of education or a consortium of county offices of education for the purposes of developing the model curriculum, as specified.

This bill would appropriate \$14,000,000 from the General Fund to the Superintendent for allocation to the county offices of education selected to develop model curricula for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies. The bill would require the funding to be split equally among the four model curricula.

(72) This bill would appropriate \$250,000,000 from the General Fund to the Superintendent for allocation to local educational agencies meeting certain criteria for the Literacy Coaches and Reading Specialists Grant Program, which the bill would establish, in order to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support, as provided.

(73) This bill would appropriate \$10,000,000 from the General Fund to the Superintendent for purposes of the 2022 Antibias Education Grant Program, which the bill would establish, for purposes of preventing, addressing, and eliminating racism and bias in all California public schools, and making all public schools inclusive and supportive of all people. The bill would require the Superintendent to award a minimum of 50 Antibias Education Grants to school districts, county offices of education, and charter schools meeting certain requirements to be used for training and resources to prevent and address bias or prejudice toward any group of people based on certain characteristics.

(74) This bill would appropriate \$35,000,000 from the General Fund to the State Department of Education for purposes of the Classified School Employee Summer Assistance Program, as provided.

(75) Existing law defines a school district that does not receive funding pursuant to the local control funding formula, except as otherwise required, as a basic aid school district.

This bill would provide that a basic aid school district that experiences a decrease in local property tax revenues as a result of the wildfires of 2020 shall be reimbursed from the General Fund for losses experienced in the 2020–21 and 2021–22 fiscal years, as provided, and would require the Controller to allocate the funds needed for reimbursement in accordance with a schedule provided by the Department of Finance, thereby making an appropriation.

(76) 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.

(77) 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.

(78) 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

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

SECTION 1. Section 313.3 of the Education Code is amended to read:

313.3. (a) On or before December 31, 2023, the department shall develop a standardized English language teacher observation protocol for use by teachers in evaluating a pupil's English language proficiency, as required by paragraph (2) of subdivision (f) of Section 313.

(b) (1) The protocol shall be designed to be used by teachers to evaluate a pupil's use of English while engaging in academic content learning, including interactive language use with peers.

(2) The protocol shall be designed to allow teachers to assess language practices across a range of proficiency levels in order to help teachers identify pupils' performance along the continuum of progress toward proficiency in English.

(3) The protocol shall be designed to be used for all English learner pupils, including those who have individualized education programs.

(4) The protocol shall be designed for use by content area teachers at all grade levels, English language development teachers, bilingual teachers, and special education teachers, and shall be designed for ease of use by educators.

(5) The protocol shall be aligned to the English language development standards and the performance levels for the English language development test described in Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2.

(c) It is the intent of the Legislature that the protocol additionally be useful to all of the following:

(1) Teachers, as a formative assessment tool for purposes of supporting pupils' progress toward proficiency in English during the school year.

(2) Teachers' discussions with parents regarding pupils' progress toward English language proficiency.

(3) Institutions of higher education in the preparation of new teachers.

(d) (1) In developing the protocol, the department shall consult, at a minimum, with current content area teachers at different grade levels, English language development teachers, bilingual teachers, and special education teachers, and with experts with demonstrated experience in observing and documenting pupil academic language practices and in developing and administering assessments for English learners. The department shall ensure that the majority of individuals with whom it consults are currently teaching, credentialed teachers who regularly instruct English learner pupils.

(2) In developing the protocol, the department shall pilot the protocol with educators and pupils, and refine instruments and guidelines as needed.

(3) The department shall also conduct a validation process to ensure the protocol appropriately assesses the intended target language constructs, demonstrates a meaningful relationship to the performance levels for the English language development test and assessed classroom language use, and reflects pupil progress toward attaining targeted constructs.

(e) The department shall provide guidance to school districts, county offices of education, and charter schools on the use of the protocol.

(f) The department shall develop and make available to school districts, county offices of education, and charter schools professional development tools to train teachers on the use of the protocol. These tools may include, but are not limited to, audio and video samples of English learner pupils' language use for the purpose of assisting educators using the protocol in calibrating judgments about observed language use.

SEC. 2. Section 1630 of the Education Code is amended to read:

1630. (a) The Superintendent shall review and consider studies, reports, evaluations, or audits of the county office of education that contain evidence that the county office of education is demonstrating fiscal distress according to the standards and criteria developed pursuant to Section 33127, or that contain a finding by an external reviewer that the county office of education is at moderate or high risk of intervention based on the most common indicators of school agencies needing intervention, as determined by the County Office Fiscal Crisis and Management Assistance Team. If those findings are made, the Superintendent shall investigate the financial condition of the county office of education and determine if the county office of education may be unable to meet its financial obligations for the current or two subsequent fiscal years, or should receive a qualified or negative interim financial certification pursuant to Section 1240.

(b) If at any time during the fiscal year the Superintendent determines that the county office of education may be unable to meet its financial obligations for the current or two subsequent fiscal years, or if the county office has a qualified certification pursuant to Section 1240, the Superintendent shall provide a written notice of going concern determination to the county board of education and the county superintendent of schools and the basis for the determination. The notification shall include the assumptions used in making the determination and shall be available to the public. The Superintendent shall do the following, as necessary, to ensure that the county office of education meets its financial obligations:

(1) Assign a fiscal expert, paid for by the Superintendent, to advise the county office of education on its financial problems.

(2) Conduct a study of the financial and budgetary conditions of the county office of education. If, in the course of this review, the Superintendent determines that their office requires analytical assistance or expertise that is not available through the county office, the Superintendent may employ, at the county office of education's expense, on a short-term basis, staff, including certified public accountants, to provide the assistance and expertise.

(3) Direct the county office of education to submit a financial projection of all fund and cash balances of the county office of education as of June 30 of the current year and subsequent fiscal years as the Superintendent requires.

(4) Require the county office of education to encumber all contracts and other obligations, to prepare appropriate cashflow analyses and monthly or quarterly budget revisions, and to appropriately record all receivables and payables.

(5) Direct the county office of education to submit a proposal for addressing the fiscal conditions that resulted in the determination that the county office of education may not be able to meet its financial obligations.

(6) Withhold compensation of the county board of education and the county superintendent of schools for failure to provide requested financial information.

(c) If, after taking the actions identified in subdivision (a), the Superintendent determines that a county office of education will be unable to meet its financial obligations for the current or subsequent fiscal year, the Superintendent shall notify the county board of education and the county superintendent of schools in writing of that determination and the basis for that determination. The notification shall include the assumptions used in making the determination and shall be available to the public.

(d) If the Superintendent makes the determination in subdivision (c), or if the county office of education has a negative certification pursuant to Section 1240, the Superintendent, shall, as necessary to enable the county office of education to meet its financial obligations, do one or more of the following:

(1) Develop and impose, in consultation with the county board of education and the county superintendent, a budget that will enable the county office of education to meet its financial obligations.

(2) Stay or rescind an action that is determined to be inconsistent with the ability of the county office of education to meet its obligations for the current or subsequent fiscal year and may, as necessary, appoint a fiscal adviser to perform some or all of the duties prescribed by this paragraph on the Superintendent's behalf. This includes actions up to the point that the subsequent year's budget is approved by the Superintendent. The Superintendent shall inform the county board of education in writing of the Superintendent's justification for an exercise of authority under this paragraph.

(3) Assist in developing, in consultation with the county board of education and the county superintendent of schools, a multiyear financial recovery plan that will enable the county office of education to meet its future obligations.

(4) Assist in developing, in consultation with the county board of education and the county superintendent, a budget for the subsequent fiscal year. If necessary, the Superintendent shall continue to work with the county board of education and the county superintendent until the budget for the subsequent year is adopted by the county board of education and approved by the Superintendent.

(e) Actions taken by the Superintendent pursuant to paragraph (1) or (2) of subdivision (d) shall be accompanied by a notification that includes the actions to be taken, the reasons for the actions, and the assumptions used to support the necessity for those actions. That notification shall be available to the public.

(f) This section does not authorize the Superintendent to abrogate a provision of a collective bargaining agreement that was entered into by a county office of education before the date upon which the Superintendent assumed authority pursuant to subdivision (d).

(g) The county office of education shall pay 75 percent of fees charged by the Superintendent for administrative expenses incurred pursuant to subdivision (d) or costs associated with improving the county office of education's financial management practices. The remaining 25 percent of fees shall be covered by the Superintendent.

(h) Notwithstanding any other law, a county treasurer shall not honor a warrant when the Superintendent, as appropriate, has disapproved that warrant, or has disapproved the order on county office of education funds for which a warrant was prepared.

(i) For all purposes of errors and liability insurance policies, a fiscal expert appointed pursuant to this section shall be deemed to be an employee of the county office of education. The Superintendent may require that the fiscal adviser be placed on the county office of education payroll for purposes of remuneration, benefits, and payroll deductions.

(j) If staff persons are hired pursuant to paragraph (2) of subdivision (b), the Superintendent may certify to the Controller an amount to be transferred to the department, from the funds that otherwise would be apportioned to the county office of education

pursuant to Section 2574 or 2575, for the purpose of paying all costs incurred by that staff in performing their respective services. The Controller, upon receipt of that certification, shall transfer that amount.

(k) To facilitate the appointment of a county office of education fiscal officer and the employment of additional staff pursuant to paragraphs (1) and (2), respectively, of subdivision (b), for purposes of those paragraphs, the Superintendent is exempt from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

SEC. 3. Section 2574 of the Education Code is amended to read:

2574. For the 2013–14 fiscal year and for each fiscal year thereafter, the Superintendent annually shall calculate a county local control funding formula for each county superintendent of schools as follows:

(a) Compute a county office of education operations grant equal to the sum of each of the following amounts:

(1) Six hundred fifty-five thousand nine hundred twenty dollars (\$655,920).

(2) One hundred nine thousand three hundred twenty dollars (\$109,320) multiplied by the number of school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253.

(3) (A) Seventy dollars (\$70) multiplied by the number of units of countywide average daily attendance, up to a maximum of 30,000 units.

(B) Sixty dollars (\$60) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 30,000 units, up to a maximum of 60,000 units.

(C) Fifty dollars (\$50) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 60,000, up to a maximum of 140,000 units.

(D) Forty dollars (\$40) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 140,000 units.

(E) For purposes of this section, countywide average daily attendance means the aggregate number of annual units of average daily attendance within the county attributable to all school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253, charter schools authorized by school districts for which the county superintendent of schools has jurisdiction, and charter schools authorized by the county superintendent of schools.

(4) For the 2014–15 fiscal year and each fiscal year thereafter, adjust each of the rates provided in the prior year pursuant to paragraphs (1), (2), and (3) 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.

(5) Commencing with the 2022–23 fiscal year, add one hundred seventy-five thousand dollars (\$175,000) to the amount specified in paragraph (2), as that rate was adjusted pursuant to paragraph (4).

(6) Commencing with the 2022–23 fiscal year, add fourteen dollars (\$14) to each of the amounts specified in subparagraphs (A) to (D), inclusive, of paragraph (3), as those rates were adjusted pursuant to paragraph (4).

(b) Determine the enrollment percentage of unduplicated pupils pursuant to the following:

(1) (A) For the 2013–14 fiscal year, divide the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 fiscal year by the total enrollment in those schools in the 2013–14 fiscal year.

(B) For the 2014–15 fiscal year, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 and 2014–15 fiscal years by the sum of the total enrollment in those schools in the 2013–14 and 2014–15 fiscal years.

(C) For the 2015–16 fiscal year and each fiscal year thereafter, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the current fiscal year and the two prior fiscal years by the sum of the total enrollment in those schools in the current fiscal year and the two prior fiscal years.

(D) (i) For purposes of the quotients determined pursuant to subparagraphs (B) and (C), the Superintendent shall use a county superintendent of schools' enrollment of unduplicated pupils and total pupil enrollment in the 2014–15 fiscal year

instead of the enrollment of unduplicated pupils and total pupil enrollment in the 2013–14 fiscal year if doing so would yield an overall greater percentage of unduplicated pupils.

(ii) It is the intent of the Legislature to review each county office of education's enrollment of unduplicated pupils for the 2013–14 and 2014–15 fiscal years and provide one-time funding, if necessary, for a county office of education with higher enrollment of unduplicated pupils in the 2014–15 fiscal year as compared to the 2013–14 fiscal year.

(E) For purposes of determining the enrollment percentage of unduplicated pupils pursuant to this subdivision, enrollment in schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 and the enrollment of pupils other than the pupils identified in clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4) of subdivision (c), shall be excluded from the calculation of the enrollment percentage of unduplicated pupils.

(F) The data used to determine the percentage of unduplicated pupils shall be final once that data is no longer used in the current fiscal year calculation of the percentage of unduplicated pupils. This subparagraph does not apply to a change that is the result of an audit that has been appealed pursuant to Section 41344.

(2) For purposes of this section, an "unduplicated pupil" is a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth. For purposes of this section, the definitions in Section 42238.01 of an English learner, a pupil eligible for a free or reduced-price meal, and foster youth shall apply. A pupil shall be counted only once for purposes of this section if any of the following apply:

(A) The pupil is classified as an English learner and is eligible for a free or reduced-price meal.

(B) The pupil is classified as an English learner and is a foster youth.

(C) The pupil is eligible for a free or reduced-price meal and is classified as a foster youth.

(D) The pupil is classified as an English learner, is eligible for a free or reduced-price meal, and is a foster youth.

(3) (A) Under procedures and timeframes established by the Superintendent, commencing with the 2013–14 fiscal year, a county superintendent of schools annually shall report the enrollment of unduplicated pupils, pupils classified as English learners, pupils eligible for free and reduced-price meals, and foster youth in schools operated by the county superintendent of schools to the Superintendent using the California Longitudinal Pupil Achievement Data System.

(B) The Superintendent shall make the calculations pursuant to this section using the data submitted through the California Longitudinal Pupil Achievement Data System.

(C) The Controller shall include instructions, as appropriate, in the audit guide required by subdivision (a) of Section 14502.1, for determining if the data reported by a county superintendent of schools using the California Longitudinal Pupil Achievement Data System is consistent with pupil data records maintained by the county office of education.

(c) Compute an alternative education grant equal to the sum of the following:

(1) (A) For the 2013–14 fiscal year, a base grant equal to the 2012–13 per pupil undeficitated statewide average juvenile court school base revenue limit calculated pursuant to Article 3 (commencing with Section 2550) of Chapter 12, as that article read on January 1, 2013. For purposes of this subparagraph, the 2012–13 statewide average juvenile court school base revenue limit shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2013–14 fiscal year, the per pupil base grant shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, 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.

(2) A supplemental grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the enrollment percentage calculated in subdivision (b). The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(3) (A) A concentration grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the greater of either of the following:

(i) The enrollment percentage calculated in subdivision (b) less 50 percent.

(ii) Zero.

(B) The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the total number of units of average daily attendance for pupils attending schools operated by a county office of education, excluding units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2, who are enrolled pursuant to any of the following:

(i) Probation-referred pursuant to Sections 300, 601, 602, and 654 of the Welfare and Institutions Code.

(ii) On probation or parole and not in attendance in a school.

(iii) Expelled for any of the reasons specified in subdivision (a) or (c) of Section 48915.

(B) Multiply the number of units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 by the sum of the base grant calculated pursuant to paragraph (1), a supplemental grant equal to 35 percent of the base grant calculated pursuant to paragraph (1), and a concentration grant equal to 17.5 percent of the base grant calculated pursuant to paragraph (1). Funds provided for the supplemental and concentration grants pursuant to this calculation shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(C) Add the amounts calculated in subparagraphs (A) and (B).

(d) Add the amount calculated in subdivision (a) to the amount calculated in subparagraph (C) of paragraph (4) of subdivision (c).

(e) Add all of the following to the amount calculated in subdivision (d):

(1) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Targeted Instructional Improvement Block Grant program, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read on January 1, 2013.

(2) (A) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Home-to-School Transportation program, as set forth in former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5 of Division 3 of Title 2, former Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2, and the Small School District Transportation program, as set forth in former Article 4.5 (commencing with Section 42290) of Chapter 7 of Part 24 of Division 3 of Title 2, as those articles read on January 1, 2013.

(B) If a home-to-school transportation joint powers agency, established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation, received an apportionment directly from the Superintendent pursuant to Item 6110-111-0001 of Section 2.00 of the Budget Act of 2012, as identified in clause (i) of subparagraph (A) of paragraph (2) of subdivision (a) of Section 2575, the joint powers agency may identify the member local educational agencies and transfer entitlement to that funding to any of those member local educational agencies by reporting to the Superintendent, on or before September 30, 2015, the reassignment of a specified amount of the joint powers agency's 2012–13 fiscal year entitlement to the member local educational agency. Commencing with the 2015–16 fiscal year, the Superintendent shall add the reassigned amounts to the amounts calculated pursuant to this paragraph.

(C) Commencing in the 2023–24 fiscal year, the add-on amounts referenced in subparagraphs (A) and (B) shall receive the annual cost-of-living adjustment specified in subparagraph (B) of paragraph (1) of subdivision (c).

SEC. 4. Section 2575.2 of the Education Code is amended to read:

2575.2. (a) Commencing with the 2018–19 fiscal year, the Superintendent shall add to the amount to be apportioned pursuant to Section 2575, the sum of two hundred thousand dollars (\$200,000) and the following:

(1) For the 2018–19 fiscal year, the fiscal year allowance calculated pursuant to subdivision (b) using the 2018 local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) using the 2017 local control funding formula assistance status report, divided by two.

(2) For the 2019–20 fiscal year and each fiscal year thereafter, the allowance calculated pursuant to subdivision (b) for the current year local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) for the prior two years' local control funding formula assistance status reports, divided by three.

(b) The allowance for each fiscal year shall be equal to the sum of the following: one hundred thousand dollars (\$100,000) multiplied by the number of small school districts; two hundred thousand dollars (\$200,000) multiplied by the number of medium school districts; and three hundred thousand dollars (\$300,000) multiplied by the number of large school districts for which the county superintendent of schools has jurisdiction pursuant to Sections 1240 and 1253 that are also determined to be in need of differentiated assistance pursuant to subdivision (c) of Section 52071.

(c) For purposes of this section, a small school district is any school district with average daily attendance of 2,499 or less, a medium school district is any school district with an average daily attendance of at least 2,500 but not more than 9,999, and a large school district is any school district with an average daily attendance of 10,000 or more.

(d) Average daily attendance for purposes of this section shall be the annual period average daily attendance as reported by the school district for the prior fiscal year.

(e) For purposes of this section, a school district in need of differentiated assistance is a school district identified pursuant to subdivision (c) of Section 52071.

(f) For a county superintendent of schools in a county where the county board of education serves as the governing board of any school district under its jurisdiction, and the school district is identified for differentiated assistance pursuant to subdivision (c) of Section 52071, the amount calculated pursuant to subdivision (b) shall be allocated to the lead agency identified pursuant to Section 52073 of the region in which the county office of education is located. Funds allocated pursuant to this subdivision shall be used by either the lead agency to whom the funds were allocated or another county office of education identified by the county office of education that generated the funds to provide the technical assistance described in subdivision (c) of Section 52071 to the county office of education that generated the funds.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations described in subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202.

SEC. 5. Section 2575.3 is added to the Education Code, to read:

2575.3. (a) Commencing with the 2022–23 fiscal year, the Superintendent shall add to the amounts to be apportioned pursuant to Section 2575, the amount calculated in accordance with the following:

(1) For the 2022–23 fiscal year, the fiscal year allowance calculated pursuant to subdivision (b) using the 2022 local control funding formula assistance status report.

(2) For the 2023–24 fiscal year, the fiscal year allowance calculated pursuant to subdivision (b) using the 2023 local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) using the 2022 local control funding formula assistance status report, divided by two.

(3) For the 2024–25 fiscal year and each fiscal year thereafter, the allowance calculated pursuant to subdivision (b) for the current year local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) for the prior two years' local control funding formula assistance status reports, divided by three.

(b) The allowance for each fiscal year shall be equal to the product of the following: one hundred thousand dollars (\$100,000) multiplied by the number of charter schools in the county in which the charter school is located, or for charter schools authorized by the county board of education, the lead agency identified pursuant to Section 52073 for that county, that are also determined to be in need of differentiated assistance pursuant to subdivision (a) of Section 47607.3.

(c) For purposes of this section, a charter school in need of differentiated assistance is a charter school identified pursuant to subdivision (a) of Section 47607.3.

(d) Funds allocated pursuant to this section shall be used to provide the technical assistance described in subdivision (a) of Section 47607.3 to the charter school that generated the funds.

(e) Nothing in this section shall preclude a lead agency identified pursuant to Section 52073 that receives funding pursuant to subdivision (b) from contracting with a designee, as identified in subdivision (d) of Section 52071, to provide the technical assistance described in subdivision (a) of Section 47607.3 to the charter school that generated the funds.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations described in subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202.

SEC. 6. Section 2575.4 is added to the Education Code, to read:

2575.4. Commencing with the 2022–23 fiscal year, the Superintendent shall adjust the county local control funding formula calculation as follows:

(a) Determine the amount of the county local control funding formula attributed to the annual inflation adjustment as the sum of the following:

(1) That portion of the county office of education operations grant, authorized pursuant to subdivision (a) of Section 2574, which is attributed to the rate change pursuant to paragraph (4) of subdivision (a) of Section 2574.

(2) That portion of the alternative education grant, authorized pursuant to subdivision (c) of Section 2574, which is attributed to the rate change pursuant to subparagraph (B) of paragraph (1) of subdivision (c) of Section 2574.

(b) Add the amount calculated in subdivision (a) to the base entitlement for the transition to the county local control funding formula determined pursuant to paragraphs (1) and (2) of subdivision (a) of Section 2575.

(c) Add the amount calculated in subdivision (a) to the amount of the minimum guarantee determined pursuant to subdivision (h) of Section 2575, unless the amount of local revenue calculated pursuant to subdivision (c) of Section 2575 exceeds the county local control funding formula entitlement calculated pursuant to subdivision (e) of Section 2574 or subdivision (a) of Section 2575, as determined by subdivision (g) of Section 2575, in which case the add-on amount shall be zero.

SEC. 7. Section 8281.5 of the Education Code is amended to read:

8281.5. (a) The California Prekindergarten Planning and Implementation Grant Program is hereby established as a state early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at local educational agencies.

(b) For the 2021–22 fiscal year, the sum of three hundred million dollars (\$300,000,000) is hereby appropriated from the General Fund to the department for allocation to local educational agencies for the California Prekindergarten Planning and Implementation Grant Program pursuant to this section. These funds shall be available for encumbrance until June 30, 2024.

(c) (1) Of the total amount appropriated under subdivision (b), the Superintendent shall allocate two hundred million dollars (\$200,000,000) in the 2021–22 fiscal year to local educational agencies as follows:

(A) A minimum base grant to all local educational agencies that operate kindergarten programs as determined using California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment from the 2020–21 certification, as follows:

(i) For local educational agencies with an enrollment of 1 to 23 pupils, inclusive, the minimum base grant shall be twenty-five thousand dollars (\$25,000).

(ii) For local educational agencies with an enrollment of 24 to 99 pupils, inclusive, the minimum base grant shall be fifty thousand dollars (\$50,000).

(iii) For local educational agencies with an enrollment of 100 or more pupils, the minimum base grant shall be one hundred thousand dollars (\$100,000).

(B) A minimum base grant for each county office of education of fifteen thousand dollars (\$15,000) for each local educational agency in their county that operates kindergarten programs to support countywide planning and capacity building.

(C) Of the remaining funds after allocations under subparagraphs (A) and (B):

(i) Sixty percent shall be available as enrollment grants. These grants shall be allocated based on the local educational agency's proportional share of total California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment for the 2019–20 fiscal year, as applied to the total amount of program funds available for the enrollment grant. For purposes of this clause, the total statewide kindergarten enrollment shall be calculated using the California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2019–20 fiscal year for each local educational agency.

(ii) Forty percent shall be available as supplemental grants. These grants shall be allocated based on the local educational agency's California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2019–20 fiscal year, multiplied by the local educational agency's unduplicated pupil percentage, as calculated pursuant to subdivision (b) of Section 42238.02 or subdivision (b) of Section 2574 certified as of the second principal apportionment. Funds for this purpose shall be distributed percent-to-total from funds available for the supplemental grant.

(D) Notwithstanding any other law, any kindergarten enrollment reported by a county office of education shall be attributed to the school district of geographic residence.

(2) Grant funds may be used for costs associated with creating or expanding California state preschool programs or transitional kindergarten programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the local educational agency, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

(3) Local educational agencies receiving grants pursuant to this subdivision shall do both of the following:

(A) Commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, recipient information and participating in overall program evaluation.

(B) Develop a plan for consideration by the governing board or body at a public meeting on or before June 30, 2022, for how all children in the attendance area of the local educational agency will have access to full-day learning programs the year before kindergarten that meet the needs of parents, including through partnerships with the local educational agency's expanding learning offerings, the After School Education and Safety Program, the California state preschool program, Head Start programs, and other community-based early learning and care programs.

(4) (A) Funds that are allocated or awarded pursuant to this subdivision shall be expended by June 30, 2026. The department shall then initiate collection proceedings for unexpended funds.

(B) The department shall initiate collection proceedings for grant funds used by local educational agencies in a manner inconsistent with the requirements of this section, including, but not limited to, failing to submit all required data pursuant to paragraph (3).

(d) (1) For the 2022–23 fiscal year, the sum of three hundred million dollars (\$300,000,000) is hereby appropriated from the General Fund to the department for allocation to local educational agencies for the California Prekindergarten Planning and Implementation Grant Program pursuant to this section. These funds shall be available for encumbrance until June 30, 2026. The Superintendent shall allocate funds to local educational agencies as follows:

(A) A minimum base grant to all local educational agencies that operate kindergarten programs, as determined using California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment from the 2021–22 certification, as follows:

(i) For local educational agencies with an enrollment of 1 to 500 pupils, inclusive, the minimum base grant shall be twenty-five thousand dollars (\$25,000).

(ii) For local educational agencies with an enrollment of 501 or more pupils, the minimum base grant shall be fifty thousand dollars (\$50,000).

(B) A minimum base grant for each county office of education of fifteen thousand dollars (\$15,000) for each local educational agency in their county that operates kindergarten programs to support countywide planning and capacity building.

(C) Of the funds remaining after the allocations pursuant to subparagraphs (A) and (B):

(i) Sixty percent shall be available as enrollment grants. These grants shall be allocated based on the local educational agency's proportional share of total California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment for the 2021–22 fiscal year, as applied to the total amount of program funds available for the enrollment grant. For purposes of this clause, the total statewide kindergarten enrollment shall be calculated using the California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2021–22 fiscal year for each local educational agency.

(ii) Forty percent shall be available as supplemental grants. These grants shall be allocated based on the local educational agency's California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2021–22 fiscal year, multiplied by the local educational agency's unduplicated pupil percentage, as calculated pursuant to subdivision (b) of Section 42238.02 or subdivision (b) of Section 2574, as applicable, and certified as of the second principal apportionment. Funds for this purpose shall be distributed percent-to-total from funds available for the supplemental grant.

(2) Grant funds may be used for costs associated with creating or expanding California state preschool programs or transitional kindergarten programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the

local educational agency, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for children four years of age. Allowable costs shall include, but are not necessarily limited to, classroom operating costs, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

(3) Local educational agencies receiving grants pursuant to this subdivision shall do all of the following:

(A) Commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, recipient information and participating in overall program evaluation.

(B) Ensure expenditures are consistent with their local plan adopted pursuant to subdivision (c).

(C) Commit to planning with their county's local planning council and the California state preschool program and Head Start program providers in their region.

(e) (1) Of the total amount appropriated under subdivision (b), the Superintendent shall award one hundred million dollars (\$100,000,000) in competitive grants to local educational agencies to increase the number of highly-qualified teachers available to serve California state preschool programs and transitional kindergarten pupils, and to provide California state preschool program, transitional kindergarten, and kindergarten teachers with training in providing instruction in inclusive classrooms, culturally responsive instruction, supporting dual language learners, enhancing social-emotional learning, implementing trauma-informed practices and restorative practices, and mitigating implicit biases to eliminate exclusionary discipline, pursuant to this section. These funds shall be available for encumbrance until June 30, 2024.

(2) The Superintendent shall develop and administer a process to award grants under paragraph (1), subject to approval of the executive director of the state board, on a competitive basis to local educational agencies. To apply for a grant, a local educational agency shall submit an application to the department describing how it will allocate funds and increase either the number of credentialed teachers meeting the requirements of subdivision (g) of Section 48000, or the competencies of California state preschool programs, transitional kindergarten, and kindergarten teachers to enhance their ability to provide instruction in inclusive classrooms, provide culturally responsive instruction, support dual language learners, enhance social-emotional learning, implement trauma-informed and restorative practices, and mitigate implicit biases to eliminate exclusionary discipline.

(3) A local educational agency may apply on behalf of a consortium of providers within the local educational agency's program area, including California state preschool programs and Head Start programs operated by community-based organizations.

(4) An applicant shall demonstrate all of the following to be considered for a grant award:

(A) A need for preschool and transitional kindergarten or kindergarten professional development in a region.

(B) A need for preschool and transitional kindergarten teachers in a region.

(C) The presence of, or plan to create, inclusive classroom settings.

(D) The ability to connect the preschool, transitional kindergarten, or kindergarten program to before and after school programs and extended day services.

(E) A plan to integrate preschool, transitional kindergarten, and kindergarten professional development opportunities.

(F) A plan for recruiting new preschool, transitional kindergarten, or kindergarten teachers with experience in early learning and care settings and collaborating with institutions of higher education to ensure a qualified prekindergarten teacher pipeline.

(G) A plan for how principals and administrators overseeing the transitional kindergarten program, or other prekindergarten program, will receive training and professional development on the value and tenets of effective instruction for young children.

(5) In awarding grants under paragraph (1), the Superintendent shall establish a methodology that accounts for all of the following:

(A) The percentage of transitional kindergarten and kindergarten pupils eligible for free and reduced-price meals.

(B) The percentage of dual language learners that the local educational agency is serving or is planning to serve in a California state preschool program or transitional kindergarten program.

(C) The percentage of pupils with disabilities the local educational agency is serving or planning to serve in an inclusive California state preschool program or transitional kindergarten program.

(D) The percentage of pupils served, or planned to be served, in full-day California state preschool, transitional kindergarten, or kindergarten programs offered by the local educational agency or community-based organizations.

(E) The extent to which applicants operate in an attendance area where a significant disproportionality of particular races or ethnicities, as described in Section 1418(d) of Title 20 of the United States Code, has been identified in special education.

(F) The extent to which the local educational agency is located in an area that has more than three young children, three to five years of age, inclusive, for every licensed childcare slot.

(G) The extent to which applicants plan to partner with community-based California state preschool programs and Head Start programs in their program area to ensure those teachers have access to professional development along with teachers employed by the local educational agency.

(6) Grants awarded under paragraph (1) for professional development may be used for costs associated with the educational expenses of current and future California state preschool program, transitional kindergarten, and kindergarten professionals that support their attainment of required credentials, permits, or professional development in early childhood instruction or child development, including developing competencies in serving inclusive classrooms and dual language learners. Professional development grant funds shall be used for any of the following purposes:

(A) Tuition, supplies, and other related educational expenses.

(B) Transportation and childcare costs incurred as a result of attending classes.

(C) Substitute teacher pay for California state preschool program, transitional kindergarten, and kindergarten professionals that are currently working in a California state preschool program, transitional kindergarten, or kindergarten classroom.

(D) Stipends and professional development expenses, as determined by the Superintendent.

(E) Career, course, and professional development coaching, counseling, and navigation services.

(F) Linked courses, cohorts, or apprenticeship models.

(G) Training and professional development for principals and other administrators of transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, on the value and tenets of effective instruction for young children.

(H) Other educational expenses, as determined by the Superintendent.

(7) Local educational agencies awarded funding pursuant to paragraph (1) may partner with local or online accredited institutions of higher education or local agencies that provide high-quality or credit-bearing trainings, or apprenticeship programs that integrate and embed higher education coursework with on-the-job training of professionals.

(8) Professional learning provided pursuant to this subdivision shall, as applicable, be aligned to the preschool learning foundations and academic standards pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11, as those sections read on June 30, 2020, and former Section 60605.85, as that section read on June 30, 2014.

(9) Local educational agencies receiving grants under this subdivision shall commit to providing program data to the department, as specified by the Superintendent, including, but not necessarily limited to, recipient information, including demographic information, educational progress, and the type of courses taken, and participating in overall program evaluation.

(10) The Superintendent shall provide a report to the Department of Finance and the appropriate policy and fiscal committees of the Legislature on or before October 1, 2024, on the expenditure of funds and relevant outcome data in order to evaluate the impact of the grants awarded under this subdivision.

(11) Notwithstanding any other law, on June 30, 2027, any unexpended funds of the amount awarded for purposes this subdivision shall revert to the General Fund.

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

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (b) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (d) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 8. Section 8901 of the Education Code is amended to read:

8901. For purposes of this chapter, the following definitions apply:

(a) "Adjacent location" means an alternative location for services for pupils pursuant to this section that is within a one-half mile of the qualifying entity's schoolsite.

(b) "Community school" means a public school serving preschool, transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, with strong and intentional community partnerships ensuring pupil learning and whole child and family development, and specifically includes the following:

(1) Integrated supports services, including the coordination of trauma-informed health, mental health, and social services that ensure coordination and support with county and local educational agency resources and nongovernmental organizations, and early screening and intervention for learning and other needs.

(2) Family, pupil, schoolsite staff, and community engagement, which may include home visits, home-school collaboration, culturally responsive community partnerships to strengthen family well-being and stability, and school climate surveys.

(3) Collaborative leadership and practices for educators and administrators, including professional development to transform school culture and climate, that centers on pupil learning and supports mental and behavioral health, trauma-informed care, social-emotional learning, restorative justice, and other key areas relating to pupil learning and whole child and family development.

(4) Extended learning time and opportunities, including before and after school care and summer programs.

(c) "Consortium" means either of the following:

(1) Two or more local educational agencies.

(2) One or more local educational agencies, one of whom shall serve as the fiscal agent, and one or more cooperating agencies providing services pursuant to this section at a schoolsite or adjacent location.

(d) "Cooperating agency" means a federal, state, or local agency or public or private nonprofit entity that agrees to offer support services at a schoolsite, an adjacent location, or virtually through a program implemented under this chapter. Cooperating agencies include, but are not limited to, all of the following:

(1) A county behavioral health agency that will operate the program in partnership with at least one local educational agency that is a qualifying entity.

(2) A federal Head Start or Early Head Start program or other government-funded early childhood program or agency that will operate the program in partnership with at least one local educational agency that is a qualifying entity.

(3) A childcare program or agency within a public institution of higher education that will operate the program in partnership with at least one local educational agency that is a qualifying entity.

(e) "Lead agency" means the department.

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

(g) "Network" means a group of schools that function as a learning community and are supported by a local educational agency that coordinates services and resources for their pupils, families, and staff. Participation in a network is at the discretion of a school's local educational agency governing board.

(h) "Partner" means a private business, nonprofit, public or nonprofit institutions of higher education, or foundation that provides financial assistance or otherwise assists a program operating under this chapter.

(i) "Qualifying entity" means an entity that is any of the following:

(1) A local educational agency or a consortium that meets any of the following criteria, as applied to the entire pupil population of pupils enrolled in the local educational agency or consortium:

(A) Fifty percent or more of the enrolled pupils at the local educational agency or the consortium are unduplicated pupils.

(B) The local educational agency or the consortium has higher than state average dropout rates.

(C) The local educational agency or the consortium has higher than state average rates of suspension and expulsion.

(D) The local educational agency or the consortium has higher than state average rates of child homelessness, foster youth, or justice-involved youth.

(2) A local educational agency or consortium, on behalf of one or more schools within the local educational agency or consortium that satisfy any of the criteria in subparagraphs (A) to (D), inclusive, of paragraph (1).

(j) "Support services" includes case-managed health, mental health, social, and academic support services benefiting children and their families, and may include, but is not limited to, all of the following:

(1) Health care, including all of the following:

(A) Immunizations.

(B) Vision and hearing testing and services.

(C) Dental services.

(D) Physical examinations and diagnostic and referral services.

(E) Prenatal care.

(2) Mental health services, including all of the following:

(A) Primary prevention.

(B) Crisis intervention.

(C) Assessments and referrals.

(3) Trauma-informed mental health care, including substance abuse prevention, early intervention, and treatment services, including all of the following:

(A) Training for teachers, early educators, and school personnel in the detection of mental health problems, the impact of trauma and toxic stress, trauma-informed care and education, building resiliency, and helping pupils and families heal.

(B) Outreach, risk assessment, and education for pupils and families.

(C) Youth-focused substance use disorder prevention and treatment programs that are culturally and gender competent, trauma informed, and evidence based.

(4) Family support and parenting education, including child abuse prevention and parenting programs, such as home visits or, when in-person home visits are not possible, virtually conducted home visits.

(5) Academic support services, including tutoring, mentoring, employment, and community service internships, and in-service training for teachers and administrators.

(6) Counseling, including family counseling, peer-to-peer counseling, and suicide prevention.

(7) Services and counseling for children who experience violence, toxic stress, or adverse childhood experiences in their communities.

(8) Nutrition services to reduce food insecurity.

(9) Youth development services, including tutoring, mentoring, career development, and job placement.

(10) Case management services.

(11) Provision of onsite or virtual Medi-Cal eligibility workers, as allowed via telehealth pursuant to Section 1320b-5 of Title 42 of the United States Code.

(k) "Technical assistance" means a structure to deliver training and technical assistance to grantees using regional collaboratives and state, regional, and local technical assistance providers that have expertise in pupil and family engagement, school-

community collaboration of service delivery and financing, the coordination and integration of support services, and multiindicator data collection and evaluation.

(l) "Unduplicated pupil" has the same meaning as defined in Section 42238.02.

SEC. 9. Section 8902 of the Education Code is amended to read:

8902. (a) The Legislature finds and declares all of the following:

(1) The COVID-19 pandemic has continued to exacerbate conditions associated with poverty, including food insecurity, housing and employment instability, and inadequate health care.

(2) Community schools offer unique models to more efficiently and effectively provide trauma-informed integrated educational, health, and mental health services to pupils with a wide range of needs that have been affected by the COVID-19 pandemic.

(3) Additional investment in community schools that provide integrated pupil supports, community partnerships, and expanded learning opportunities will help address the trauma and loss of learning that have resulted from the COVID-19 pandemic. Statewide investment in community schools, supported by local networks designed to coordinate services and resources, are critical to realize whole-child education.

(b) For the 2021–22 fiscal year, the sum of two billion eight hundred thirty-six million six hundred sixty thousand dollars (\$2,836,660,000) is hereby appropriated from the General Fund to the Superintendent to administer the California Community Schools Partnership Program, established by Section 117 of Chapter 24 of the Statutes of 2020, as amended by Section 63 of Chapter 110 of the Statutes of 2020, in the manner and for the purposes set forth in this section. These funds shall be used in accordance with the California Community Schools Framework, as adopted by the state board. These funds shall not be used for punitive disciplinary practices or the engagement of campus law enforcement. These funds shall be available for encumbrance or expenditure until June 30, 2031. The funds shall be distributed as follows:

(1) At least two billion six hundred ninety-four million eight hundred twenty-seven thousand dollars (\$2,694,827,000) shall be allocated to establish new, and expand existing, community schools supported by local educational agencies or consortiums that help coordinate services and manage learning networks for these schools.

(2) Up to one hundred forty-one million eight hundred thirty-three thousand dollars (\$141,833,000) shall be allocated to contract with local educational agencies to create a network of at least five regional technical assistance centers, pursuant to subdivision (j), to provide support and assistance to local educational agencies, or consortiums, and community schools through the 2027–28 school year. Regional technical assistance center responsibilities shall include all of the following:

(A) Outreach and technical assistance to potential applicants as needed before or after awarding a grant under the program.

(B) Development of community school resources, sharing of best practices, and data collection and use.

(C) Development of optional centralized planning templates to support interagency planning and the leveraging of funding for the community school initiative, including, but not limited to, funding from the Expanded Learning Opportunities Program, the California state preschool program, Universal Transitional Kindergarten, universal meal programs, health and mental health supports for pupils and staff, the local control funding formula, and any other available local, state, or federal funds that may facilitate and sustain the community school initiative.

(D) Facilitation of peer support networks for qualifying entities and county offices of education to support community engagement and the provision of supports within a multitiered system of support leading to positive and equitable pupil academic and well-being outcomes, as well as positive school climate outcomes, for both state and local measures identified in the local educational agency's local control and accountability plan.

(3) (A) Up to one hundred forty million dollars (\$140,000,000) shall be allocated to county offices of education serving at least two qualifying entities receiving grant funding pursuant to subdivision (g) or (h) to coordinate county-level governmental, nonprofit community-based organizations, and other external partnerships to support community school implementation at grant recipients in their county. This shall include designating a county-level community schools liaison to coordinate with the department and technical assistance centers in capacity building, resource connection, and continuous improvement activities consistent with supporting grant recipients in their county in implementation of community schools, as specified in subdivisions (g) and (h). County office of education grant award amounts under this paragraph shall be determined based on the number of community schools funded pursuant to this chapter, and the number of pupils served in those schools, using an allocation formula determined by the Superintendent, and provide at least two hundred thousand dollars (\$200,000) and up to five hundred thousand dollars (\$500,000) annually, for seven years, for each qualifying county office of education. These funds are

separate from any funds county offices of education receive pursuant to paragraph (3) of subdivision (h) for serving as qualifying entities to a network of community schools.

(B) County offices of education receiving funds pursuant to this paragraph shall support centralized grant recipient communications with county-level governmental partners and funding sources, which may include, but not be limited to, pupil support and health care service billing and billing practices technical assistance.

(C) County offices of education receiving funds pursuant to this paragraph shall support local educational agency planning and use of pupil and campus data for integrating community school, expanded learning, early childhood education, county behavioral health, educator professional development, and other state-funded initiatives integral to the four pillars of a community school approach as described in subdivision (b) of Section 8901, which may be part of the qualifying entity's local control and accountability plan process pursuant to Section 47606.5, 52060, or 52066, as applicable.

(c) On or before November 15, 2021, the Superintendent, with the approval of the state board, shall update as necessary, the application process and administration plan for the selection of grant recipients under the program, which may include prioritization for awards. After November 15, 2021, the Superintendent shall update the state board on an annual basis regarding the administration of this chapter and present to the state board any proposed changes to the application process and administration plan.

(d) The Superintendent shall award, subject to the approval of the state board, grants on a competitive basis to qualifying entities for planning grants for new community schools, implementation grants for new community schools or for the expansion or continuation of existing community schools, and extension grants, as provided, to representative qualifying entities in northern, central, and southern California, and in urban, suburban, and rural areas.

(e) A qualifying entity seeking a grant under this chapter shall submit an application to the Superintendent at a time and in a manner, and with any appropriate information, as the Superintendent may reasonably require. Each grant application submitted shall include all of the following:

(1) A description and documentation of how the participating community and cooperating agencies have been and will be engaged in the community school model.

(2) A description of all of the programs and services to be provided at the schoolsite, at a site near or adjacent to the school, or virtually.

(3) A description of all direct and indirect resources to be used for the community school program, and the agencies responsible for the implementation of the program.

(4) Provisions for data collection and recordkeeping, including records of the population served, the components of the service, the outcomes of the service, and costs, including all of the following:

(A) Direct costs.

(B) Indirect costs.

(C) Costs to other agencies.

(D) Cost savings.

(f) The Superintendent shall prioritize grant funding to qualifying entities who meet all of the following:

(1) Serve pupils in schools or a partner school or schools in which at least 80 percent of the pupil population are unduplicated pupils.

(2) Demonstrate a need for expanded access to integrated services, including those disproportionately impacted by the COVID-19 pandemic.

(3) Involve pupils, parents, certificated and classified school staff, and cooperating agency personnel in the process of identifying the needs of pupils and families, and in the planning of support services to be offered.

(4) Commit to providing trauma-informed health, mental health, and social services for pupils within a multitiered system of support at the schoolsite, or an adjacent location, and partner with other schools, school districts, county agencies, or nongovernmental organizations.

(5) For qualifying entities that serve elementary school pupils, or for schools where there is a demonstrated need for childcare, including, but not limited to, programs for pregnant and parenting teens, commit to providing early care and education services

for children from birth to five years of age, inclusive, through one or more local educational agencies or community-based organizations.

(6) Identify a cooperating agency collaboration process, including cosignatories, a mechanism for sharing governance, which may include a plan to use existing or create shared decisionmaking teams that include pupils, families, educators, and community-based organizations, and for integrating or redirecting existing resources and other school support services.

(7) Plan to support a network of site-based community schools at schoolsites that have the capacity to ensure that services, professional development, and engagement can occur on schoolsite, or at an adjacent location, with the support of community-based organizations and other relevant providers, for all relevant stakeholders.

(8) Identify a plan to sustain community school services after grant expiration, including by maximizing reimbursement for services from available sources, including, but not limited to, the Local Educational Agency Medi-Cal Billing Option Program, School-Based Medi-Cal Administrative Activities program, and reimbursable mental health specialty care services provided under the federal Early and Periodic Screening, Diagnosis and Treatment program (42 U.S.C. Sec. 1396d(a)(4)(B)).

(g) (1) Of the amount identified in paragraph (1) of subdivision (b), including all other funds appropriated for this program in the Budget Act of 2021, at least 10 percent shall be available for planning grants of up to two hundred thousand (\$200,000) per qualifying entity, and shall be allocated in the 2021–22 and 2022–23 fiscal years, for up to a two-year planning grant period, for local educational agencies with no existing community schools. The planning grant may be used for any of the following purposes:

(A) Staffing costs for a community school coordinator.

(B) Conducting a comprehensive school and community needs and asset assessment, including, but not limited to, pupil and community demographics, school climate, integrated support services, expanded learning time, educator, family, pupil, and community engagement, new or existing partnerships with governmental entities or community-based organizations, and available funding sources.

(C) Grant application support, service billing development, and other administrative costs necessary to launch a community school model at scale.

(D) Partnership development and coordination support between the grantee and cooperating agencies.

(E) Providing training and support to local educational agency and cooperating agency personnel to develop best practices for integrating instruction and pupil supports.

(F) Preparing a community school implementation plan for submission to the governing board or body of the local educational agency and to the department.

(2) Any remaining planning grant funding available at the conclusion of the planning grant period shall be made available for implementation grants.

(h) (1) Of the amount identified in paragraph (1) of subdivision (b), including all other funds appropriated for this program in the Budget Act of 2021, up to 70 percent shall be available for implementation grants to qualified entities. Implementation grants shall be at least one hundred thousand dollars (\$100,000) and up to five hundred thousand dollars (\$500,000) annually per schoolsite for new community schools or for the expansion or continuation of existing community schools that agree to align with the provisions of this chapter. New and existing community schools shall be funded for five years, upon submission to the department of a community school plan and evidence of ongoing progress as part of the annual formative evaluations specified in subdivision

(l). The implementation grant may be used for any of the following purposes:

(A) Staffing, including, but not limited to, a community school coordinator, and contractor capacity.

(B) Coordinating and providing support services to pupils and families at or near community schools, including through childcare, expanded learning time before and after school, and during school intersessions.

(C) Providing training and support to local educational agency personnel, and partner agency personnel on integrating school-based pupil supports, social-emotional well-being, trauma-informed practices, and establishing sustainable community school funding sources.

(D) Designing and executing educator, family, pupil, and community engagement strategies.

(E) Ongoing data collection and program evaluations, including at least one measure of growth in individual pupil well-being as measured through pupil surveys or the compilation of screening tool results.

(F) Implementing the sustainability plan described in paragraph (8) of subdivision (f) and updating the plan as necessary.

(G) Securing various long-term funding streams and commitments from partners that will continue to provide financial assistance or other means of support.

(H) Building capacity around sustainability and other efforts to support ongoing community school programming.

(I) Conducting a comprehensive school and community needs and asset assessment to support a continuous improvement process.

(2) The Superintendent shall prioritize new community schools for implementation grants under paragraph (1) and those moneys shall supplement, not supplant, existing services and funds.

(3) A local educational agency grantee may retain up to the lesser of five hundred thousand dollars (\$500,000) or 10 percent of the total funds awarded pursuant to this subdivision for its sites each year. These funds shall be used to administer implementation grants locally, manage professional learning and networking, and coordinate services and funding streams for community schools under the local educational agency grantee. Funds retained by the local educational agency grantee to provide direct services to pupils may be retained separately from this administrative set-aside.

(4) The funding under paragraph (3) shall supplement, and not supplant, existing services and funds, and shall be used for ongoing coordination of services, management of the community school, and ongoing data collection and program evaluations.

(5) Implementation grant funds may carry over from year to year and are restricted to permitted uses of the funds.

(6) Qualifying entities that receive implementation grants shall annually report and publicly present their community school plans, including data and outcomes from the prior year, at the schoolsite and at a meeting of the governing board of the school district, county board of education, or the governing body of the charter school. Implementation grant recipients shall publicly post their community school grant application and community schools plan on the local educational agency's internet website.

(i) (1) All planning and implementation grants awarded under subdivisions (g) and (h) shall be matched by the qualifying entity or its cooperating agencies with a local match equal to one-third of the grant amount. The local match shall be contributed in cash or as services or resources of comparable value, as determined by the department.

(2) The Superintendent shall reserve adequate funding pursuant to this section to preserve capacity for qualifying entities receiving planning grants pursuant to subdivision (g) to receive implementation grants pursuant to subdivision (h) at the end of their planning grant period, if all planning grant requirements are met.

(j) (1) Of the amount identified in paragraph (1) of subdivision (b), at least 20 percent shall be available for the option to extend implementation grants from five years to seven years for ongoing coordination costs to local educational agency implementation grantees of up to one hundred thousand dollars (\$100,000) annually per site of an existing community school, and shall be allocated, beginning with the 2025–26 fiscal year, through the 2030–31 fiscal year.

(2) (A) The funding under paragraph (1) shall support the ongoing implementation of the community school initiative's sustainability plan pursuant to paragraph (8) of subdivision (f) at each schoolsite receiving funding pursuant to subdivision (h). The department may request evidence that the local educational agency grantees have spent implementation grant funding in alignment with their implementation plans and are tracking short-term results of their efforts before awarding implementation grant extensions.

(B) The funding under paragraph (1) shall supplement, not supplant, existing services and funds, and shall be used for ongoing coordination of services, management of the community school, and ongoing data collection and program evaluations.

(3) All grant extensions awarded under paragraph (1) shall be matched by the participating qualifying entity or its cooperating agencies with a local match equal to one dollar (\$1) for each dollar (\$1) of extension grant funding received. The match shall be contributed in cash or as services or resources of comparable value, as determined by the department.

(k) Of the amount identified in paragraph (2) of subdivision (b), the Superintendent shall contract, subject to the approval of the state board, on a competitive basis with at least five local educational agencies to serve as regional technical assistance centers to provide technical assistance to grant recipients seeking to establish or expand community schools. Preference shall be given to local educational agencies that commit to partner with institutions of higher education or nonprofit community-based organizations. Technical assistance shall, to the extent practicable, be provided in consultation and collaboration with the statewide system of support established pursuant to Section 52059.5, and be made available to share best practices and assist both prospective applicants and grant recipients with tasks, including, but not limited to, all of the following:

- (1) Conducting a comprehensive school and community needs and asset assessment.
- (2) Improving authentic family and community engagement in the languages spoken in the community.
- (3) Creating community partnerships.
- (4) Developing sustainable funding sources.
- (5) Coordinating services across child-serving agencies and schools.
- (6) Accessing and combining funding for services from multiple revenue sources.

(l) Grant recipients and regional technical assistance centers shall commit to providing program and expenditure data to the department, as specified by the Superintendent, and participating in overall program evaluation.

(m) (1) The impact of the grant program in achieving the goals described in this section, including an evaluation of the effectiveness of the opportunities provided, shall be included as part of the annual formative evaluation of the program.

(2) The Superintendent shall use a competitive grant process to contract with an entity to develop and administer annual formative evaluations. The evaluations shall include all of the following:

(A) Outcome data, as specified by the department and the state board, including measures of pupil well-being and engagement, including, but not limited to, pupil attendance and school climate.

(B) An analysis of the nature and kind of services provided and changes made within the schools, areas of progress, and challenges to be addressed to meet the goals of the California Community Schools Partnership Program, including, but not limited to, effective integration of instructional and pupil support services, and support for authentic pupil, educator, and family engagement.

(C) Evidence of best practices and successful strategies for integrating multiple funding sources to meet a local educational agency's school improvement goals identified in their local control and accountability plan.

(3) (A) The Superintendent shall provide a formative evaluation to the Governor and the appropriate policy and fiscal committees of the Legislature by December 31, 2023, and annually thereafter, ending with a final comprehensive report on or before December 31, 2031.

(B) The annual formative evaluations shall be made publicly available on the department's internet website.

(C) The annual formative evaluations shall be separate from the comprehensive report that is required to be submitted on December 31, 2025, to the Governor and the appropriate policy and fiscal committees of the Legislature, pursuant to Section 117 of Chapter 110 of the Statutes of 2020.

(D) The final comprehensive report shall be provided to the Governor and the appropriate policy and fiscal committees of the Legislature on the impact of the grant program in achieving the goals described in this section, including an evaluation of the effectiveness of the opportunities provided.

(n) In addition to the amount specified in subdivision (b), the sum of one billion one hundred thirty-two million five hundred fifty-four thousand dollars (\$1,132,554,000) is hereby appropriated from the General Fund in the 2022–23 fiscal year to the Superintendent for allocation beginning in the 2023–24 fiscal year for implementation grants and grant extensions consistent with the purposes and requirements of subdivision (b).

(o) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (b) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (n) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2022–23 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2022–23 fiscal year.

SEC. 10. Section 14002 of the Education Code is amended to read:

14002. (a) (1) Notwithstanding any other law, upon certification of the Superintendent pursuant to Sections 41330, 41332, and 41335, any amount necessary to meet the requirements of programs specified in subdivision (b) during each fiscal year are hereby continuously appropriated from the General Fund to Section A of the State School Fund for allocation by the Controller.

(2) The amounts calculated for the programs specified in subdivision (b) are considered final as of the certification of the second principal apportionment in the fifth succeeding fiscal year, inclusive, of the fiscal year for which the calculation is being made. Final submissions shall be submitted pursuant to procedures and timeframes established by the Superintendent. This paragraph does not apply to a change that is the result of an audit exception, as described in paragraph (2) of subdivision (a) of Section 41341.

(b) Programs included for purposes of this section are all of the following:

- (1) Chapter 12.5 (commencing with Section 2574) of Part 2.
- (2) Section 41544.
- (3) Section 41850.1.
- (4) Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3 of Title 2.
- (5) Section 47663.
- (6) Article 7 (commencing with Section 48300) of Chapter 2 of Part 27 of Division 4 of Title 2.
- (7) Article 10 (commencing with Section 48350) of Chapter 2 of Part 27 of Division 4 of Title 2.

(c) (1) Notwithstanding subdivision (a), commencing with the 2019–20 fiscal year, if, for an upcoming fiscal year, the total amount necessary to meet the requirements of the programs specified in subdivision (b) is projected to be in excess of 89 percent of the General Fund and Education Protection Account revenues and allocated proceeds of taxes that are necessary to meet the requirements of Section 8 of Article XVI of the California Constitution, excluding appropriations made to the Chancellor of the California Community Colleges for allocation to community college districts, then before the enactment of the annual Budget Act for that fiscal year, the Director of Finance may reduce the following to a percentage equal to or greater than the projected growth rate of the minimum amount necessary to meet the requirements of Section 8 of Article XVI of the California Constitution, but not less than zero:

(A) The adjustments required pursuant to paragraph (4) of subdivision (a) of Section 2574, subparagraph (B) of paragraph (1) of subdivision (c) of Section 2574, subdivision (b) of Section 2575.1, paragraph (2) of subdivision (d) of Section 42238.02, and Section 42287.

(B) The inflation or cost-of-living adjustment otherwise authorized or required for all of the following programs:

- (i) Subdivision (b) of Section 8265.
- (ii) Subdivision (c) of Section 49536.
- (iii) Subdivision (b) of Section 56836.142.
- (iv) Subdivision (d) of Section 17581.6 of the Government Code.

(2) The percentage reductions made pursuant to subparagraph (B) of paragraph (1) shall be no less than the percentage reductions made pursuant to subparagraph (A) of paragraph (1).

(3) This subdivision shall not be construed to change the adjustment identified in paragraph (2) of subdivision (d) of Section 42238.02 for a prior fiscal year.

(4) Notwithstanding Section 10231.5 of the Government Code, the Director of Finance shall report to the Legislature, consistent with Section 9795 of the Government Code, before the enactment of the annual Budget Act each fiscal year any amounts or percentages reduced from inflation or cost-of-living adjustments pursuant to paragraph (1) for the upcoming fiscal year.

SEC. 11. Section 14041 of the Education Code is amended to read:

14041. (a) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in the amounts and manner prescribed in this section so as to provide in each warrant a portion of the total amount certified by the Superintendent as apportioned for programs identified in paragraph (1) during the fiscal year 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 of that county, and to the county school tuition fund of that county.

(1) Programs to be included in the apportionment include all of the following:

- (A) Chapter 12.5 (commencing with Section 2574) of Part 2.
- (B) Sections 41330 to 41343, inclusive.
- (C) Section 41544.
- (D) Chapter 4 (commencing with Section 41600) of Part 24 of Division 3 of Title 2.
- (E) Chapter 5 (commencing with Section 41760.2) of Part 24 of Division 3 of Title 2.
- (F) Section 41841.5.
- (G) Section 41850.1.
- (H) Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3 of Title 2.
- (I) Section 46120.
- (J) Section 47663.
- (K) Article 7 (commencing with Section 48300) of Chapter 2 of Part 27 of Division 4 of Title 2.
- (L) Article 10 (commencing with Section 48350) of Chapter 2 of Part 27 of Division 4 of Title 2.
- (M) Sections 56428, 56432, 56836 to 56836.13, inclusive, and 56836.165 to 56836.31, inclusive.
- (N) Article 2.2 (commencing with Section 56836.14) of Chapter 7.2 of Part 30 of Division 4 of Title 2.
- (O) Article 6.5 (commencing with Section 56836.39) of Chapter 7.2 of Part 30 of Division 4 of Title 2.

(2) Warrants for amounts apportioned to school districts, county school service funds, and county school tuition funds shall be for amounts equal to 5 percent in July, 5 percent in August, and 9 percent in September, October, November, December, and January, of the amounts certified by the Superintendent as a part of the advance apportionment.

(3) Warrants in the months of February to May, inclusive, shall be for amounts equal to one-fifth of the difference between the amounts certified by the Superintendent for school districts, county school service funds, and county school tuition funds as the first principal apportionment and the amounts required by paragraph (2).

(4) Warrants for the month of June shall be for amounts equal to the difference between the amounts certified by the Superintendent for school districts, county school service funds, and county school tuition funds as the second principal apportionment and the amounts required by paragraphs (2) and (3).

(5) Warrants in June shall include the total amounts certified by the Superintendent as the final apportionment.

(6) Notwithstanding paragraph (2) to the contrary, for school districts that reported less than 5,000 units of average daily attendance in the 1979–80 fiscal year and that received 39 percent or more, but less than 75 percent, of their total revenue limits from local property taxes in that fiscal year, warrants for amounts apportioned to the school districts shall be for amounts equal to 15 percent in July, August, September, and October; zero percent in November and December; and 6 percent in January of the amounts certified by the Superintendent as a part of the advance apportionment. Warrants for amounts apportioned to the school districts for the months of February to May, inclusive, shall be in accordance with paragraph (3), and for the month of June, shall be in accordance with paragraph (4).

(7) Notwithstanding paragraph (2) or (6) to the contrary, for school districts that reported less than 5,000 units of average daily attendance in the 1979–80 fiscal year and that received 75 percent or more of their total revenue limits from local property taxes in that fiscal year, warrants for amounts apportioned to the school districts shall be for amounts equal to 15 percent in July; 30 percent in August and September; 15 percent in October; zero percent in November and December; 6 percent in January; and zero percent in February, March, April, and May, of the amounts certified by the Superintendent as a part of the advance apportionment. Warrants for the month of June shall be in accordance with paragraph (4).

(8) (A) Notwithstanding any other law, for the 2012–13 fiscal year only, for purposes of warrants drawn on the State Treasury pursuant to this section, the amount certified by the Superintendent as the advance apportionment and first principal apportionment shall include the following reduction:

- (i) The Superintendent shall multiply six billion nine hundred twenty-one million five hundred twenty-two thousand dollars (\$6,921,522,000) by the ratio of the revenue limit or charter school general purposes funding for each county office of

education, school district, or charter school, to the statewide total of revenue limit and charter school general purpose funding.

(ii) For each county office of education, school district, or charter school, the Superintendent shall subtract the amount calculated in clause (i) from the apportionments calculated pursuant to Sections 2558, 42238, and 47633.

(B) Notwithstanding any other law, for the 2012–13 fiscal year, the Superintendent shall delay the second principal apportionment calculated pursuant to Section 41335 from July 2, 2013, to July 15, 2013, to account for all revenues remitted to school districts and county offices of education pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution. The Superintendent shall ensure that the second principal apportionment calculated pursuant to Section 41335 accounts for the difference between the amount distributed pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution and the offsets listed in subparagraph (A). Nothing in this section shall delay the payment of warrants to school districts and county offices of education 10 days before the close of the state's fiscal year pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(9) Notwithstanding paragraph (1), (3), or (7), as those paragraphs and this section read on June 1, 2018, for the 2012–13 fiscal year only, the Superintendent shall reduce the June warrants for any amounts received pursuant to Sections 34179.5 and 34179.6 of the Health and Safety Code. This reduction shall constitute the entire amount distributed pursuant to Sections 34179.5 and 34179.6 of the Health and Safety Code and offset pursuant to subparagraph (B) of paragraph (6) of subdivision (h) of Section 42238, paragraph (6) of subdivision (c) of Section 2558, and Section 56836.08.

(b) The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the Treasurer from the State School Fund and are not subject to Section 925.6 of the Government Code.

SEC. 12. Section 17375 of the Education Code is amended to read:

17375. (a) (1) The California Preschool, Transitional Kindergarten and 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 transitional kindergarten classrooms and full-day kindergarten classrooms pursuant to Section 8973, and for the construction of new preschool classrooms, the modernization of existing preschool classrooms, or the modernization of existing kindergarten and grade 1 to 12, inclusive, classrooms that would be converted to provide California state preschool programs operated by school districts on a public schoolsite, pursuant to this section.

(2) Moneys appropriated pursuant to this section shall be deposited in the California Preschool, Transitional Kindergarten, and 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, as it read on December 31, 2020.

(4) (A) For the 2021–22 fiscal year, the sum of four hundred ninety million dollars (\$490,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section.

(B) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board to provide one-time grants as specified in this section.

(C) It is the intent of the Legislature to appropriate an additional five hundred fifty million dollars (\$550,000,000) in the 2023–24 fiscal year from the General Fund to the State Allocation Board to provide one-time grants as specified in this section.

(D) (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 California state preschool program, a transitional kindergarten program, 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 in support of 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 shall be expended within one year of project completion or returned to the state as required by associated regulations and any accompanying grant agreement.

(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 transitional kindergarten or full-day kindergarten as required for eligibility pursuant to Sections 17071.25 and 17072.10, 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, or that lack the facility capacity to increase California state preschool program services.

(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) for a project, and meets the requirements for financial hardship pursuant to Sections 17075.10 and 17075.15. For purposes of this section, paragraph (5) of subdivision (d) of Section 17075.15 shall not apply.

(B) (i) For school districts seeking a transitional kindergarten or full-day kindergarten facilities grant, 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 subdivision (a) of Section 42238.01.

(ii) For school districts seeking a preschool facilities grant, the school district is located in an underserved area, as defined in Section 8205, that is prioritized to receive funds for the California state preschool program according to the prioritization process described in Section 8210.

(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 shall provide 25 percent of the cost of the project, whether the project is for new construction or retrofit, if the school district does either of the following:

(A) Converts a part-day kindergarten program to a full-day kindergarten program. 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 the requirements of this paragraph.

(B) Commencing with the 2021–22 fiscal year, offers, or expands enrollment in, a California state preschool program or transitional kindergarten program.

(5) (A) A school district seeking a transitional kindergarten or full-day kindergarten facilities grant from moneys in the California Preschool, Transitional Kindergarten, and 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.

(B) For a school district seeking a new construction grant for preschool classrooms from moneys in the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account, the school district shall demonstrate that its existing classrooms, including outdoor play areas and equipment, are insufficient to meet the needs of providing preschool, and that the school district's projected enrollment in the preschool program exceeds the current preschool program classroom capacity at the applicable schoolsite. A school district shall use both of the following to demonstrate enrollment for purposes of determining eligibility:

(i) The most recent childcare needs assessment conducted by its regional local planning council for preschool age children.

(ii) A current or future contract with the State Department of Education to operate a preschool program.

(6) A school district, county office of education, or community college district seeking a preschool facilities grant shall hold title to the real property where the facilities will be located.

(c) The State Allocation Board shall disburse 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 do all of the following:

(1) 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.

(2) For a school district applying for grant funds for a transitional kindergarten facilities project, pass a resolution at a public meeting of the governing board of the school district stating the school district's intent to offer, or expand enrollment in, a transitional kindergarten program.

(3) For a school district applying for grant funds for a California state preschool program facilities project, pass a resolution at a public meeting of the governing board of the school district stating the school district's intent to expand enrollment in a preschool program and apply for expanded program service funding, and certify that the school district has or will apply for a contract to operate a preschool program before occupying the to-be-constructed or retrofitted facility.

(f) (1) A school district may use grant funds awarded for new construction on costs necessary to adequately house preschool, transitional kindergarten, and kindergarten pupils in an approved project, which shall 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 preschool, transitional kindergarten, and kindergarten pupils, which shall 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.

(3) A school district shall not use funds to purchase or install portable classrooms. For purposes of this article, "portable classroom" means a classroom building of one or more stories that is designed and constructed to be relocatable and transportable over public streets, and for a single-story portable classroom, is designed and constructed for relocation without the separation of the roof or floor from the building and when measured at the most exterior walls, has a floor area that does not exceed 2,000 square feet.

(g) For a modernization grant pursuant to this article to retrofit an existing preschool classroom, including outdoor play areas and installed equipment, the applicable classroom shall comply with all of the following:

(1) The Field Act, as set forth in Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365).

(2) The California Building Standards Code, as set forth in Title 24 of the California Code of Regulations.

(3) The regulations for early learning and care programs as set forth in Chapter 19 (commencing with Section 18000) of Division 1 of Title 5 of, and Chapter 1 (commencing with Section 101151) of Division 12 of Title 22 of, the California Code of Regulations, as applicable.

(4) Written approval from the State Department of Education that the building plans comply with the standards set forth in Subchapter 1 (commencing with Section 14001) of Chapter 13 of Division 1 of Title 5 of the California Code of Regulations.

(h) 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.

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

(j) 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.

(k) The Department of General Services may charge its administrative costs against the California Preschool, Transitional Kindergarten, and 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.

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

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

(1) "Kindergarten" includes transitional kindergarten, as defined in Section 48000.

(2) "Preschool classroom" means a preschool classroom used or proposed to be used for instructional purposes in a California state preschool program.

(3) "Preschool program" means a full-day California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6.

(4) "Schoolsite" or "site" means the project site for which the school district is applying for grants under this article.

(5) "School district" means as follows:

(A) For transitional kindergarten and full-day kindergarten facilities grants, "school district" means a school district.

(B) For preschool facilities grants, "school district" means a school district, county office of education, or a community college district that operates a preschool program on behalf of, or in lieu of, a school district or county office of education.

SEC. 13. Section 35780 of the Education Code is amended to read:

35780. (a) A school district that has been organized for more than three years shall be lapsed as provided in this article if the number of registered electors in the school district is less than six or if the average daily attendance of pupils in the school or schools maintained by the school district is less than six in kindergarten and grades 1 to 8, inclusive, or is less than 11 in grades 9 to 12, inclusive. The county board of education may defer the lapsation of the school district for one year upon adoption of a resolution approved by a majority of the members of the governing board of the school district and written concurrence of the county superintendent of schools.

(b) For a new district that has been unable to provide the school facilities necessary for instructional services by employees of the school district to all of the pupils who are residents of the school district after five years from the date that the reorganization became effective, the county committee on school district organization, upon direction from the state board, shall initiate lapsation procedures pursuant to Section 35783 or revert the reorganized district to its original status.

(c) A school district may also be lapsed when there are no school facilities or sites on which to maintain any school in the school district.

(d) A school district may also be lapsed upon adoption of a resolution approved by a majority of the members of the governing board of the school district and written concurrence of the county superintendent of schools.

SEC. 14. Section 39800.1 is added to the Education Code, to read:

39800.1. (a) As a condition of receiving apportionments under Section 41850.1, a local educational agency shall develop a plan describing the transportation services it will offer to its pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income. The plan shall be adopted by the local educational agency's governing board on or before April 1, 2023, and updated by April 1 each year thereafter. The plan shall include the following components:

(1) A description of the local educational agency's transportation services that would be accessible to pupils with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(2) A description of how unduplicated pupils, as defined in subdivision (b) of Section 42238.02, would be able to access available home-to-school transportation at no cost to the pupils.

(b) (1) The plan shall be developed in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents, pupils, and other stakeholders.

(2) The plan shall be presented and adopted by the governing board of the local educational agency in an open meeting with the opportunity for in-person and remote public comment.

(c) The plan may provide for the local educational agency to partner with a municipally owned transit system to provide service pursuant to this section to middle school and high school pupils.

(d) Nothing in a local educational agency's plan shall preclude a local educational agency from providing no-cost transit passes to pupils.

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

SEC. 15. Section 39807.5 of the Education Code is amended to read:

39807.5. (a) When a local educational agency provides for the transportation of pupils to and from schools, including the governing board of a school district pursuant to Section 39800, or between the regular full-time day schools they would attend and the regular full-time occupational training classes attended by them as provided by a regional occupational center or program, the governing board may require the parents and guardians of all or some of the pupils transported, to pay a portion of the cost of this transportation in an amount determined by the governing board.

(b) The amount determined by the governing board pursuant to subdivision (a) shall be no greater than the statewide average nonsubsidized cost of providing this transportation to a pupil on a publicly owned or operated transit system as determined by the Superintendent, in cooperation with the Department of Transportation.

(c) For purposes of this section, "nonsubsidized cost" means actual operating costs less federal subventions.

(d) The governing board shall exempt from these charges pupils of parents and guardians who are unduplicated pupils, as defined in subdivision (b) of Section 42238.02. Nothing in this provision shall prevent the governing board from providing transportation services at no cost.

(e) A charge under this section may not be made for the transportation of individuals with exceptional needs as defined in Section 56026.

(f) Nothing in this section shall be construed to sanction, perpetuate, or promote the racial or ethnic segregation of pupils in the schools.

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

SEC. 16. Section 41203.1 of the Education Code is amended to read:

41203.1. (a) For the 1990–91 fiscal year and each fiscal year thereafter, allocations calculated pursuant to Section 41203 shall be distributed in accordance with calculations provided in this section. Notwithstanding Section 41203, and for purposes of this section, school districts, community college districts, and direct elementary and secondary level instructional services provided by the State of California shall be regarded as separate segments of public education, and each of these three segments of public

education shall be entitled to receive respective shares of the amount calculated pursuant to Section 41203 as though the calculation made pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution were to be applied separately to each segment and the base year for purposes of this calculation under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution were based on the 1989–90 fiscal year. Calculations made pursuant to this subdivision shall be made so that each segment of public education is entitled to the greater of the amounts calculated for that segment pursuant to paragraph (1) or (2) of subdivision (b) of Section 8 of Article XVI of the California Constitution.

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

(c) Notwithstanding any other law, this section does not apply to the 1992–93 to the 2022–23 fiscal years, inclusive.

SEC. 17. Section 41204.7 is added to the Education Code, to read:

41204.7. (a) Notwithstanding any other law, commencing with the 2022–23 fiscal year, the Director of Finance shall annually adjust the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87 for purposes of making the calculations required under paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, so that any annual increase in local control funding formula apportionments generated by an increase in average daily attendance due to the implementation of Section 48000 results in a commensurate increase in General Fund proceeds of taxes and allocated local proceeds of taxes that are required to be applied by the state for the support of school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution.

(b) The amount of the adjustment described in subdivision (a) for a given fiscal year shall be considered final as of the final prior year certification pursuant to Section 41206.01.

SEC. 18. Section 41480 of the Education Code is amended to read:

41480. (a) (1) The sum of one billion five hundred million dollars (\$1,500,000,000) is hereby appropriated from the General Fund to the Superintendent for the Educator Effectiveness Block Grant. The Superintendent shall apportion these funds to school districts, county offices of education, charter schools, and the state special schools in an equal amount per full-time equivalent certificated staff, which shall not exceed the total certificated staff count, and full-time equivalent classified staff count, for each eligible local educational agency, in the 2020–21 fiscal year. The Superintendent shall make the calculations pursuant to this section using the data submitted through the California Longitudinal Pupil Achievement Data System and classified staff data submitted through the California Basic Educational Data System as of October 2020.

(2) A school district, county office of education, charter school, or state special school may expend the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2025–26 fiscal year, inclusive. School districts, county offices of education, charter schools, and state special schools shall coordinate the use of any federal funds received under Title II of the federal Every Student Succeeds Act of 2015 (Public Law 114–95) to support teachers and administrators with the expenditure of funds received pursuant to this subdivision.

(3) It is the intent of the Legislature that the Educator Effectiveness Block Grant support increased educator access to standards-aligned professional support for high-need areas of instruction, including, but not limited to, English language instruction, inclusive special education, early childhood education, and science, technology, engineering, and mathematics (STEM) instruction, including, but not limited to, computer science.

(b) A school district, county office of education, charter school, or state special school shall expend funds apportioned pursuant to this section to provide professional learning for teachers, administrators, paraprofessionals who work with pupils, and classified staff that interact with pupils, with a focus on any of the following areas:

(1) Coaching and mentoring of staff serving in an instructional setting and beginning teacher or administrator induction, including, but not limited to, coaching and mentoring solutions that address a local need for teachers that can serve all pupil populations with a focus on retaining teachers, and offering structured feedback and coaching systems organized around social-emotional learning, including, but not limited to, promoting teacher self-awareness, self-management, social awareness, relationships, and responsible decisionmaking skills, improving teacher attitudes and beliefs about one's self and others, and supporting learning communities for educators to engage in a meaningful classroom teaching experience.

(2) Programs that lead to effective, standards-aligned instruction and improve instruction in literacy across all subject areas, including English language arts, history-social science, science, technology, engineering, mathematics, computer science, and preschool learning foundations. This may include coursework that would allow existing staff to become credentialed, fully credentialed for their assignment, or meet the requirements of subdivision (g) of Section 48000.

(3) Practices and strategies that reengage pupils and lead to accelerated learning.

(4) Strategies to implement social-emotional learning, trauma-informed practices, suicide prevention, access to mental health services, and other approaches that improve pupil well-being.

(5) Practices to create a positive school climate, including, but not limited to, restorative justice, training around implicit bias, providing positive behavioral supports, multitiered systems of support, transforming a schoolsite's culture to one that values diverse cultural and ethnic backgrounds, and preventing discrimination, harassment, bullying, and intimidation based on actual or perceived characteristics, including disability, gender, gender identity, gender expression, language, nationality, race or ethnicity, religion, or sexual orientation.

(6) Strategies to improve inclusive practices, including, but not limited to, universal design for learning, best practices for early identification, and development of individualized education programs for individuals with exceptional needs.

(7) Instruction and education to support implementing effective language acquisition programs for English learners, which may include integrated language development within and across content areas, and building and strengthening capacity to increase bilingual and biliterate proficiency.

(8) New professional learning networks for educators not already engaged in an education-related professional learning network to support the requirements of subdivision (c).

(9) Instruction, education, and strategies to incorporate ethnic studies curricula adopted pursuant to Section 51226.7 into pupil instruction for grades 7 to 12, inclusive.

(10) Instruction, education, and strategies for certificated and classified educators in early childhood education, or childhood development.

(11) (A) Strategies to improve beginning teacher retention and support through teacher induction programs, including mentor training, stipends for mentor teachers, beginning teacher induction program costs following initial preparation, the examination or assessment fee for one administration of the reading instruction competence assessment or a teaching performance assessment, training mentors to support candidates in completing a performance assessment or reading instruction competence assessment, or contracting with commission-approved preliminary teacher preparation programs to provide mentoring support for the completion of required assessments.

(B) Funding apportioned pursuant to this section that is used to improve beginning teacher retention and support through teacher induction programs consistent with subparagraph (A), shall supplement and not supplant funding already provided by grant recipients for similar purposes.

(c) To ensure professional development meets educator and pupil needs, local educational agencies are encouraged to allow schoolsite and content staff to identify the topic or topics of professional learning. Reasonably related costs of providing and attending professional learning, including, but not limited to, travel, per diem reimbursement, and substitute costs, are allowable expenditures of funds apportioned pursuant to this section. Professional learning provided pursuant to this section shall do both of the following:

(1) Be content focused, incorporate active learning, support collaboration, use models of effective practice, provide coaching and expert support, offer feedback and reflection, and be of sustained duration.

(2) As applicable, be aligned to the academic content standards adopted pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11, and the model curriculum adopted pursuant to Section 51226.7, as those sections read on June 30, 2020, and former Section 60605.85, as that section read on June 30, 2014.

(d) As a condition of receiving funds apportioned pursuant to this section, a school district, county office of education, charter school, or state special school shall do all of the following:

(1) On or before March 31, 2023, develop and adopt a plan delineating the expenditure of funds apportioned pursuant to this section, including the professional development of teachers, administrators, paraprofessionals, and classified staff. The plan shall be presented in a public meeting of the governing board of the school district, county board of education, or governing body of the charter school, before its adoption in a subsequent public meeting.

(2) On or before September 30, 2023, and again on or before September 30, 2026, report detailed expenditure information to the department, including, but not limited to, specific purchases made and the number of teachers, administrators, paraprofessional educators, or classified staff that received professional development. The department shall determine the format for this report.

(3) Ensure that none of their local educational agency employees are charged a fee for services allowable under this section, including, but not limited to, beginning teacher induction program costs, during the grant period pursuant to this section.

(e) The department shall summarize the information reported pursuant to subdivision (d) and shall submit the summary to the appropriate budget subcommittees and policy committees of the Legislature and to the Department of Finance on or before January 1, 2024, and again on or before November 30, 2026. The department shall determine the format for this report to optimize its production within existing resources, but shall include aggregated information on planned uses of the funds by allowable use and subject area. The report shall be submitted in compliance with Section 9795 of the Government Code.

(f) Funding apportioned pursuant to this section is subject to the annual audits required by Section 41020.

(g) 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, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

SEC. 19. Section 41490 of the Education Code is amended to read:

41490. (a) For the 2021–22 fiscal year, the sum of fifty million dollars (\$50,000,000) is hereby appropriated from the General Fund to the Superintendent to apportion to the Orange County Department of Education in the manner, and for the purposes, set forth in this section. The Orange County Department of Education shall encumber or expend the funds apportioned pursuant to this subdivision on or before June 30, 2026.

(b) The Orange County Department of Education, in consultation with the Superintendent and the executive director of the state board, shall award no less than thirty million dollars (\$30,000,000) of the amount appropriated in subdivision (a) as grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multi-Tiered Systems of Support framework developed under the "Scale Up MTSS Statewide" (SUMS) project. The grants shall be awarded to local educational agencies on or before December 15, 2021. Any funds not awarded on or before December 15, 2021, shall be available for the Orange County Department of Education, in consultation with the Superintendent and the executive director of the state board, to award as grants to local educational agencies on or before December 15, 2022.

(1) Grant funds awarded to local educational agencies shall be used to support the implementation of high quality integrated academic, behavioral, and social-emotional learning practices in an integrated multitiered system of support at the schoolwide level, including, but not limited to, all of the following:

(A) Educator and leader training on the foundations of the California Multi-Tiered System of Support framework and practices, as developed by the SUMS project.

(B) Ongoing training and coaching support to schoolsite educators and leaders in deepening the implementation of high leverage practices for integrated academic, behavioral, and social-emotional learning across tiers throughout the school community.

(C) Ongoing training and support to school and local educational agency leaders in aligning practices, policies, and structures to create and sustain a schoolwide and agencywide integrated multitiered system of support.

(D) Establishing school- and local educational agency-level multitiered system of support teams to support implementation efforts.

(2) Grants shall be awarded with priority to local educational agencies serving a high number of unduplicated pupils, as defined in Section 42238.02, that have participated in local educational agency-level training to implement an integrated multitiered system of support.

(3) Local educational agencies receiving funds shall measure and report on implementation fidelity at least annually using the tools and resources developed by the SUMS project. Data shall be reported to the Orange County Department of Education in a form available to the public.

(4) (A) On or before September 30 of each fiscal year until the Orange County Department of Education has fully expended the funds allocated pursuant to this subdivision, the Orange County Department of Education shall submit an annual report to the Superintendent summarizing how it used the funds in the prior fiscal year. The Superintendent shall provide copies of these reports to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the state board, and the Legislative Analyst's Office.

(B) A report to be submitted pursuant to subparagraph (A) shall be submitted in compliance with Section 9795 of the Government Code.

(c) (1) The Superintendent shall establish a process, in consultation with and subject to the approval of the executive director of the state board, to select a local educational agency, a local educational agency in partnership with an institution of higher education or nonprofit educational service provider, or a consortia, to partner with the Orange County Department of Education and the Butte County Office of Education to expand the state's capacity to support local educational agencies' implementation of social-emotional learning, trauma screening, trauma-informed practices, and culturally relevant, affirming, and sustaining practices. The selected entity, known as a partner entity, shall be selected on or before February 15, 2022. No more than twenty million dollars (\$20,000,000) of the amount appropriated in subdivision (a) is available for purposes of this subdivision.

(2) The partner entity shall have demonstrated expertise in developing and delivering high quality professional learning to educators in social-emotional learning, trauma-informed practices, and culturally relevant, affirming, and sustaining practices in a manner that aligns with local multitiered systems of support. The partner entity shall support the Orange County Department of Education and the Butte County Office of Education in offering high quality professional learning to educators and school leaders by performing all of the following functions:

(A) Creating, collecting, and curating resources for educators on social-emotional learning, trauma screening, trauma-informed practices, and culturally relevant, affirming, and sustaining practices.

(B) Providing ongoing training and support in the use of trauma screening tools and mental health service referrals, school climate surveys, and the use of tool and survey data.

(C) Providing grants to local educational agencies to support both of the following:

(i) Convening professional learning communities of educators and school leaders.

(ii) Providing ongoing training and coaching to educators and school leaders.

(3) In performing the work described in this subdivision, the partner entity, in partnership with the Orange County Department of Education and the Butte County Office of Education, shall, to the extent practicable, leverage current research and work related to how educators and school leaders can best address the social-emotional needs of pupils, and consult with experts in the field on matters related to trauma screening and trauma-informed practices.

(4) For purposes of this subdivision, "high quality professional learning" shall include, but not be limited to, professional learning that is content-focused, incorporates active learning using adult learning theory, supports collaboration in job-embedded contexts, uses models and modeling of effective practices, provides coaching and expert support, and offers opportunities for feedback.

(d) A local educational agency that receives a grant pursuant to subdivision (b), or high quality professional learning pursuant to subdivision (c), shall, as a condition of receiving the grant or high quality professional learning, provide to the Orange County Department of Education, the Butte County Office of Education, and the department any available outcome data resulting from the practices implemented, and participate in overall program evaluation.

(e) The Orange County Department of Education may expend up to one million dollars (\$1,000,000) of the amount appropriated pursuant to subdivision (a) to support the administration of grants and provide support to the grantees pursuant to Department of Finance approval of an expenditure plan. The Orange County Department of Education shall not expend moneys pursuant to this subdivision sooner than 30 days after the Department of Finance provides written notification of the approval of the expenditure plan to the Joint Legislative Budget Committee.

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

(g) 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, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

SEC. 20. Section 41544 of the Education Code is amended to read:

41544. (a) For a basic aid school district that was entitled to reimbursement pursuant to former Section 42247.4, as that section read on January 1, 2001, and that received an apportionment pursuant to subdivision (h) of former Section 42247.4, as that section read on January 1, 2001, because a court order directs pupils to transfer to that school district as part of the court-ordered voluntary pupil transfer program, the Superintendent, from the 2001–02 fiscal year to the 2012–13 fiscal year, inclusive, shall

calculate an apportionment of state funds for that basic aid school district that provides 70 percent of the school district revenue limit calculated pursuant to former Section 42238, as that section read on January 1, 2013, that would have been apportioned to the school district from which the pupils were transferred for the average daily attendance of any pupils credited under that court order who did not attend the basic aid school district before the 1995–96 fiscal year.

(b) (1) For a basic aid school district that was entitled to reimbursement pursuant to former Section 42247.4, as that section read on January 1, 2001, and that received an apportionment pursuant to subdivision (h) of former Section 42247.4, as that section read on January 1, 2001, because a court order directs pupils to transfer to that school district as part of the court-ordered voluntary pupil transfer program, the Superintendent, commencing with the 2013–14 fiscal year, shall calculate an apportionment of state funds for that basic aid school district that provides 70 percent of the school district local control funding formula base grant calculated pursuant to subdivision (d) of Section 42238.02, as implemented by Section 42238.03, for the school district from which the pupils were transferred for the average daily attendance of any pupils credited under that court order who did not attend the basic aid school district before the 1995–96 fiscal year.

(2) Notwithstanding paragraph (1), until the Superintendent determines that the school district from which the pupil or pupils were transferred is funded pursuant to Section 42238.02, the Superintendent shall apportion, for average daily attendance credited pursuant to paragraph (1), the lesser of the amount calculated pursuant to paragraph (1) or 70 percent of the sum of the entitlements for the school district from which the pupil or pupils were transferred for 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, divided by the average daily attendance of that school district for that fiscal year and then 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 that fiscal year computed pursuant to Section 42238.02.

(3) If the entitlements for the school district from which the pupil or pupils were transferred computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a), and paragraph (3) of subdivision (b), of Section 42238.03, include funding calculated pursuant to Article 4 (commencing with Section 42280) of Chapter 7 for a fiscal year, paragraph (2) shall not apply and the apportionment of state funds for the average daily attendance credited pursuant to this section for that fiscal year shall be calculated pursuant to paragraph (1).

(c) For purposes of subdivision (b), “basic aid school district” means a school district that does not receive from the state, for any fiscal year in which this section is applied, an apportionment of state funds pursuant to subdivision (o) of Section 42238.02.

SEC. 21. Article 8.5 (commencing with Section 41585) is added to Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code, to read:

Article 8.5. Dual Enrollment Opportunities

41585. (a) Contingent upon an appropriation by the Legislature in the annual Budget Act or another statute, the department, in consultation with the office of the Chancellor of the California Community Colleges, shall, beginning on or before January 1, 2023, administer a competitive grant program to do all of the following:

(1) Enable more local educational agencies to establish either middle college or early college high schools that provide pupils with access to obtain college credits while enrolled in high school.

(2) Provide incentives for local educational agencies to establish dual enrollment course opportunities that are consistent with the requirements of Section 76004.

(3) Enable local educational agencies with existing middle college or early college high schools or College and Career Access Pathways partnerships established pursuant to Section 76004, to couple robust pupil advising and success supports with dual enrollment opportunities and establish outreach campaigns to promote dual enrollment for new or existing middle college or early college high schools or College and Career Access Pathways partnerships established pursuant to Section 76004. For local educational agencies with College and Career Access Pathways partnerships, outreach shall be focused toward families and pupils who may not be college bound or who are underrepresented in higher education.

(b) (1) Of the funds appropriated in support of this grant program, the Superintendent shall provide approved applicants with either or both of the following, as applicable:

(A) A one-time grant of up to two hundred fifty thousand dollars (\$250,000) to support the costs to plan for, and start up, a middle college or early college high school that is located on the campus of a local educational agency, a partnering community college, or other location determined by the local partnership, and that is consistent with the specifications of Chapter 14 (commencing with Section 11300) of Part 7 of Division 1 of Title 1.

(B) A one-time grant of up to one hundred thousand dollars (\$100,000) to establish a College and Career Access Pathways dual enrollment partnership agreement that is consistent with the requirements of Section 76004 and to enable pupils at the

participating high school to access dual enrollment opportunities pursuant to the College and Career Access Pathways partnership agreement.

(2) Nothing shall preclude a local educational agency from using any unexpended funds received for the purposes of subparagraph (A) or (B) of paragraph (1) from using those funds to collaborate with their partner community college to access pupil advising and success support services offered by the partner community college district.

(3) A local educational agency may request grants from either or both of the opportunities specified in subparagraphs (A) and (B) of paragraph (1).

(c) The funds appropriated in the annual Budget Act or other statute for purposes of this section shall be distributed, approximately, in the following manner:

(1) Up to 50 percent shall be available for the purposes of subparagraph (A) of paragraph (1) of subdivision (b).

(2) Up to 50 percent shall be available for the purposes of subparagraph (B) of paragraph (1) of subdivision (b).

(d) (1) A local educational agency seeking a grant under this section shall submit an application to the Superintendent at a time, in a manner, and with any appropriate information, as the Superintendent may reasonably require, including, but not limited to, evidence of an existing or planned partnership with an institution of higher education for the creation of the dual enrollment program.

(2) The Superintendent shall give priority to available grant funds to support applications from local educational agencies that display any of the following characteristics:

(A) Fifty percent or more of the enrolled pupils at the local educational agency are unduplicated pupils, as defined in Section 42238.02.

(B) The local educational agency has a higher than state average dropout rate.

(C) The local educational agency has a higher than state average rate of suspension and a higher than state average rate of expulsion.

(D) The local educational agency has higher than state average rates of child homelessness, foster youth, or justice-involved youth.

(E) The local educational agency has a lower than state average rate of pupils completing all of the A–G courses required to be eligible for admission to the University of California or the California State University.

(3) To ensure funds are disbursed in a timely manner, the Superintendent shall begin disbursing funds for approved applicants on or before December 1, 2023.

(e) (1) It is the intent of the Legislature that courses offered to high school pupils in dual enrollment programs pursuant to this section are part of structured, well-sequenced pathways and count toward postsecondary certificate or degree requirements, and are counted toward high school graduation requirements in equivalent subject areas.

(2) It is the intent of the Legislature that courses offered to high school pupils pursuant to a College and Career Access Pathways partnership agreement established by Section 76004 are part of structured, well-sequenced pathways and consist of transfer-level courses, unless one of the following occurs:

(A) The pupil elects to participate in a degree or certificate pathway that is not met with transfer-level courses.

(B) The pupil, in mathematics, English, or both, in grade 10 or 11, would warrant access to innovative remediation coursework, as determined by the partnering school district, county office of education, or charter school. The pupil may be placed into an innovative remediation course during their first year of participating in the College and Career Access Pathways partnership agreement as an intervention taken to ensure the pupil is on track to satisfactorily complete state and any local graduation requirements, as determined by the school district, county office of education, or charter school, and is prepared for transfer-level coursework at a community college upon graduation.

(f) On or before June 30, 2024, and on or before June 30, 2027, the department shall prepare a summary of how the funds in this section were disbursed and used to further the goals listed in subdivision (a), and shall submit the summary to the Department of Finance, the Joint Legislative Budget Committee, the Senate Committee on Education, the Assembly Committee on Higher Education, and the Assembly Committee on Education. The summary shall include all of the following information:

(1) The number of grants awarded, disaggregated by local educational agency.

(2) A qualitative description of how the funding was used by local educational agencies to accomplish the goals listed in subdivision (a).

(3) The total number of high school pupils by schoolsite enrolled in dual enrollment programs disaggregated by participation in middle college high school, early college high school, College and Career Access Pathways, and other dual enrollment programs.

(4) The total number of community college courses by course category taken by pupils participating in middle college high school, early college high school, College and Career Access Pathways, and other dual enrollment programs.

(5) The total number of successful course completions by course category disaggregated by participation in middle college high school, early college high school, College and Career Access Pathways, and other dual enrollment programs.

(6) Course and program outcomes for pupils who were enrolled in dual enrollment programs, disaggregated by grade level, gender, socioeconomic status, race and ethnicity, and other disproportionately impacted groups.

(g) It is the intent of the Legislature that, upon the implementation of the California Cradle-to-Career Data System established in Section 10860, future data and outcome reporting on dual enrollment programs shall be linked through, and conducted in accordance with, the privacy requirements of the California Cradle-to-Career Data System.

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

SEC. 22. Section 41590 of the Education Code is amended to read:

41590. (a) For the 2021–22 fiscal year, the sum of five hundred forty-seven million five hundred thirteen thousand dollars (\$547,513,000) is hereby appropriated from the General Fund to the Superintendent for allocation for the A–G Completion Improvement Grant Program in the manner and for the purpose set forth in this section.

(b) The A–G Completion Improvement Grant Program is hereby established for the purpose of providing additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate from high school with A–G eligibility.

(c) (1) (A) For the 2021–22 fiscal year, the Superintendent shall allocate three hundred million dollars (\$300,000,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency that is identified by the department pursuant to subdivision (h) as having an overall A–G completion rate of less than 67 percent. A local educational agency that is otherwise eligible and is receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure or encumbrance through the 2025–26 fiscal year.

(B) The allocation under this paragraph shall be known as an A–G Access Grant.

(2) (A) For the 2021–22 fiscal year, the Superintendent shall allocate one hundred million dollars (\$100,000,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency that is identified by the department pursuant to subdivision (h) as having an overall A–G completion rate of 67 percent or higher. A local educational agency that is otherwise eligible and is receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure or encumbrance through the 2025–26 fiscal year.

(B) The allocation under this paragraph shall be known as an A–G Success Grant.

(d) (1) A–G Access Grants and A–G Success Grants shall be used for activities that directly support pupil access to, and successful completion of, the A–G course requirements. Eligible activities may include, but are not limited to, any of the following:

(A) Providing teachers, administrators, and counselors with professional development opportunities to improve the local educational agency's A–G completion rate.

(B) Developing comprehensive advising plans and pupil supports, including tutoring programs, to improve the local educational agency's A–G completion rate.

(C) Expanding access to coursework or other opportunities to satisfy A–G course requirements to all pupils, including, but not necessarily limited to, unduplicated pupils. These opportunities may include, but shall not be limited to, course

development, course review, incorporating A–G course requirements into the local educational agency's graduation requirements, and new or expanded partnerships with other secondary or postsecondary educational institutions.

(D) Advanced Placement and International Baccalaureate fees for unduplicated pupils.

(2) The Legislature encourages local educational agencies to direct A–G Success Grant funds towards pupils in danger of not achieving a grade of "C" or better in A–G courses.

(e) (1) (A) For the 2021–22 fiscal year, the Superintendent shall allocate one hundred forty-seven million five hundred thirteen thousand dollars (\$147,513,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency. A local educational agency that is otherwise eligible and is receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure or encumbrance through the 2025–26 fiscal year.

(B) The allocation under this subdivision shall be known as an A–G Learning Loss Mitigation Grant.

(2) (A) (i) A–G Learning Loss Mitigation Grants shall be used to allow pupils who receive a grade of "D," "F," or "Fail" in an A–G approved course in the spring semester of 2020 or the 2020–21 school year to retake those A–G courses.

(ii) The method of offering pupils the opportunity to retake courses provided in clause (i) shall be determined by the local educational agency.

(B) If sufficient funds are available after implementing subparagraph (A), a local educational agency may also use grant funds to offer credit recovery opportunities to all pupils to ensure pupils are able to graduate high school on time.

(f) A grant recipient shall develop a plan on or before April 1, 2022, describing how the funds received under this section will increase or improve services for unduplicated pupils to improve A–G eligibility, including information about the number of pupils identified for opportunities to retake courses pursuant to paragraph (2) of subdivision (e). The plan shall include information regarding how the plan and described services supplement, and do not supplant, those services identified in the school district's local control and accountability plan required pursuant to Section 52060, the county superintendent of schools' local control and accountability plan required pursuant to Section 52066, or the charter school's local control and accountability plan required pursuant to Section 47605 or 47605.6 and Section 47606.5, and the local educational agency's learning recovery program plan adopted pursuant to Section 43522. The plan shall also include a description of the extent to which all pupils within the local educational agency, particularly unduplicated pupils, will have access to A–G courses approved by the University of California. In order to ensure community and stakeholder input, the plan shall be discussed at a regularly scheduled meeting by the governing board of the school district, county board of education, or governing body of the charter school and adopted at a subsequent regularly scheduled meeting. The plan adopted by the governing board or body shall be submitted to the Superintendent at the same time as the reported information required pursuant to subdivision (g).

(g) A grant recipient shall report to the Superintendent on or before December 31, 2023, on how they are measuring the impact of the funds received under this section on their A–G completion rate, as identified within their plan, and the outcomes based on those measurements. The department shall compile the information reported pursuant to this subdivision and submit a report to the appropriate policy and fiscal committees of the Legislature on or before April 30, 2024, and shall update the state board on the contents of that report at a regularly scheduled meeting of the state board. A grant recipient shall report to the Superintendent on or before August 31, 2026, on final outcomes that measure the impact of the funds received under this section on their A–G completion rate.

(h) The Superintendent shall annually post on the department's internet website in an easily accessible location a list of each local educational agency's and each individual high school's A–G completion rate.

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

(1) "A–G completion rate" means the percentage of pupils who have satisfied the A–G subject matter requirements for admission to the California State University and the University of California with a grade of "C" or better in each of the required courses upon graduation for the prior year.

(2) "A–G course" means a course that may be used to satisfy the A–G subject matter requirements for admission to the California State University and the University of California.

(3) "A–G eligibility" means the pupil has satisfied the A–G subject matter requirements for admission to the California State University and the University of California with a grade of "C" or better in each of the required courses.

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

(5) "Unduplicated pupil" has the same meaning as in Sections 42238.01 and 42238.02.

(j) 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, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

SEC. 23. Section 41850.1 is added to the Education Code, to read:

41850.1. (a) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall apportion to each school district and county superintendent of schools that provides pupil transportation services, a transportation allowance equal to 60 percent of the home-to-school transportation expenditures reported by the school district or county superintendent of schools as determined by its Function 3600 entry in the Standardized Account Code Structure (SACS) report for the prior year, excluding capital outlay and nonagency expenditures. This allowance shall be reduced by the amount of the transportation add-on computed under paragraph (1) of subdivision (h) of Section 42238.02 and adjusted under paragraph (3) of subdivision (h) of Section 42238.02 for a school district or subparagraph (A) of paragraph (2) of subdivision (e) of Section 2574 and adjusted under subparagraph (C) of paragraph (2) of subdivision (e) of Section 2574 for a county superintendent of schools. If this reduction results in an amount less than zero, the transportation allowance under this section shall be zero.

(b) A local educational agency shall be subject to audits required by Section 41020 with respect to this section, including adoption of the transportation plan pursuant to Section 39800.1. The Controller shall include instructions appropriate to the enforcement of this section in the audit guide required by subdivision (a) of Section 14502.1.

(c) The department shall annually collect and publish transportation data from each local educational agency providing pupil transportation services and that receives an apportionment pursuant to this section. The data shall encompass ridership, miles driven, expenditure details, the number of pupils transported, the demographic characteristics of pupils transported, including race, ethnicity, and socioeconomic status, and other data facilitating comparisons among local educational agencies. The department shall determine the specific data elements in consultation with the Legislature and with local experts including the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8.

(d) As used in this section, "local educational agency" means a school district or county office of education that is providing school transportation services.

SEC. 24. Section 41851 of the Education Code is repealed.

SEC. 25. Section 41851.12 of the Education Code is repealed.

SEC. 26. Section 41851.12 is added to the Education Code, to read:

41851.12. For the purpose of making apportionments under Section 41850.1, the Superintendent shall adopt regulations.

SEC. 27. Section 41851.2 of the Education Code is repealed.

SEC. 28. Section 41851.5 of the Education Code is repealed.

SEC. 29. Section 41851.7 of the Education Code is repealed.

SEC. 30. Section 41852 of the Education Code is repealed.

SEC. 31. Section 41853 of the Education Code is repealed.

SEC. 32. Section 41854 of the Education Code is repealed.

SEC. 33. Section 41855 of the Education Code is repealed.

SEC. 34. Section 41856 of the Education Code is repealed.

SEC. 35. Article 10.5 (commencing with Section 41860) of Chapter 5 of Part 24 of Division 3 of Title 2 of the Education Code is repealed.

SEC. 36. Section 42162 is added to the Education Code, immediately following Section 42161, to read:

42162. (a) By April 1, 2023, the Oakland Unified School District, in collaboration with and with the concurrence of the Alameda County Superintendent of Schools and the County Office Fiscal Crisis and Management Assistance Team, shall do all of the following:

- (1) Update or develop short- and long-term financial plans based on reasonable and accurate assumptions and current and past year expenditure data.
- (2) Review and update school district facilities construction plans to ensure that costs are reasonable, accurate, and align with long-term financial plans for fiscal solvency.
- (3) Undergo an on-time annual independent audit pursuant to Section 41020 that is free of material weaknesses and that includes an unqualified opinion. Furthermore, the audit shall be free from any material internal control findings.

(b) In the 2023–24 fiscal year, the annual Budget Act shall include an appropriation for the Oakland Unified School District, if the school district complies with the terms specified in subdivisions (a) and (c), of up to 25 percent of the school district's projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence of the Department of Finance.

(c) Disbursement of funds specified in subdivision (b) shall be contingent on the Oakland Unified School District's completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency. These activities may include, but are not limited to, all of the following:

- (1) Updated comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability, with progress updates on each of the recommendations.
- (2) Adoption and implementation of necessary budgetary solutions.
- (3) Completion and implementation of multiyear, fiscally solvent budgets and budget plans.
- (4) Qualification for positive certification pursuant to Article 3 (commencing with Section 42130) of Chapter 6.
- (5) Sale or lease of surplus property.
- (6) Growth and maintenance of budgetary reserves.
- (7) Approval of school district budgets by the Alameda County Superintendent of Schools.
- (8) Prompt appointment following a competitive process of a permanent, experienced, and highly qualified chief business official for any vacancy of chief business official.

(d) Funds described in subdivision (b) shall be allocated to Oakland Unified School District upon the certification of the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Alameda County Superintendent of Schools, to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance that the activities described in subdivision (c) have been completed. Additionally, by October 1, 2023, the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Alameda County Superintendent of Schools, shall report to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance the progress that Oakland Unified School District has made to complete the activities described in subdivision (c).

(e) The activities described in subdivision (c) shall be determined in the annual Budget Act based on joint recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Alameda County Superintendent of Schools. These recommendations shall be submitted to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance biannually by April 1 and by November 1 of the 2023–24 and 2024–25 fiscal years, in conjunction with the certification described in subdivision (d).

(f) Of the moneys apportioned to Oakland Unified School District pursuant to this section from an appropriation made for purposes of this section, the school district shall return to the state such moneys if subsequent to the annual apportionment it is determined that the school district did not meet the conditions established herein. The Director of the Department of Finance may initiate such return of prior apportionments if the conditions were not subsequently met and may rely on recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Alameda County Superintendent of Schools in making such determination.

SEC. 37. Section 42163 is added to the Education Code, immediately following Section 42162, to read:

42163. (a) By April 1, 2023, the Inglewood Unified School District shall do all of the following:

(1) Meet the requirements for qualified or positive certification for the school district's second interim report pursuant to Article 3 (commencing with Section 42130) of Chapter 6.

(2) Complete comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability.

(3) Undergo an on-time annual independent audit pursuant to Section 41020 that is free of material weaknesses and that includes an unqualified opinion. Furthermore, the audit shall be free from any material internal control findings.

(b) Beginning with the 2022–23 fiscal year, the annual Budget Act shall include an appropriation for the Inglewood Unified School District, if the school district complies with the terms specified in subdivisions (a) and (c), of up to 25 percent of the school district's projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(c) Disbursement of funds specified in subdivision (b) shall be contingent on the Inglewood Unified School District's completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency. These activities may include, but are not limited to, all of the following:

(1) Updated comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability, with a progress update on each of the recommendations.

(2) Adoption and implementation of necessary budgetary solutions.

(3) Completion and implementation of multiyear, fiscally solvent budgets and budget plans.

(4) Qualification for positive certification pursuant to Article 3 (commencing with Section 42130) of Chapter 6.

(5) Sale or lease of surplus property.

(6) Growth and maintenance of budgetary reserves.

(7) Approval of school district budgets by the Los Angeles County Superintendent of Schools.

(8) Prompt appointment following a competitive process of a permanent, experienced, and highly qualified chief business official for any vacancy of chief business official.

(d) Funds described in subdivision (b) shall be allocated to Inglewood Unified School District upon the certification of the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Los Angeles County Superintendent of Schools, to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance that the activities described in subdivision (c) have been completed. Additionally, by October 1, 2023, the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Los Angeles County Superintendent of Schools, shall report to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance the progress that Inglewood Unified School District has made to complete the activities described in subdivision (c).

(e) The activities described in subdivision (c) shall be determined in the annual Budget Act based on joint recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Los Angeles County Superintendent of Schools. These recommendations shall be submitted to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance by April 1, 2023, and November 1, 2023, in conjunction with the certification described in subdivision (d).

(f) Of the moneys apportioned to the Inglewood Unified School District pursuant to this section from an appropriation made for purposes of this section, the school district shall return to the state such moneys if subsequent to the annual apportionment it is determined that the school district did not meet the conditions established herein. The Director of the Department of Finance may initiate such return of prior apportionments if the conditions were not subsequently met and may rely on recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Los Angeles County Superintendent of Schools in making such determination.

SEC. 38. Section 42238.02 of the Education Code is amended to read:

42238.02. (a) The amount computed pursuant to this section shall be known as the school district and charter school local control funding formula.

(b) (1) For purposes of this section "unduplicated pupil" means a pupil enrolled in a school district or a charter school who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. A pupil shall be counted only once

for purposes of this section if any of the following apply:

- (A) The pupil is classified as an English learner and is eligible for a free or reduced-price meal.
- (B) The pupil is classified as an English learner and is a foster youth.
- (C) The pupil is eligible for a free or reduced-price meal and is classified as a foster youth.
- (D) The pupil is classified as an English learner, is eligible for a free or reduced-price meal, and is a foster youth.

(2) Under procedures and timeframes established by the Superintendent, commencing with the 2013–14 fiscal year, a school district or charter school shall annually submit its enrolled free and reduced-price meal eligibility, foster youth, and English learner pupil-level records for enrolled pupils to the Superintendent using the California Longitudinal Pupil Achievement Data System.

(3) (A) Commencing with the 2013–14 fiscal year, a county office of education shall review and validate certified aggregate English learner, foster youth, and free or reduced-price meal eligible pupil data for school districts and charter schools under its jurisdiction to ensure the data is reported accurately. The Superintendent shall provide each county office of education with appropriate access to school district and charter school data reports in the California Longitudinal Pupil Achievement Data System for purposes of ensuring data reporting accuracy.

(B) The Controller shall include the instructions necessary to enforce paragraph (2) in the audit guide required by Section 14502.1. The instructions shall include, but are not necessarily limited to, procedures for determining if the English learner, foster youth, and free or reduced-price meal eligible pupil counts are consistent with the school district's or charter school's English learner, foster youth, and free or reduced-price meal eligible pupil records.

(4) The Superintendent shall make the calculations pursuant to this section using the data submitted by local educational agencies, including charter schools, through the California Longitudinal Pupil Achievement Data System. Under timeframes and procedures established by the Superintendent, school districts and charter schools may review and revise their submitted data on English learner, foster youth, and free or reduced-price meal eligible pupil counts to ensure the accuracy of data reflected in the California Longitudinal Pupil Achievement Data System.

(5) The Superintendent shall annually compute the percentage of unduplicated pupils for each school district and charter school by dividing the enrollment of unduplicated pupils in a school district or charter school by the total enrollment in that school district or charter school pursuant to all of the following:

(A) For the 2013–14 fiscal year, divide the sum of unduplicated pupils for the 2013–14 fiscal year by the sum of the total pupil enrollment for the 2013–14 fiscal year.

(B) For the 2014–15 fiscal year, divide the sum of unduplicated pupils for the 2013–14 and 2014–15 fiscal years by the sum of the total pupil enrollment for the 2013–14 and 2014–15 fiscal years.

(C) For the 2015–16 fiscal year and each fiscal year thereafter, divide the sum of unduplicated pupils for the current fiscal year and the two prior fiscal years by the sum of the total pupil enrollment for the current fiscal year and the two prior fiscal years.

(D) (i) For purposes of the quotients determined pursuant to subparagraphs (B) and (C), the Superintendent shall use a school district's or charter school's enrollment of unduplicated pupils and total pupil enrollment in the 2014–15 fiscal year instead of the enrollment of unduplicated pupils and total pupil enrollment in the 2013–14 fiscal year if doing so would yield an overall greater percentage of unduplicated pupils.

(ii) It is the intent of the Legislature to review each school district and charter school's enrollment of unduplicated pupils for the 2013–14 and 2014–15 fiscal years and provide one-time funding, if necessary, for a school district or charter school with higher enrollment of unduplicated pupils in the 2014–15 fiscal year as compared to the 2013–14 fiscal year.

(E) (i) Notwithstanding any other law, for purposes of subparagraph (C), the unduplicated pupils and total pupil enrollment in prior fiscal years shall be the following:

(I) For a transferred charter school, the counts shall be equal to the counts reported for the original charter school.

(II) For an acquiring charter school, the counts shall be equal to the counts reported for the original charter school. This subclause shall become inoperative on July 1, 2025, unless its operation is extended by the Legislature.

(III) For the restructured portions of a divided charter school, the counts shall be zero.

(IV) For the remaining portion of a divided charter school, the counts shall be equal to the counts reported for the original charter school.

(ii) The definitions in Section 47654 apply for purposes of this subparagraph.

(6) Notwithstanding subdivision (a) of Section 14002, the data used to determine the percentage of unduplicated pupils shall be final once that data is no longer used in the current fiscal year calculation of the percentage of unduplicated pupils. This paragraph does not apply to a change that is the result of an audit exception, as described in paragraph (2) of subdivision (a) of Section 41341.

(c) Commencing with the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall annually calculate a local control funding formula grant for each school district and charter school in the state pursuant to this section.

(d) The Superintendent shall compute a grade span adjusted base grant equal to the total of the following amounts:

(1) For the 2013–14 fiscal year, a base grant of:

(A) Six thousand eight hundred forty-five dollars (\$6,845) for average daily attendance in kindergarten and grades 1 to 3, inclusive.

(B) Six thousand nine hundred forty-seven dollars (\$6,947) for average daily attendance in grades 4 to 6, inclusive.

(C) Seven thousand one hundred fifty-four dollars (\$7,154) for average daily attendance in grades 7 and 8.

(D) Eight thousand two hundred eighty-nine dollars (\$8,289) for average daily attendance in grades 9 to 12, inclusive.

(2) In each year the grade span adjusted base grants in paragraph (1) shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, 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.

(3) (A) The Superintendent shall compute an additional adjustment to the kindergarten and grades 1 to 3, inclusive, base grant as adjusted pursuant to paragraphs (2) and (5) equal to 10.4 percent. The additional grant shall be calculated by multiplying the kindergarten and grades 1 to 3, inclusive, base grant, as adjusted by paragraphs (2) and (5), by 10.4 percent.

(B) Until paragraph (4) of subdivision (b) of Section 42238.03 is effective, as a condition of the receipt of funds in this paragraph, a school district shall make progress toward maintaining an average class enrollment of not more than 24 pupils for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative annual average class enrollment for each schoolsite in those grades is agreed to by the school district, pursuant to the following calculation:

(i) Determine a school district's average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, in the prior year. For the 2013–14 fiscal year, this amount shall be the average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

(ii) Determine a school district's proportion of total need pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

(iii) Determine the percentage of the need calculated in clause (ii) that is met by funding provided to the school district pursuant to paragraph (3) of subdivision (b) of Section 42238.03.

(iv) Determine the difference between the amount computed pursuant to clause (i) and an average class enrollment of not more than 24 pupils.

(v) Calculate a current year average class enrollment adjustment for each schoolsite for kindergarten and grades 1 to 3, inclusive, equal to the adjustment calculated in clause (iv) multiplied by the percentage determined pursuant to clause (iii).

(C) School districts that have an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of 24 pupils or less for each schoolsite in the 2012–13 fiscal year, shall be exempt from the requirements of subparagraph (B) so long as the school district continues to maintain an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of not more than 24 pupils, unless a collectively bargained alternative ratio is agreed to by the school district.

(D) (i) Upon full implementation of the local control funding formula, as a condition of the receipt of funds in this paragraph, all school districts shall maintain an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of not more than 24 pupils for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative ratio is agreed to by the school district.

(ii) Notwithstanding clause (i), a school district shall maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite consistent with the requirements of paragraph (1) of subdivision (g) of Section 48000.

(E) The average class enrollment requirement for each schoolsite for kindergarten and grades 1 to 3, inclusive, established pursuant to this paragraph shall not be subject to waiver by the state board pursuant to Section 33050 or by the Superintendent.

(F) The Controller shall include the instructions necessary to enforce this paragraph in the audit guide required by Section 14502.1. The instructions shall include, but are not necessarily limited to, procedures for determining if the average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, exceeds 24 pupils, or an alternative average class enrollment for each schoolsite pursuant to a collectively bargained alternative ratio. The procedures for determining average class enrollment for each schoolsite shall include criteria for employing sampling.

(4) The Superintendent shall compute an additional adjustment to the base grant for grades 9 to 12, inclusive, as adjusted pursuant to paragraphs (2) and (5), equal to 2.6 percent. The additional grant shall be calculated by multiplying the base grant for grades 9 to 12, inclusive, as adjusted by paragraphs (2) and (5) by 2.6 percent.

(5) For the 2022–23 fiscal year, the Superintendent shall increase the base grants for kindergarten and grades 1 to 12, inclusive, by 6.28 percent. This adjustment shall be calculated by multiplying the grade span-adjusted base grants calculated pursuant to paragraph (2) for the 2021–22 fiscal year by 6.28 percent. The adjustment shall be included in grade span-adjusted base grants amounts for purposes of the adjustment pursuant to paragraph (2) commencing with the 2023–24 fiscal year.

(e) The Superintendent shall compute a supplemental grant add-on equal to 20 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), for each school district's or charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b). The supplemental grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), by 20 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in that school district or charter school. The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(f) (1) (A) The Superintendent shall compute a concentration grant add-on equal to 50 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), for each school district's or charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district's or charter school's total enrollment. The concentration grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), by 50 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the total enrollment in that school district or charter school.

(B) Commencing with the 2021–22 fiscal year, the concentration grant add-on referenced in subparagraph (A) shall instead be equal to 65 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), for each school district's or charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district's or charter school's total enrollment. The concentration grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of subdivision (d), by 65 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the total enrollment in that school district or charter school.

(2) (A) For a charter school physically located in only one school district, the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district in which the charter school is physically located. For a charter school physically located in more than one school district, the charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed that of the school district with the highest percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school districts in

which the charter school has a school facility. The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(B) For purposes of this paragraph and subparagraph (A) of paragraph (1) of subdivision (f) of Section 42238.03, a charter school shall report its physical location to the department under timeframes established by the department. For a charter school authorized by a school district, the department shall include the authorizing school district in the department's determination of physical location. For a charter school authorized on appeal pursuant to subdivision (k) of Section 47605, the department shall include the school district that initially denied the petition in the department's determination of physical location. Notwithstanding subdivision (a) of Section 14002, the reported physical location of the charter school shall be considered final as of the second principal apportionment for that fiscal year, and, for purposes of this paragraph, the percentage of unduplicated pupils of the school district associated with the charter school pursuant to subparagraph (A) shall be considered final as of the second principal apportionment for that fiscal year.

(g) (1) The Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to the amount of funding a school district or charter school received from funds allocated pursuant to the Targeted Instructional Improvement Block Grant program, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2, for the 2012–13 fiscal year, as that article read on January 1, 2013. A school district or charter school shall not receive a total funding amount from this add-on greater than the total amount of funding received by the school district or charter school from that program in the 2012–13 fiscal year. The amount computed pursuant to this subdivision shall reflect the reduction specified in paragraph (2) of subdivision (a) of Section 42238.03.

(2) Notwithstanding Section 42238.05, commencing with the 2022–23 fiscal year, the Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to two thousand eight hundred thirteen dollars (\$2,813) multiplied by the then current fiscal year's second principal apportionment period average daily attendance in transitional kindergarten. Commencing with the 2023–24 fiscal year, the add-on computed pursuant to this paragraph shall be adjusted by the percentage change applied pursuant to paragraph (2) of subdivision (d). It is the intent of the Legislature that the costs to meet the requirements of paragraph (2) of subdivision (g) of Section 48000 be supported by the add-on computed pursuant to this paragraph.

(h) (1) The Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to the amount of funding a school district or charter school received from funds allocated pursuant to the Home-to-School Transportation program, as set forth in former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5, former Article 10 (commencing with Section 41850) of Chapter 5, and the Small School District Transportation program, as set forth in former Article 4.5 (commencing with Section 42290), as those articles read on January 1, 2013, for the 2012–13 fiscal year. A school district or charter school shall not receive a total funding amount from this add-on greater than the total amount received by the school district or charter school for those programs in the 2012–13 fiscal year. The amount computed pursuant to this subdivision shall reflect the reduction specified in paragraph (2) of subdivision (a) of Section 42238.03.

(2) If a home-to-school transportation joint powers agency, established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation, received an apportionment directly from the Superintendent from any of the funding sources specified in paragraph (1) for the 2012–13 fiscal year, the joint powers agency may identify the member local educational agencies and transfer entitlement to that funding to any of those member local educational agencies by reporting to the Superintendent, on or before September 30, 2015, the reassignment of a specified amount of the joint powers agency's 2012–13 fiscal year entitlement to the member local educational agency. Commencing with the 2015–16 fiscal year, the Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to the amount of the entitlement to funding transferred by the joint powers agency to the member school district or charter school.

(3) Commencing in the 2023–24 fiscal year, the add-on amounts referenced in paragraphs (1) and (2) shall receive the annual cost-of-living adjustment specified in paragraph (2) of subdivision (d).

(i) (1) The sum of the local control funding formula rates computed pursuant to subdivisions (c) to (f), inclusive, shall be multiplied by:

(A) For school districts, the average daily attendance of the school district in the corresponding grade level ranges computed pursuant to Section 42238.05, excluding the average daily attendance computed pursuant to paragraph (2) of subdivision (a) of Section 42238.05 for purposes of the computation specified in subdivision (d).

(B) For charter schools, the total current year average daily attendance in the corresponding grade level ranges.

(2) The amount computed pursuant to Article 4 (commencing with Section 42280) shall be added to the amount computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as multiplied by subparagraph (A) or (B) of paragraph (1), as

appropriate.

- (j) The Superintendent shall adjust the sum of each school district's or charter school's amount determined in subdivisions (g) to (i), inclusive, pursuant to the calculation specified in Section 42238.03, less the sum of the following:
- (1) (A) For school districts, the property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(B) For charter schools, the in-lieu property tax amount provided to a charter school pursuant to Section 47635.
 - (2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of Division 2 of the Revenue and Taxation Code.
 - (3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code.
 - (4) Prior years' taxes and taxes on the unsecured roll.
 - (5) Fifty percent of the amount received pursuant to Section 41603.
 - (6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.
 - (7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.
 - (8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.
- (k) A school district shall annually transfer to each of its charter schools funding in lieu of property taxes pursuant to Section 47635.
- (l) (1) This section does not authorize a school district that receives funding on behalf of a charter school pursuant to Section 47651 to redirect this funding for another purpose unless otherwise authorized in law pursuant to paragraph (2) or pursuant to an agreement between the charter school and its chartering authority.
- (2) A school district that received funding on behalf of a locally funded charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013, or a school district that was required to pass through funding to a conversion charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42606, as that section read on January 1, 2013, may annually redirect for another purpose a percentage of the amount of the funding received on behalf of that charter school. The percentage of funding that may be redirected shall be determined pursuant to the following computation:
- (A) (i) Determine the sum of the need fulfilled for that charter school pursuant to paragraph (3) of subdivision (b) of Section 42238.03 in the then current fiscal year for the charter school.

(ii) Determine the sum of the need fulfilled in every fiscal year before the then current fiscal year pursuant to paragraph (3) of subdivision (b) of Section 42238.03 adjusted for changes in average daily attendance pursuant to paragraph (3) of subdivision (a) of Section 42238.03 for the charter school.

(iii) Subtract the amount computed pursuant to paragraphs (1) to (3), inclusive, of subdivision (a) of Section 42238.03 from the amount computed for that charter school under the local control funding formula entitlement computed pursuant to subdivision (i) of this section.

(iv) Compute a percentage by dividing the sum of the amounts computed pursuant to clauses (i) and (ii) by the amount computed pursuant to clause (iii).
 - (B) Multiply the percentage computed pursuant to subparagraph (A) by the amount of funding the school district received on behalf of the charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013.

(C) The maximum amount that may be redirected shall be the lesser of the amount of funding the school district received on behalf of the charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013, or the amount computed pursuant to subparagraph (B).

(3) Commencing with the 2013–14 fiscal year, a school district operating one or more affiliated charter schools shall provide each affiliated charter school schoolsite with no less than the amount of funding the schoolsite received pursuant to the charter school block grant in the 2012–13 fiscal year.

(m) Any calculations in law that are used for purposes of determining if a local educational agency is an excess tax school entity or basic aid school district, including, but not limited to, this section and Sections 41544, 42238.03, 47632, 47660, 47663, 48310, and 48359.5, and Section 95 of the Revenue and Taxation Code, shall exclude the revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(n) The funds apportioned pursuant to this section and Section 42238.03 shall be available to implement the activities required pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(o) A school district that does not receive an apportionment of state funds pursuant to this section, as implemented pursuant to Section 42238.03, excluding funds apportioned pursuant to the requirements of subparagraph (A) of paragraph (2) of subdivision (e) of Section 42238.03, shall be considered a “basic aid school district” or an “excess tax entity.”

SEC. 39. Section 42238.023 is added to the Education Code, to read:

42238.023. (a) Notwithstanding any other law, for purposes of calculating local control funding formula entitlements pursuant to Sections 42238.02, 42238.03, 2574, and 2576, as applicable, if the Superintendent determines that a local educational agency's attendance yield in the 2019–20 fiscal year is greater than the attendance yield in the 2021–22 school year, the Superintendent shall adjust the local educational agency's 2021–22 fiscal year average daily attendance in the manner described in subdivision (b). This determination shall be made by the following calculation for each local educational agency:

(1) Divide the total average daily attendance in the 2019–20 fiscal year reported for both the second period and the annual period apportionment, as applicable, by total enrollment from the California Longitudinal Pupil Achievement Data System Fall 1 Certification for the 2019–20 fiscal year. This amount shall not exceed a value of one.

(2) Divide the total average daily attendance in the 2021–22 fiscal year reported for both the second period and annual period apportionment, as applicable, by total enrollment from the California Longitudinal Pupil Achievement Data System Fall 1 Certification for the 2021–22 fiscal year. This amount shall not exceed a value of one.

(3) Divide the amount determined in paragraph (1) by the amount determined in paragraph (2). If the resulting quotient is greater than one, the local educational agency's 2021–22 fiscal year average daily attendance shall be adjusted pursuant to subdivision (b).

(b) (1) For county offices of education, the Superintendent shall multiply the county office of education's 2021–22 fiscal year reported average daily attendance by the amount determined in paragraph (3) of subdivision (a) for the purpose of calculating the 2021–22 fiscal year annual apportionment pursuant to Sections 2574 and 2576.

(2) For school districts, the Superintendent shall make the following adjustments:

(A) Multiply the school district's 2021–22 fiscal year reported average daily attendance by the amount determined in paragraph (3) of subdivision (a) for purposes of calculating the 2021–22 fiscal year annual apportionment pursuant to Sections 42238.02 and 42238.03.

(B) Multiply the school district's 2021–22 fiscal year reported average daily attendance by the amount determined in paragraph (3) of subdivision (a) for purposes of calculating prior year average daily attendance or the average attendance of the three most recent prior fiscal years pursuant to Sections 42238.05 and 42280 in the 2022–23 to 2024–25 fiscal years, inclusive.

(3) For charter schools, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5, the Superintendent shall multiply the charter school's 2021–22 fiscal year reported average daily attendance by the amount determined in paragraph (3) of subdivision (a) for the purpose of calculating the 2021–22 fiscal year annual apportionment pursuant to Sections 42238.02 and 42238.03.

(c) (1) The calculations pursuant to subdivisions (a) and (b) shall only be applied to school districts and county offices of education that meet the following requirements:

(A) By no later than October 1, 2021, offered an independent study program to all pupils upon the pupil's or parent's request, consistent with all the requirements of Section 51745, for the 2021–22 school year.

(B) For the 2021–22 school year, adopted written policies for providing instruction to pupils through independent study, and implemented those policies, pursuant to Section 51747.

(C) During the 2021–22 school year, offered independent study, as defined in subdivision (i) of Section 51747, to pupils who were subject to quarantine for exposure to, or infection with, COVID-19, pursuant to local or state health guidance and were unable to participate in classroom-based instruction due to the quarantine.

(2) A school district or county office of education that received a waiver by June 15, 2022, pursuant to subdivision (g) of Section 51745, from independent study requirements in the 2021–22 school year shall be deemed to have met the requirements specified in paragraph (1).

(3) (A) On or before November 1, 2022, a school district or county office of education shall certify its compliance with paragraph (1) using a form the department shall provide for this purpose. A school district or county office of education that does not certify compliance shall not receive the 2021–22 average daily attendance calculation pursuant to this Section.

(B) The department shall make this form available publicly on its internet website on or before September 30, 2022.

(4) The 2022–23 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of compliance with the requirements specified in subparagraphs (A), (B), and (C) of paragraph (1).

SEC. 40. Section 42238.025 of the Education Code is amended to read:

42238.025. (a) In the 2013–14 fiscal year, the Superintendent shall compute an economic recovery target rate for each school district and charter school equal to the sum of the following:

(1) (A) For each school district, the school district's revenue limit in the 2012–13 fiscal year as computed pursuant to this article, as this article read on January 1, 2013, divided by the 2012–13 fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. For purposes of this section, average daily attendance shall include any applicable revenue limit average daily attendance and shall be considered final for purposes of this section as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) For each charter school, the charter school's general purpose funding as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the in-lieu property tax amount provided to the charter school pursuant to Section 47635, as that section read on January 1, 2013, divided by the 2012–13 fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this section, average daily attendance shall include any applicable charter school general purpose funding average daily attendance and shall be considered final for purposes of this section as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(C) The amounts determined pursuant to subparagraphs (A) and (B) shall not reflect the deficit factor adjustments set forth in Section 42238.146, as that section read on January 1, 2013.

(D) The amounts determined pursuant to subparagraphs (A) and (B) shall be adjusted for the cost-of-living adjustment for the 2013–14 fiscal year pursuant to paragraph (2) of subdivision (d) of Section 42238.02 and an annual average cost-of-living adjustment of 1.94 percent for the 2014–15 fiscal year to the 2020–21 fiscal year, inclusive.

(2) (A) For each school district and charter school, the sum of the entitlements from items contained in Section 2.00 of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, 6360-101-0001, 2012–13 fiscal year funding for the Class Size Reduction Program pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915, divided by the 2012–13 fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) The amounts determined pursuant to this subdivision shall not be adjusted for the reduction set forth in Section 12.42 of the Budget Act of 2012.

(b) Of the amounts computed for school districts pursuant to subdivision (a), the Superintendent shall determine the funding rate per unit of average daily attendance above which fall not more than 10 percent of the total number of school districts statewide.

(c) The Superintendent shall compute a 2020–21 fiscal year local control funding formula rate for each school district and charter school equal to the amount computed pursuant to Section 42238.02 for the 2013–14 fiscal year, adjusted for an annual average cost-of-living adjustment of 1.94 percent for the 2014–15 fiscal year to the 2020–21 fiscal year, inclusive, divided by the 2013–14 fiscal year average daily attendance of the school district or charter school computed pursuant to Section 42238.05. For purposes of this subdivision, the amount computed pursuant to Section 42238.02 for the 2013–14 fiscal year shall be considered final as of the second principal apportionment for the 2013–14 fiscal year, as calculated for purposes of the certification required on or before July 2, 2014, pursuant to Sections 41335 and 41339.

(d) (1) For each school district and charter school that has a funding rate per unit of average daily attendance computed pursuant to subdivision (a) that is equal to, or below, the funding rate per unit of average daily attendance determined pursuant to subdivision (b), the Superintendent shall subtract the amount computed pursuant to subdivision (c) from the amount computed pursuant to subdivision (a). Each school district or charter school for which this calculation yields an amount greater than zero shall be eligible for an economic recovery target payment equal to the amount of the difference. A school district or charter school that has a funding rate per unit of average daily attendance calculated pursuant to subdivision (a) that exceeds the rate calculated pursuant to subdivision (b) shall not be eligible for an economic recovery target payment.

(2) Each school district or charter school eligible for an economic recovery target payment pursuant to paragraph (1) shall receive the following apportionments:

(A) For the 2013–14 fiscal year, one-eighth of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(B) For the 2014–15 fiscal year, one-quarter of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(C) For the 2015–16 fiscal year, three-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(D) For the 2016–17 fiscal year, one-half of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(E) For the 2017–18 fiscal year, five-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(F) For the 2018–19 fiscal year, three-quarters of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(G) For the 2019–20 fiscal year, seven-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(H) For the 2020–21 fiscal year and each fiscal year thereafter, the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(3) In each fiscal year until a determination has been made that all school districts and charter schools equal or exceed the local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) of Section 42238.03, the economic recovery target payment apportioned to each eligible school district or charter school pursuant to paragraph (2) shall be added to the school district's or charter school's funding amounts that are continuously appropriated pursuant to subdivision (a) of Section 42238.03 and included in the amount of funding that is subject to offset pursuant to subdivision (c) of Section 42238.03. The amount apportioned pursuant to paragraph (2) shall not receive a cost-of-living adjustment.

(4) Commencing with the first fiscal year in which all school districts and charter schools are apportioned funding pursuant to Section 42238.02, the economic recovery target calculated pursuant to subparagraph (H) of paragraph (2) shall be included as an add-on to the amounts computed pursuant to subdivisions (c) to (i), inclusive, of Section 42238.02 and included in the amount of funding that is subject to offset pursuant to subdivision (j) of Section 42238.02. The amount included as an add-on pursuant to this paragraph shall not receive a cost-of-living adjustment.

(e) (1) The economic recovery target payment calculated pursuant to subparagraph (H) of paragraph (2) of subdivision (d) for a restructured charter school shall be the following:

(A) For a transferred charter school, the economic recovery target payment shall be equal to the amount calculated for the original charter school.

(B) For an acquiring charter school, the economic recovery target payment shall be equal to the sum of the amounts calculated for the original charter schools. This subparagraph shall become inoperative on July 1, 2025, unless its operation is extended by the Legislature.

(C) For a divided charter school, the economic recovery target payment shall be divided between the restructured portions of a divided charter school and the remaining portion of a divided charter school based on each charter school's share of the combined average daily attendance of the charter schools computed pursuant to Section 42238.05 as of the second principal apportionment in the fiscal year immediately before the first fiscal year of instruction as a restructured charter school. Data regarding average daily attendance shall be provided by the charter school in a format prescribed by the Superintendent. The total average daily attendance attributable to the restructured and remaining portions of a divided charter school shall not exceed the total average daily attendance of the original charter school for the applicable fiscal year. The amounts shall be final as of the second principal apportionment for the first fiscal year of instruction as a restructured charter school and each fiscal year thereafter.

(2) The definitions in Section 47654 apply for purposes of this subdivision.

SEC. 41. Section 42238.05 of the Education Code is amended to read:

42238.05. (a) For purposes of Sections 42238.02, 42238.025, and 42238.03, the fiscal year average daily attendance for a school district shall be computed pursuant to paragraphs (1) to (3), inclusive, as applicable.

(1) The second principal apportionment regular average daily attendance for the current fiscal year, the prior fiscal year, or the average of the three most recent prior fiscal years, whichever is greater, excluding units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(2) The units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(3) Prior fiscal year average daily attendance shall be adjusted for any loss or gain of average daily attendance due to a reorganization or transfer of territory.

(b) For purposes of this article, regular average daily attendance shall be the base grant average daily attendance.

(c) For purposes of this section, the Superintendent shall distribute total ungraded enrollment and average daily attendance among kindergarten and each of grades 1 to 12, inclusive, in proportion to the amounts of graded enrollment and average daily attendance, respectively, in each of these grades.

(d) Subdivisions (a) to (c), inclusive, shall only apply to average daily attendance generated by school districts and shall not apply to average daily attendance generated by charter schools.

(e) A pupil shall not be counted more than once for purposes of calculating average daily attendance pursuant to this section.

(f) For purposes of Sections 42238.02, 42238.025, and 42238.03, average daily attendance for a charter school shall be the total current year average daily attendance in the corresponding grade level ranges for the charter school.

(g) For purposes of computing the average of the three most recent prior fiscal years for a school district pursuant to this section, the Superintendent shall adjust a school district's average daily attendance applicable to the 2021–22 fiscal year by the amount computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023.

SEC. 42. Section 42238.051 of the Education Code is amended to read:

42238.051. (a) For purposes of paragraph (1) of subdivision (a) of Section 42238.05, a sponsoring school district's average daily attendance shall be computed as follows:

(1) Compute the sponsoring school district's regular average daily attendance in the current fiscal year, excluding the attendance of pupils in charter schools.

(2) (A) Compute the regular average daily attendance used to calculate the second principal apportionment of the school district for the three most recent prior fiscal years, excluding the attendance of pupils in charter schools.

(B) For the purpose of computing attendance for the three most recent prior fiscal years pursuant to subparagraph (A), the following adjustments shall be made:

(i) For a pupil attending a noncharter school of the school district between July 1, and the last day of the second attendance period, inclusive, in the current, prior, or second prior fiscal year, who attended a charter school sponsored by the school district in the respective prior fiscal year, the amount of second period attendance generated by that pupil at the charter school shall increase the sponsoring school district's attendance for the respective prior fiscal year.

(ii) For a pupil attending a charter school between July 1, and the last day of the second attendance period, inclusive, in the current, prior, or second prior fiscal year, who attended a noncharter school of the sponsoring school district in the respective prior fiscal year, the amount of second period attendance generated by that pupil at the noncharter school of the school district shall decrease the sponsoring school district's attendance for the respective prior fiscal year.

(iii) For purposes of clauses (i) and (ii), a pupil enrolled in a grade at a charter school sponsored by the school district shall not be counted if the school district does not offer classes for pupils enrolled in that grade for the respective prior fiscal year.

(iv) In each fiscal year, school districts shall report to the Superintendent the total prior year increase or decrease in second period attendance pursuant to clauses (i) and (ii) at the first and second principal apportionments.

(v) For the 2022–23 fiscal year, an adjustment shall not be made to attendance in the second and third prior fiscal years.

(vi) For the 2023–24 fiscal year, an adjustment shall not be made to attendance in the third prior fiscal year.

(vii) Notwithstanding clauses (v) and (vi), if in any fiscal year the adjustments described in clauses (i) and (ii) result in a 50 percent or greater reduction of the school district's second period attendance for the prior or second prior fiscal year, the school district's average second period attendance for the three most recent prior fiscal years shall be zero.

(b) For purposes of this section, a "sponsoring school district" shall mean a "sponsoring local educational agency," as defined in Section 47632, as that section read on January 1, 2013.

SEC. 43. Section 42238.052 of the Education Code is amended to read:

42238.052. (a) Notwithstanding any other law, the prior year average daily attendance for a school district determined pursuant to subdivision (a) of Section 42238.051 shall be increased by the prior year second principal apportionment average daily attendance of a school district only for a school that meets the following description:

- (1) The school was a district noncharter school in any year before the prior year.
- (2) The school was operated as a district-approved charter school in the prior year.
- (3) The school is again operated as a district noncharter school in the current year.

(b) An adjustment to prior year average daily attendance pursuant to this section may not be made for the attendance of pupils who were not residents of the school district in the prior year.

(c) This section shall remain in effect only until July 1, 2022, and as of that date is repealed.

SEC. 44. Section 42280 of the Education Code is amended to read:

42280. (a) For each school district that meets, in the current or prior fiscal year, the conditions specified in Section 42282 or 42284 the Superintendent shall compute, for each qualifying school in the school district, an amount pursuant to this article.

(b) The amount of funding for each qualified school district shall equal the sum of all necessary small school allowances calculated for eligible schools within the school district. Each necessary small school's allowance shall be the greater of the following:

- (1) The necessary small elementary school allowance determined pursuant to Section 42282 for the prior fiscal year average daily attendance and the number of full-time teachers, or the necessary small high school allowance determined pursuant to Section 42284 for the prior fiscal year average daily attendance and the number of certificated employees.
- (2) The necessary small elementary school allowance determined pursuant to Section 42282 for the current fiscal year average daily attendance and the number of full-time teachers, or the necessary small high school allowance determined pursuant to Section 42284 for the current fiscal year average daily attendance and the number of certificated employees.

(3) The necessary small elementary school allowance determined pursuant to Section 42282 for the average of the three most recent prior fiscal years' average daily attendance and the number of full-time teachers, or the necessary small high school allowance determined pursuant to Section 42284 for the average of the three most recent prior fiscal years' average daily attendance and the number of certificated employees.

(c) For purposes of this section, if the average number of full-time teachers or certificated employees is not a whole number, the resulting figure shall be rounded up to the next whole number.

SEC. 45. Section 42282 of the Education Code is amended to read:

42282. Commencing with the 2022–23 fiscal year, for each school district, on account of each necessary small school, as defined in Section 42283, the Superintendent shall make the following computations:

(a) For each necessary small school that has an average daily attendance during the fiscal year of less than 25, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school at least one teacher was hired full time, the Superintendent shall compute for the school district two hundred twenty-five thousand seven hundred dollars (\$225,700).

(b) For each necessary small school that has an average daily attendance during the fiscal year of 25 or more and less than 49, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district four hundred forty-six thousand seven hundred dollars (\$446,700).

(c) For each necessary small school that has an average daily attendance during the fiscal year of 49 or more, but less than 73, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district six hundred sixty-seven thousand eight hundred dollars (\$667,800).

(d) For each necessary small school that has an average daily attendance during the fiscal year of 73 or more and less than 97, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district eight hundred eighty-eight thousand nine hundred dollars (\$888,900).

SEC. 46. Section 42284 of the Education Code is amended to read:

42284. (a) Commencing with the 2022–23 fiscal year, for each school district with fewer than 2,501 units of average daily attendance, on account of each necessary small high school, the Superintendent shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed per teacher
1–19	1	\$196,100
1–19	2	\$279,590
1–19	3	\$621,060
20–38	4	\$760,855
39–57	5	\$900,650
58–71	6	\$1,040,445
72–86	7	\$1,180,240
87–100	8	\$1,320,035
101–114	9	\$1,459,830
115–129	10	\$1,599,625
130–143	11	\$1,739,420
144–171	12	\$1,778,100
172–210	13	\$2,182,400

211–248	14	\$2,576,400
249–286	15	\$2,970,000

(b) For purposes of this section, a “certificated employee” means an equivalent full-time position of an individual holding a credential authorizing service and providing service in any of grades 9 to 12, inclusive, in any secondary school. Any fraction of an equivalent full-time position remaining after all equivalent full-time positions for certificated employees within the school district have been calculated shall be deemed to be a full-time position.

SEC. 47. Section 42286 of the Education Code is repealed.

SEC. 48. Section 42287 of the Education Code is amended to read:

42287. (a) For the 1984–85 fiscal year to the 2012–13 fiscal year, inclusive, the Superintendent shall increase the funding amounts specified in Sections 42282 and 42284 by an amount proportionate to the increase applied to the statewide average revenue limit for unified school districts for the then current fiscal year.

(b) For the 2013–14 fiscal year to the 2021–22 fiscal year, inclusive, the Superintendent shall increase the funding amounts specified in Sections 42282 and 42284, as previously increased pursuant to subdivision (a) and Sections 42289 to 42289.5, inclusive, by the percentage calculated pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for the then current fiscal year.

(c) Commencing with the 2022–23 fiscal year, the Superintendent shall increase the funding amounts specified in Sections 42282, 42284, and 42289 by the percentage calculated pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for the then current fiscal year.

SEC. 49. Article 4.7 (commencing with Section 42300) of Chapter 7 of Part 24 of Division 3 of Title 2 of the Education Code is repealed.

SEC. 50. Section 44259.1 of the Education Code is amended to read:

44259.1. (a) (1) An integrated program of professional preparation shall enable candidates for teaching credentials to engage in professional preparation, concurrently with subject matter preparation, while completing baccalaureate degrees at regionally accredited institutions of higher education. An integrated program shall provide opportunities for candidates to complete intensive field experiences, including student teaching, in public schools maintaining prekindergarten, kindergarten, or any of grades 1 to 12, inclusive, early in the undergraduate sequence. The development and implementation of an integrated program shall be based on intensive collaboration among subject matter departments and education units within regionally accredited institutions of higher education and local public elementary and secondary school districts.

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

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

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

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

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

California Community Colleges on matters related to the effective and efficient use of, and appropriate role for, lower division coursework in an integrated program.

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

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

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

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

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

(e) (1) (A) The commission shall develop and implement a program to award, on a competitive basis, planning grants of up to two hundred fifty thousand dollars (\$250,000) each to regionally accredited institutions of higher education for the development of plans to guide the creation of four-year integrated programs of professional preparation, including student teaching, that lead to more credentialed teachers to teach, with an emphasis on the shortage fields identified in clause (i) of subparagraph (C) of paragraph (2).

(B) A regionally accredited institution of higher education awarded a planning grant under this paragraph may use the grant funds to create a new four-year integrated program of professional preparation or to adapt an existing integrated program of professional preparation to a four-year integrated program of professional preparation.

(C) A regionally accredited institution of higher education awarded a planning grant under this paragraph may use grant funds for any proper purpose in support of planning for a four-year integrated program of professional preparation, including, but not limited to, any of the following:

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

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

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

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

(2) (A) The commission shall develop and implement a program to award, on a competitive basis, implementation or expansion grants of up to five hundred thousand dollars (\$500,000) each to regionally accredited institutions of higher education for any of the following purposes:

(i) Developing a new integrated program of professional preparation as specified in subparagraph (C).

(ii) Establishing a new partnership with California community colleges to create four-year integrated programs of professional preparation.

(B) The commission shall conduct outreach to eligible institutions to encourage applications to develop programs in the shortage areas identified in clause (i) of subparagraph (C), and support institutions that need assistance in developing programs in these shortage areas that meet the commission's criteria.

(C) The commission shall award one-time grants pursuant to subparagraph (A) for proposals to establish new integrated programs of professional preparation that support either of the following:

(i) Producing teachers in the designated shortage fields of special education, bilingual education, science, health, computer science, technology, engineering, mathematics, transitional kindergarten, or kindergarten.

(ii) Partnering with a California community college to create a four-year integrated program of professional preparation.

(D) A regionally accredited institution of higher education awarded a grant under this paragraph may use the grant funds to create a new four-year integrated program of professional preparation or to adapt an existing integrated program of professional preparation to a four-year integrated program of professional preparation.

(E) A regionally accredited institution of higher education awarded a grant under this paragraph may use grant funds for any proper purpose in support of implementation or expansion of a four-year integrated program of professional preparation, including, but not limited to, any of the following:

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

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

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

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

(F) As a condition of the receipt of an implementation or expansion grant, a regionally accredited institution of higher education shall provide to the commission program and outcome data for at least five years after receiving the grant. The information shall include program design and features, the number of graduates, the number and type of credentials earned, the time taken to earn a degree and credential, and any other information the commission may require for purposes of documenting the effect of the grant and identifying effective practices in program design and implementation.

(3) The commission shall require applicants for planning grants under paragraph (1) and for implementation or expansion grants under paragraph (2) to provide assurances of all of the following:

(A) A commitment to implement a planned integrated program of professional preparation.

(B) A plan for recruitment and retention of candidates for educator shortage areas in subjects identified in clause (i) of subparagraph (C) of paragraph (2) in teacher preparation programs, including integrated programs of professional preparation.

(C) Coordination with existing sources of candidate support, such as the Golden State Teacher Grant Program established pursuant to Article 5.1 (commencing with Section 69617) of Chapter 2 of Part 42 of Division 5 of Title 3, and other forms of financial aid.

(D) Demonstrated commitment to expand enrollment in, and access to, teacher preparation programs, including enrollment in programs of integrated professional preparation.

(4) A regionally accredited institution of higher education that previously received a planning grant or an implementation or expansion grant may apply for a new grant, if the institution reports on the implementation timeline and status of the program established with the grant funding previously received and proposes any of the following:

(A) Expansion of integrated program capacity.

(B) New integrated programs in other credentialing fields.

(C) New California community college partnerships.

(5) The commission may use up to two hundred fifty thousand dollars (\$250,000) of moneys appropriated for purposes of this subdivision to administer the grants described in paragraphs (1) and (2), pursuant to Department of Finance approval.

(6) The commission shall annually report to the appropriate fiscal and policy committees of the Legislature on any grants funded pursuant to this subdivision until funds are fully expended. In addition to the data required to be reported to the commission in subparagraph (F) of paragraph (2), the report shall also include data on the progress of community college partnerships and institutions relative to the assurances made pursuant to paragraph (3).

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

SEC. 51. Section 44395 of the Education Code is amended to read:

44395. (a) (1) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained or will attain certification from the National Board for Professional Teaching Standards. Awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act.

(2) (A) Commencing July 1, 2021, any teacher who has attained certification from the National Board for Professional Teaching Standards is eligible to receive an award of up to twenty-five thousand dollars (\$25,000) if the teacher agrees to teach at a high-priority school for at least five years. Teaching service before July 1, 2021, may not be counted towards satisfaction of this five-year commitment.

(B) Awards granted pursuant to this paragraph shall be disbursed in annual payments of five thousand dollars (\$5,000) over a five-year period. The annual payment shall be made upon completion of the school year, and upon approval of a district-certified application pursuant to the guidelines of subdivision (c) of Section 44396.

(3) (A) Commencing July 1, 2021, any teacher who initiates the process of pursuing a certification from the National Board for Professional Teaching Standards when teaching at a high-priority school is eligible to receive an award of two thousand five hundred dollars (\$2,500).

(B) Awards granted pursuant to this paragraph shall be disbursed from the department to the National Board for Professional Teaching Standards. Any unused funds shall be applied to future candidates.

(C) A teacher who receives an award pursuant to this paragraph may still apply to receive funds under paragraph (2) after completion of a certification from the National Board for Professional Teaching Standards to the extent funds are available.

(b) The department shall administer the awards authorized by subdivision (a), and shall develop, in consultation with the Commission on Teacher Credentialing, certification and award information, criteria, procedures, and applications, all of which shall be submitted to the state board for approval. Amendments requested by the state board to that information, criteria, procedures, and applications shall be made before the dissemination of the material and the granting of any award under this article.

(c) The department shall distribute the materials described in subdivision (b) to school districts. Each school district is strongly encouraged to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the program and can acquire the necessary application and information materials.

(d) School districts are encouraged to provide for adequate release time and support for a teacher to complete the certification process. As a condition to providing that release time and support, a school district may require that a teacher serve in a mentor teacher capacity.

(e) For purposes of this article, the following definitions apply:

(1) "School district" means school district, county board of education, county superintendent of schools, a state operated program, including a special school, a regional occupational center or program operated by a joint powers authority or a county office of education, or an education program providing instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, that is offered by a state agency, including the Department of Youth and Community Restoration and the State Department of Developmental Services.

(2) "High-priority school" means a school with 55 percent or more of its pupils being unduplicated pupils, as defined in subdivision (b) of Section 42238.02. This designation shall be determined as of the date of the agreement by the teacher described in paragraph (2) of subdivision (a).

SEC. 52. Section 44415.5 of the Education Code is amended to read:

44415.5. (a) For purposes of this section, the following definitions apply for the Teacher Residency Grant Program:

(1) "Experienced mentor teacher" means an educator who meets all of the following requirements:

(A) Has at least three years of teaching experience and holds a clear credential in the subject in which the mentor teacher will be mentoring. For programs leading to the issuance of new PK-3 early childhood education specialist credentials, the mentor teacher must have at least three years of teaching experience in prekindergarten, kindergarten, or any of grades 1 to 3, inclusive, and hold a clear multiple subject credential.

(B) Has a record of successful teaching as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(C) Receives specific training for the mentor teacher role, and engages in ongoing professional learning and networking with other mentors.

(D) Receives compensation, appropriate release time, or both, to serve as a mentor in the initial preparation or beginning teacher induction component of the teacher residency program.

(2) "Teacher residency program" is a grant applicant-based program that partners with one or more commission-approved teacher preparation programs offered by a regionally accredited institution of higher education in which a prospective teacher teaches at least one-half time alongside a teacher of record, who is designated as the experienced mentor teacher, for at least one full school year while engaging in initial preparation coursework.

(b) For the 2021–22 fiscal year, the sum of three hundred fifty million dollars (\$350,000,000) is hereby appropriated from the General Fund to the commission for the Teacher Residency Grant Program to support teacher residency programs that recruit and support the preparation of teachers pursuant to this section. This funding shall be available for encumbrance until June 30, 2026.

(c) (1) The commission shall make grants to applicants to establish new teacher residency programs, or expand, strengthen, or improve access to existing teacher residency programs that support either of the following:

(A) Designated shortage fields, including, but not limited to, special education, bilingual education, science, computer science, technology, engineering, mathematics, transitional kindergarten, or kindergarten, school counselors, and any other fields identified by the commission based on an annual analysis of state and regional hiring and vacancy data.

(B) Local efforts to recruit, develop support systems for, provide outreach and communication strategies to, and retain a diverse teacher workforce that reflects a local educational agency community's diversity.

(2) Grant recipients shall work with one or more commission-accredited teacher preparation programs and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident teachers who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(3) A grant applicant may consist of one or more, or any combination, of the following:

(A) A school district.

(B) A county office of education.

(C) A charter school.

(D) A regional occupational center or program operated by a joint powers authority or a county office of education.

(d) Grants allocated pursuant to subdivision (c) shall be up to twenty-five thousand dollars (\$25,000) per teacher candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient at a rate of 80 percent of the grant amount received per participant, as described in subdivision (f). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:

(1) Teacher preparation costs.

(2) Stipends for mentor teachers, including, but not limited to, housing stipends.

(3) Residency program staff costs.

(4) Mentoring and beginning teacher induction costs following initial preparation.

(e) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(f) A grant recipient shall provide a match of grant funding in the form of one or both of the following:

(1) Eighty cents (\$0.80) for every one dollar (\$1) of grant funding received per participant, to be used in a manner consistent with allowable grant activities pursuant to subdivision (d).

(2) An in-kind match of program director personnel costs, mentor teacher personnel costs, or other personnel costs related to the Teacher Residency Grant Program, provided by the grant recipient.

(g) Grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a preliminary teaching credential, including a PK-3 early childhood education specialist credential, in furtherance of paragraph (1) of subdivision (c) upon completion of the program.

(2) Ensure that candidates are provided instruction in all of the following:

(A) Teaching the content area or areas in which the teacher will become certified to teach.

(B) Planning, curriculum development, and assessment.

(C) Learning and child development.

(D) Management of the classroom environment.

(E) Use of culturally responsive practices, supports for language development, and supports for serving pupils with disabilities.

(F) Professional responsibilities, including interaction with families and colleagues.

(3) Provide each candidate mentoring and beginning teacher induction support following the completion of the initial credential program necessary to obtain a clear credential and ongoing professional development and networking opportunities during the candidate's first years of teaching at no cost to the candidate.

(4) Prepare candidates to teach in a school within the jurisdiction of the grant recipient in which they will work and learn the instructional initiatives and curriculum of the grant recipient.

(5) Group teacher candidates in cohorts to facilitate professional collaboration among residents, and ensure candidates are enrolled in a teaching school or professional development program that is organized to support a high-quality teacher learning experience in a supportive work environment.

(h) To receive a grant, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(i) When selecting grant recipients, the commission shall do both of the following:

(1) Require applicants to demonstrate a need for teachers in one or more designated shortage fields or for the purposes described in subparagraph (B) of paragraph (1) of subdivision (c), and to propose to establish a new, or expand, strengthen, or improve access to an existing, teacher residency program that recruits, prepares, and supports teachers to teach in either one or more such fields or in furtherance of subparagraph (B) of paragraph (1) of subdivision (c) in a school within the jurisdiction of the sponsoring grant applicant.

(2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the teaching workforce, have a higher percentage than other applicants of unduplicated pupils, as defined in Section 42238.02, and have one or more schools that exhibit one or both of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.

(B) A school that is located in either a rural location or a densely populated region.

(j) A candidate in a teacher residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a preliminary teaching credential, including a PK-3 early childhood education specialist credential. A candidate who fails to earn a preliminary credential, or who fails to complete the period of the placement, shall reimburse the sponsoring grant recipient the amount of grant funding invested in the candidate's residency training. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient. A candidate shall have five school years to complete the four-school-year teaching commitment.

(k) If a candidate is unable to complete a school year of teaching, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

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

(4) The candidate 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.

(5) The candidate 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.

(l) For purposes of administering the grant program pursuant to subdivision (c), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (j).

(m) If the commission determines or is informed that a sponsored candidate failed to earn a preliminary credential or failed to meet their commitment to teach pursuant to subdivision (j), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the candidate and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at the sponsoring grant recipient.

(n) Upon confirming the amount to be recovered from the grant recipient pursuant to subdivision (m), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or program operated by a joint powers authority that does not receive a principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the candidate taught and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(o) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (n) shall be deposited into the Proposition 98 Reversion Account.

(p) Grant recipients may recover from a sponsored candidate who fails to earn a preliminary credential, or who fails to complete the period of placement, the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient.

(q) Grant recipients shall not charge a teacher resident a fee to participate in the Teacher Residency Grant Program.

(r) (1) Notwithstanding subdivision (c), the commission may allocate up to twenty-five million dollars (\$25,000,000) of the amount appropriated pursuant to subdivision (b) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia, as designated pursuant to this section, partnering with regionally accredited institutions of higher education to expand, strengthen, improve access to, or create teacher residency programs.

(2) (A) The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.

(B) Individual capacity grants shall not exceed two hundred fifty thousand dollars (\$250,000) per grant recipient.

(s) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (b) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

SEC. 53. Section 44415.6 is added to the Education Code, to read:

44415.6. (a) For the 2022–23 fiscal year, the sum of one hundred eighty-four million dollars (\$184,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to augment the Teacher Residency Grant Program pursuant to Section 44415.5 to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors pursuant to this section. This funding shall be available for encumbrance until June 30, 2027.

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

(1) "Mentor school counselor" means a school counselor who meets all of the following requirements:

(A) Has at least three years of experience and holds a clear pupil personnel services credential with a specialization in school counseling.

(B) Has a record of successful counseling as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(2) "School counselor residency program" means a grant applicant-based program that partners with one or more commission-approved professional preparation programs offering preparation in school counseling provided by a regionally accredited institution of higher education in which a prospective school counselor works at least one-half time alongside a school counselor of record, who is designated as the mentor school counselor, for at least one full school year while engaging in initial preparation coursework.

(c) Of the amount appropriated pursuant to subdivision (a), the commission shall determine how to prioritize funding for residency programs that serve school counselors in training. Funds allocated for teacher residencies shall be subject to the requirements of, and administered pursuant to, subdivisions (c) to (q), inclusive, of Section 44415.5.

(d) Funds allocated by the commission for school counselor residency placements shall be administered pursuant to the following:

(1) The commission shall make one-time grants to grant applicants to establish new school counselor residency programs or add school counselor residencies to existing teacher residency programs that support local efforts to recruit, develop support systems for, provide outreach and communication strategies to, and retain a diverse school counselor workforce that reflects a local educational agency community's diversity.

(2) Grant recipients shall work with one or more commission-accredited professional preparation programs specializing in school counseling and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident school counselors who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(3) A grant applicant may consist of one or more, or any combination, of the following:

(A) A school district.

(B) A county office of education.

(C) A charter school.

(D) A regional occupational center or program operated by a joint powers authority or a county office of education.

(e) Grants allocated for school counselor residencies pursuant to subdivision (c) shall be up to twenty-five thousand dollars (\$25,000) per school counselor candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient at a rate of 80 percent of the grant amount received per participant, as described in subdivision (g). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:

(1) School counselor preparation costs.

(2) Stipends for mentor school counselors.

(3) Residency program staff costs.

(f) A school counselor residency grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(g) A school counselor residency grant recipient shall provide a match of grant funding in the form of one or both of the following:

(1) Eighty cents (\$0.80) for every one dollar (\$1) of grant funding received per participant, to be used in a manner consistent with allowable grant activities pursuant to subdivision (e).

(2) An in-kind match of program director personnel costs, mentor personnel costs, or other personnel costs related to the grant program, provided by the grant recipient.

(h) School counselor residency grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a pupil personnel services credential with a specialization in school counseling that will authorize the candidate to perform the following duties:

(A) Develop, plan, implement, and evaluate a school counseling and guidance program that includes academic, career, personal, and social development.

(B) Advocate for the high academic achievement and social development of all pupils.

(C) Provide schoolwide prevention and intervention strategies and counseling services.

(D) Provide consultation, training, and staff development to teachers and parents regarding pupils' needs.

(E) Supervise a local educational agency-approved educational counseling program as described in Section 49600.

(2) Ensure that candidates are provided instruction in all of the following:

(A) Engaging with, advocating for, and providing support for, all pupils with respect to learning and achievement.

(B) Planning, implementing, and evaluating programs to promote the academic, career, personal, and social development of all pupils, including pupils from low-income families, foster youth, homeless youth, undocumented youth, pupils with disabilities, and pupils at all levels of academic, social, and emotional abilities.

(C) Using multiple sources of information to monitor and support strategies to improve pupil behavior and achievement.

(D) Collaborating and coordinating with school and community resources.

(E) Promoting and maintaining a safe learning environment for all pupils by supporting the provision of restorative justice practices, positive behavior interventions, and support services.

(F) Intervening to ameliorate school-related problems, including issues related to chronic absences.

(G) Using research-based strategies to reduce stigma, conflict, and pupil-to-pupil mistreatment and bullying.

(H) Improving school climate and pupil well-being.

(I) Enhancing pupils' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs.

(J) Providing counseling interventions and support services for pupils classified as English learners, eligible for free or reduced-price meals, or foster youth, including enhancing equity and access to the education system and community services.

(3) Prepare candidates to work as a school counselor in a school within the jurisdiction of the grant recipient in which they will work and learn the school culture and climate of the grant recipient.

(4) Group school counselor candidates in cohorts, to the extent practicable, to facilitate professional collaboration among residents, and ensure candidates are enrolled in a professional development program that is organized to support a high-quality school counselor learning experience in a supportive work environment.

(i) To receive a grant that supports school counselor residencies, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(j) When selecting residency grant recipients that include school counselors, the commission shall do both of the following:

(1) Require applicants to demonstrate a need for school counselors, and to propose to establish or expand a residency program that recruits, prepares, and supports school counselors to work in a school within the jurisdiction of the sponsoring grant applicant.

(2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the school counselor workforce, have a higher percentage than other applicants of unduplicated pupils, as defined in Section 42238.02, and have one or more schools that exhibit one or both of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.

(B) A school that is located in either a rural location or a densely populated region.

(k) A school counselor candidate in a residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in one or more schools within the jurisdiction of the grant recipient that sponsored the candidate for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a pupil personnel services credential. A candidate who fails to earn a pupil personnel services credential or complete the period of the placement shall reimburse the sponsoring grant recipient the amount of grant funding invested in the candidate's residency training. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the candidate works as a school counselor at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient. A candidate shall have five school years to complete the four-school-year school counselor commitment.

(l) If a candidate is unable to complete a school year as a school counselor, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(3) The candidate was not able to work as a school counselor due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the succeeding school year.

(4) The candidate 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.

(5) The candidate 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.

(m) For purposes of administering a school counselor residency grant program pursuant to subdivision (d), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (k).

(n) If the commission determines or is informed that a sponsored school counselor residency candidate failed to earn a pupil personnel services credential or meet their commitment to work as a school counselor pursuant to subdivision (k), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the candidate and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate worked as a school counselor at least one year, but less than four years, at the sponsoring grant recipient.

(o) Upon confirming the amount to be recovered from the school counselor residency grant recipient pursuant to subdivision (n), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or program operated by a joint powers authority that does not receive a principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the candidate worked as a school counselor and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(p) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (o) shall be deposited into the Proposition 98 Reversion Account.

(q) School counselor residency grant recipients may recover from a sponsored candidate who fails to earn a pupil personnel services credential or complete the period of placement the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate worked as a school counselor at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient.

(r) School counselor residency grant recipients shall not charge a school counselor resident a fee to participate in a school counselor residency grant program.

(s) The commission shall conduct an evaluation of the school counselor residency grants allocated pursuant to this section to determine the effectiveness of this program in recruiting, developing support systems for, and retaining school counselors, and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2027.

(t) 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, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 54. Section 44415.7 is added to the Education Code, to read:

44415.7. (a) For the 2022–23 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the commission to select a local educational agency to serve as a statewide technical assistance center to support teacher residency programs, as described in Sections 44415.5 and 44415.6. Preference shall be given to local educational agencies that currently administer residency programs and that commit to partner with commission-approved teacher preparation programs with experience supporting a residency program or residency programs. These funds shall be available for encumbrance or expenditure until June 30, 2029.

(b) The statewide technical assistance center shall collaborate with the commission to develop and disseminate technical assistance. The statewide technical assistance center is encouraged to obtain interest holder feedback to create a statewide framework for successful teacher residency program implementation and sustainability. The framework and technical assistance should leverage and build upon existing technical assistance offerings disseminated by local educational agencies, nonprofit organizations, institutions of higher education, and foundations. Technical assistance offered shall include, but not be limited to, all of the following:

(1) Information to the field regarding the benefits of establishing residency programs to teacher candidates, local educational agencies, and teacher preparation programs.

(2) Best practices in recruitment of residents, particularly residents that represent the diversity of the state's pupil population.

(3) Minimizing cost burden to residents, including leveraging Golden State Teacher Grant Program funding pursuant to Section 69617.

(4) Best practices in partnership and administration of residency programs between local educational agencies and teacher preparation programs.

(5) Scaling up and sustaining residency programs.

(c) On or before December 31, 2029, the commission shall submit a report to the Governor and the appropriate policy and fiscal committees of the Legislature on the impact of the statewide technical assistance center in providing technical assistance to local educational agencies and teacher preparation programs to implement, scale up, and sustain residency programs to support a well-trained and diverse educator workforce.

(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, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 55. Section 44418 of the Education Code is amended to read:

44418. This article shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 56. Section 44690 of the Education Code is amended to read:

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

department and the California Collaborative for Educational Excellence shall establish criteria and measures to assess the performance of the grantees in performing the duties specified in this section. When performing these activities, the California Collaborative for Educational Excellence may enter into appropriate contracts to assist with program evaluation, as necessary.

(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 criteria and measures established 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, including participating in any external evaluation coordinated by the California Collaborative for Educational Excellence.

SEC. 57. Section 45500 of the Education Code is amended to read:

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

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

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

(d) (1) A classified employee who 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 is 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) A classified employee is eligible to participate in the program if the classified employee is employed by the local educational agency in the employee's regular assignment for 11 months or fewer out of a 12-month period. For purposes of determining a classified employee's total months employed by the local educational agency, the employing local educational agency shall exclude any hours worked by the classified employee outside of their regular assignment.

(B) For the 2020–21, 2021–22, and 2022–23 school years, for purposes of determining a classified employee's total months employed by the local educational agency, the employing local educational agency shall exclude any hours worked by the classified employee as a result of an extension of the academic school year directly related to the COVID-19 pandemic, if the hours are in addition to the employee's regular assignment and would prevent the employee from being eligible for this program.

(4) (A) A classified employee is not eligible to participate in the program if the classified employee's regular annual pay received directly from the local educational agency is more than sixty-two thousand four hundred dollars (\$62,400) for an entire school year at the time of enrollment. For purposes of determining a classified employee's regular annual pay received directly from the local educational agency, the employing local educational agency shall exclude any pay received by the classified employee during the previous summer recess period.

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

(e) A local educational agency that elects to participate in the program shall notify the department in writing, by April 1 during a fiscal year in which moneys are appropriated for purposes of this section, on a form developed by the department that it has

elected to participate in the program. The local educational agency shall specify the number of classified employees that have elected to participate in the program and the total estimated amount to be withheld from participating classified employee paychecks for the applicable school year.

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

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

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

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

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

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

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

(k) The department may use any unexpended balance of moneys appropriated in any prior fiscal year to the department for purposes of this section to provide up to one dollar (\$1) for each one dollar (\$1) that has been withheld from participating classified employee monthly paychecks.

(l) 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).

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

(n) 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).

(o) 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.

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

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

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

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

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

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

SEC. 58. Section 46120 of the Education Code is amended to read:

46120. (a) (1) It is the intent of the Legislature that all local educational agencies offer all unduplicated pupils in classroom-based instructional programs access to comprehensive after school and intersessional expanded learning opportunities.

(2) The Expanded Learning Opportunities Program is hereby established.

(b) (1) For the 2021–22 and 2022–23 school years, local educational agencies that receive funds pursuant to subdivision (d) shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Funding received pursuant to this section for the 2021–22 and 2022–23 school years shall be expended to develop an expanded learning opportunity program or provide services in accordance with program requirements. Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (C) of paragraph (1) of subdivision (d), local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 75 percent as of the second principal apportionment shall offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and shall provide access to any pupil whose parent or guardian requests their placement in a program. Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (C) of paragraph (1) of subdivision (d), local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of less than 75 percent as of the second principal apportionment shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and shall provide access to any unduplicated pupil whose parent or guardian requests their placement in a program. Expanded learning opportunity programs shall include all of the following:

(A) On schooldays, as described in Section 46100 and Sections 46110 to 46119, inclusive, and days on which school is taught for the purpose of meeting the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no less than nine hours of combined instructional time, recess, meals and expanded learning opportunities per instructional day.

(B) For at least 30 nonschooldays, during intersessional periods, no less than nine hours of in-person expanded learning opportunities per day.

(C) For expanded learning opportunity programs located in a frontier designated geographical location, program requirements are no less than eight hours of combined instructional time, recess, meals, and in-person before or after school expanded learning opportunities per instructional day, and no less than eight hours of in-person expanded learning opportunities on at least 30 nonschooldays, during intersessional periods.

(2) Local educational agencies operating expanded learning opportunity programs pursuant to this section may operate a before school component of a program, an after school component of a program, or both the before and after school components of a program, on one or multiple schoolsites, and shall comply with subdivisions (c), (d), and (g) of Section 8482.3, including the development of a program plan based on all of the following:

(A) The department's guidance.

(B) Section 8482.6.

(C) Paragraphs (1) to (9), inclusive, and paragraph (12) of subdivision (c) of Section 8483.3.

(D) Section 8483.4, except that programs serving transitional kindergarten or kindergarten pupils shall maintain a pupil-to-staff member ratio of no more than 10 to 1.

(3) Local educational agencies shall prioritize services provided pursuant to this section at schoolsites in the lowest income communities, as determined by prior year percentages of pupils eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunity programs across their attendance area.

(4) Local educational agencies may serve all pupils, including elementary, middle, and secondary school pupils, in expanded learning opportunity programs provided pursuant to this section.

(5) Local educational agencies may charge pupil fees for expanded learning opportunity programs provided pursuant to this section, consistent with Section 8482.6.

(6) Local educational agencies are encouraged to collaborate with community-based organizations and childcare providers, especially those participating in state or federally subsidized childcare programs, to maximize the number of expanded learning opportunity programs offered across their attendance areas.

(7) This section does not limit parent choice in choosing a care provider or program for their child outside of the required instructional minutes provided during a schoolday. Pupil participation in an expanded learning opportunity program is optional. Children eligible for an expanded learning opportunity program may participate in, and generate reimbursement for, other state or federally subsidized childcare programs, pursuant to the statutes regulating those programs.

(8) Local educational agencies may provide up to three days of staff development during regular expanded learning opportunity program hours.

(9) An expanded learning opportunity program shall not be required to comply with the requirements of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 or the requirements set forth in Chapter 19 of Division 1 of Title 5 of the California Code of Regulations.

(c) (1) Commencing with the 2023–24 school year, a local educational agency shall be subject to the audit conducted pursuant to Section 41020 to determine compliance with subdivision (b).

(2) Commencing with the 2023–24 school year, if a local educational agency either fails to offer or provide access to expanded learning opportunity programs to eligible pupils pursuant to paragraph (1) of subdivision (b), the Superintendent shall withhold from the local educational agency's apportionment of funds pursuant to subdivision (d) an amount proportionate to the number of pupils to whom the local educational agency failed to offer or provide access to expanded learning opportunity programs. Pupils opting not to participate in the expanded learning opportunity program shall not generate a penalty for a local educational agency pursuant to this paragraph.

(3) (A) Commencing with the 2023–24 school year, if a school district fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the school district's apportionment of funds pursuant to subdivision (d) an amount equal to the product of 0.0048 times the school district's apportionment for each day the school district fails to meet the day or hour requirements.

(B) Commencing with the 2023–24 school year, if a charter school fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the charter school's apportionment an amount equal to the product of 0.0049 times the charter school's apportionment for each day the charter school fails to meet the day or hour requirements.

(d) (1) The Superintendent shall allocate funding appropriated in Item 6100-110-0001 of the annual Budget Act and in subdivision (f), if applicable, in the following manner:

(A) For the 2021–22 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 80 percent, the amount of one thousand one hundred seventy dollars (\$1,170) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(B) Commencing with the 2022–23 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 75 percent, the amount of two thousand seven hundred fifty dollars (\$2,750) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(C) For all other local educational agencies not receiving an allocation under subparagraph (A) or (B), the amount of funds remaining from the appropriations in Item 6100-110-0001 of the annual Budget Act and subdivision (f), if applicable, after

the amount allocated pursuant to subparagraph (A), shall be allocated on a per-unit basis of the local educational agency's prior year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(2) A local educational agency with prior year classroom-based average daily attendance in kindergarten and grades 1 to 6, inclusive, shall not receive funding pursuant to paragraph (1) of less than fifty thousand dollars (\$50,000).

(3) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include, but is not limited to, hiring literacy coaches, high-dosage tutors, school counselors, and instructional day teachers and aides to assist pupils as part of the local educational agency's program enrichment activities

(4) The Superintendent shall proportionately reduce the amount of funding allocated pursuant to this section for a charter school that has ceased operation during the school year if school was actually taught in the charter school on fewer than 175 calendar days during that school year. The reduction shall be commensurate to the number of days that the charter school failed to operate due to the closure.

(5) For the 2021–22 fiscal year, a school district or charter school may expend the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2022–23 fiscal year, inclusive. For the 2022–23 fiscal year, a school district or charter school may expend the funds received pursuant to this subdivision from the 2022–23 fiscal year to the 2023–24 fiscal year, inclusive.

(6) (A) For reorganized school districts, the prior fiscal year percentage of unduplicated pupils for purposes of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by all of two or more existing districts, combine the unduplicated pupils and total pupil enrollment of the original school districts.

(ii) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by parts of one or more existing districts, and for the remaining portion of a divided district, or for a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the county office of education with jurisdiction over the reorganized school district may provide to the department, under timelines and procedures established by the Superintendent, the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized district, and the prior fiscal year unduplicated pupil percentage may be based on the unduplicated pupils and total pupil enrollment attributed to each reorganized school district. If the county office of education with jurisdiction over the reorganized school district does not provide to the department the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized school district, the unduplicated pupils and total pupil enrollment shall be equal to the counts reported for the original school district.

(B) For reorganized school districts, the prior fiscal year average daily attendance for purposes of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, the sum of the average daily attendance of the original school districts.

(ii) For a remaining portion of a divided school district, the average daily attendance attributed to that portion of the school district.

(iii) For a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the average daily attendance of the former school district shall be attributed to the new school districts so that the sum of the average daily attendance for the new school districts equals the average daily attendance of the former school district.

(iv) For purposes of clauses (i), (ii) and (iii), the county superintendent of schools with jurisdiction over the reorganized school district shall provide to the department the prior fiscal year average daily attendance as of the second principal apportionment from each affected school district that will be served by each reorganized district.

(7) (A) Beginning with the 2022–23 fiscal year, the department may allocate up to five million dollars (\$5,000,000) of moneys appropriated for purposes of this subdivision to county offices of education to provide technical assistance, evaluation, and

training services to support program improvement, in coordination with activities described in Section 8483.55. County offices of education already providing technical assistance pursuant to Section 8483.55 shall be prioritized to receive these funds.

(B) Training and support shall include, but is not limited to, supporting local educational agencies with leveraging multiple funding initiatives to support expanded learning, including, but not limited to, community schools, school meal programs, and California state preschool programs.

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

(1) "Expanded learning opportunities" has the same meaning as "expanded learning" is defined in Section 8482.1. "Expanded learning opportunities" does not mean an extension of instructional time, but rather, opportunities to engage pupils in enrichment, play, nutrition, and other developmentally appropriate activities.

(2) "Frontier designated geographic location" means a schoolsite in an area that has a population density of less than 11 persons per square mile.

(3) "Local educational agency" means a school district or charter school, excluding a charter school established pursuant to Section 47605.5.

(4) "Offer access" means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels.

(5) "Provide access," with respect to an "expanded learning opportunity program," means to enroll in the expanded learning opportunity program. If a parent or guardian has a signed expanded learning opportunity program registration form and that form is on file, the pupil shall be considered enrolled in the expanded learning opportunity program. For a local educational agency receiving an expanded learning opportunity program apportionment, transportation shall be provided for any pupil who attends a school that is not operating an expanded learning opportunity program to attend a location that is providing an expanded learning opportunity program and to return to their original location or another location that is established by the local educational agency.

(6) "Unduplicated pupil" has the same meaning as in Section 42238.02.

(f) For the 2021–22 fiscal year, the sum of seven hundred fifty-four million twenty-one thousand dollars (\$754,021,000) is hereby appropriated from the General Fund to the Superintendent for allocation for the Expanded Learning Opportunities Program in the manner and for the purpose set forth in this section.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (f) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

SEC. 59. 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) (1) 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.

(2) (A) From September 1, 2021, to June 30, 2022, inclusive, with the exception of a material loss of attendance for pupils who are individuals with exceptional needs, as defined in Section 56026, whose individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 does not specifically provide for participation in independent study or pupils who are enrolled in community day schools pursuant to Article 3 (commencing with Section 48660) of Chapter 4 of Part 27, a school district, county office of education, or charter school shall not receive average daily attendance credit pursuant to this section for pupils that have been quarantined and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.

(B) Notwithstanding subparagraph (A), from September 1, 2021, to June 30, 2022, inclusive, a school district, county office of education, or charter school may receive average daily attendance credit pursuant to this section for school closures related to impacts from COVID-19 or material loss of attendance due to COVID-19 related staffing shortages if the following conditions are 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:

(i) The school district, county office of education, or charter school is unable to provide in person instruction to pupils due to staffing shortages as a result of staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.

(ii) For certificated staff shortages, the school district, county office of education, or charter school has exhausted all options for obtaining staff coverage, including using all certificated staff and substitute teacher options, and has consulted with their county office of education and the Superintendent in determining that staffing needs cannot be met through any option.

(iii) For classified staff shortages, the school district, county office of education, or charter school has exhausted all options for obtaining staff coverage, including using all staff options, and has consulted with their county office of education and the Superintendent in determining that staffing needs cannot be met through any option.

(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) (A) 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.

(B) In the 2021–22 fiscal year, for school districts, the Superintendent shall allocate an amount equal to 25 percent of the difference calculated in subparagraph (A) to the school district.

(2) (A) 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.

(B) In the 2021–22 fiscal year, for charter schools that operate a minimum of 175 school days and report at least 75 percent of the total second period average daily attendance for the 2019–20 fiscal year, as described in Section 41601, the Superintendent shall allocate 25 percent of the difference calculated in subparagraph (A) 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 pursuant to this subdivision 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) 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 September 2020, all of the following shall apply:

(1) For the 2021–22 fiscal year, for school districts, the Superintendent shall calculate the difference between the school district's certified annual principal apportionment local control funding formula revenues pursuant to Section 42238.02 in the 2021–22 fiscal year and the 2019–20 fiscal year, including local revenue, pursuant to subdivision (j) of Section 42238.02, and any additional funds received pursuant to subdivision (e) of Section 42238.03 in excess of the entitlement calculated pursuant to Section 42238.02 and 42238.03 and, if there is a difference, allocate the amount of that difference to the school district.

(2) For the 2021–22 fiscal year, for charter schools that operate a minimum of 175 school days and report at least 75 percent of the total second period average daily attendance for the 2019–20 fiscal year, as described in Section 41601, the Superintendent shall calculate the difference between the charter school's certified second principal apportionment local control funding formula revenues pursuant to Section 42238.02 in the 2021–22 fiscal year and the 2019–20 fiscal year, and, if there is a difference, allocate the amount of that difference to the charter school.

(3) School districts and charter schools shall notify the Superintendent of their eligibility pursuant to this subdivision by November 1, 2021, in the manner prescribed by the Superintendent.

(4) Preliminary allocations made pursuant to paragraph (1) shall be made to school districts by the Superintendent through the principal apportionment beginning with the 2021–22 fiscal year first principal apportionment certification and shall be made final as of the annual principal apportionment.

(5) Allocations pursuant to paragraph (2) shall be made to charter schools by the Superintendent as soon as practicable after the second principal apportionment and shall be made final as of the annual principal apportionment. The Superintendent may provide a preliminary allocation of up to 50 percent no sooner than the first principal apportionment.

(f) Notwithstanding any other law, for a school district where a school eligible for funding pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24 of Division 3 was destroyed as a result of a state of emergency that was declared by the Governor in August 2021, the following shall apply:

(1) The school district may continue to report the amount of attendance generated by pupils enrolled in another school of the school district that would have otherwise attended the destroyed school, and the number of full-time teachers employed by the school district that would have otherwise provided instructional services at the school, as if the school were operational in the 2021–22 and 2022–23 fiscal years.

(2) The school shall be considered a necessary small school for the purpose of Section 42282 in the 2022–23 fiscal year.

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

SEC. 60. 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 (c) 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 home page 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, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing body of the charter school.

SEC. 61. Section 47654 of the Education Code is amended to read:

47654. The definitions set forth in this section apply for purposes of this part and Chapter 7 (commencing with Section 42238) of Part 24 of Division 3. "Affected charter school" means a charter school that has been, or is proposed to be, affected by an action to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7. Affected charter schools include all of the following charter school types:

(a) (1) "Acquiring charter school" means a state charter school site deemed a continuing charter school that has wholly combined with one or more other affected state charter school sites by an action taken to comply with subdivision (c) of Section 47605.9.

This paragraph shall become inoperative on July 1, 2025, unless its operation is extended by the Legislature.

(2) On the date paragraph (1) becomes inoperative, a charter school that meets the definition of an acquiring charter school pursuant to paragraph (1) shall no longer be regarded as a continuing charter school.

(b) "Continuing charter school" means a charter school that the department has deemed to have met the requirements of Section 47653.

(c) (1) "Divided charter school" means a continuing charter school that has had one or more of its sites become a separately authorized charter school by an action to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(2) The "restructured portion of a divided charter school" means the site or sites of the divided charter school that each become separately authorized by an action taken to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7, and that is regarded as a continuing charter school in accordance with Section 47653.

(3) The "remaining portion of a divided charter school" means the portion of the original charter school remaining after action is taken to bring sites, resource centers, satellite facilities, and meeting spaces into compliance with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(d) "Original charter school" means a charter school as it existed before an action taken to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(e) "Restructured charter school" means a transferred charter school, acquiring charter school, or divided charter school.

(f) "Transferred charter school" means a continuing charter school that is wholly authorized by a different chartering authority to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

SEC. 62. Section 47655 of the Education Code is amended to read:

47655. (a) Notwithstanding any other law, all debt and liabilities owed to the state for an original charter school shall transfer to a restructured charter school in accordance with this section.

(b) (1) A transferred charter school shall retain all of the debt and liabilities owed to the state incurred by, or applicable to, the original charter school for the period before the fiscal year the restructuring becomes effective.

(2) An acquiring charter school shall assume all of the debt and liabilities owed to the state incurred by, or applicable to, the original charter schools for the period before the fiscal year the restructuring becomes effective. This paragraph shall become inoperative on July 1, 2025, unless its operation is extended by the Legislature.

(3) For a divided charter school, the debt and liabilities owed to the state incurred by, or applicable to, the original charter school for the period before the fiscal year the restructuring becomes effective shall be the responsibility of the remaining portion of a divided charter school. If the remaining portion of a divided charter school closes, unassigned debt and liability owed to the state shall be the responsibility of the restructured charter schools.

SEC. 63. Section 48000.1 is added to the Education Code, to read:

48000.1. (a) For purposes of subdivision (g) of Section 48000, "apportionment" shall mean the amount of funding computed pursuant to Section 42238.02 that is attributable to the inclusion of average daily attendance for pupils enrolled in transitional kindergarten, inclusive of the amount computed pursuant to paragraph (2) of subdivision (g) of Section 42238.02.

(b) For the purposes of subparagraphs (A) and (B) of paragraph (4) of subdivision (g) of Section 48000, "units" means Carnegie units, from regionally accredited two- or four-year institutions of higher education, that are nonremedial, credit bearing, nonprofessional development units, which can be obtained as semester units, or their quarterly equivalent, as used for the purposes of a degree program at the University of California, California State University, California Community Colleges, or independent institutions of higher education, as defined in Section 66010.

(c) (1) Commencing with the 2022–23 school year, if a school district or charter school fails to comply with the requirements of paragraphs (1) to (4), inclusive, of subdivision (g) of Section 48000, the Superintendent shall withhold from the school district's or

charter school's apportionment of funds pursuant to Section 42238.02 the sum of the following:

(A) For school districts and charter schools that fail to meet the adult-to-pupil ratio requirements of paragraph (2) of subdivision (g) of Section 48000, the amount determined by multiplying:

(i) The number of additional adults needed to meet the requirements of paragraph (2) of subdivision (g) of Section 48000.

(ii) Twenty-four.

(iii) The per average daily attendance rate determined pursuant to Section 42238.02.

(B) For school districts and charter schools that fail to ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, met one of the requirements of subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000, the amount determined by multiplying:

(i) The number of credentialed teachers that did not meet the requirements of subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000.

(ii) Twenty-four.

(iii) The effective per average daily attendance rate for pupils enrolled in a transitional kindergarten program as determined pursuant to Section 42238.02.

(C) For school districts and charter schools that fail to maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite, as required pursuant to paragraph (1) of subdivision (g) of Section 48000, the amount determined by multiplying:

(i) The number of additional classrooms needed to meet an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite.

(ii) Twenty-four.

(iii) The effective per average daily attendance rate for pupils enrolled in a transitional kindergarten program as determined pursuant to Section 42238.02.

(2) The requirements of paragraphs (1), (2), and (4) of subdivision (g) of Section 48000, and, if operative, the requirements of paragraph (3) of subdivision (g) of Section 48000, shall apply to any classroom providing instruction to pupils enrolled in a transitional kindergarten program.

(d) The Superintendent shall adjust an amount withheld pursuant to the requirements of subdivision (c) to ensure that the total amount withheld does not exceed the total amount apportioned to the applicable school district or charter school pursuant to Section 42238.02 that is generated by units of transitional kindergarten average daily attendance.

(e) An individual with a substitute permit or teaching permit authorized by the Commission on Teacher Credentialing pursuant to subdivision (m) of Section 44225 or Section 44300 of this code, or Sections 80025, 80025.1, and 80025.2 of Title 5 of the California Code of Regulations, that provides substitute teaching services in a transitional kindergarten classroom, shall not be subject to the requirements of paragraph (4) of subdivision (g) of Section 48000.

SEC. 64. Section 48205 of the Education Code is amended to read:

48205. (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

(1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.

(2) Due to quarantine under the direction of a county or city health officer.

(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.

(4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

(5) For the purpose of jury duty in the manner provided for by law.

(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

(11) For the purpose of participating in a cultural ceremony or event.

(12) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

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

(1) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.

(2) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

SEC. 65. Section 48850 of the Education Code is amended to read:

48850. (a) (1) It is the intent of the Legislature to ensure that all pupils in foster care and those who are homeless, as defined by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), have a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. In fulfilling their responsibilities to these pupils, educators, county placing agencies, care providers, advocates, and the juvenile courts shall work together to maintain stable school placements and to ensure that each pupil is placed in the least restrictive educational programs, and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils, including, but not necessarily limited to, interscholastic sports administered by the California Interscholastic Federation. In all instances, educational and school placement decisions shall be based on the best interests of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

(2) A foster child who changes residences pursuant to a court order or decision of a child welfare worker or a homeless child or youth shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

(3) (A) Pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), public schools, including charter schools, and county offices of education shall immediately enroll a homeless child or youth seeking enrollment except where the enrollment would be in conflict with subdivision (e) of Section 47605.

(B) The department and the State Department of Social Services shall identify representatives from the department, the State Department of Social Services, and other state agencies that have experience in homeless youth issues to develop policies and practices to support homeless children and youths and to ensure that child abuse and neglect reporting requirements do not create barriers to the school enrollment and attendance of homeless children or youths, including, but

not limited to, ensuring that a pupil who is a homeless child or youth is not reported to law enforcement by school personnel if the sole reason for the report is the pupil's homelessness. The selected representatives shall present the policies and practices to the Superintendent and the State Department of Social Services to be considered for implementation or dissemination, as appropriate.

(b) Every county office of education shall make available to agencies that place children in licensed children's institutions information on educational options for children residing in licensed children's institutions within the jurisdiction of the county office of education for use by the placing agencies in assisting parents and foster children to choose educational placements.

(c) For purposes of individuals with exceptional needs residing in licensed children's institutions, making a copy of the annual service plan, prepared pursuant to subdivision (b) of Section 56205, available to those special education local plan areas that have revised their local plans pursuant to Section 56836.03 shall meet the requirements of subdivision (b).

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

(1) "Homeless child or youth" and "homeless children and youths" as they are defined in Section 11434a(2) of Title 42 of the United States Code.

(2) "Pupils in foster care" has the same meaning as "foster child," as that term is defined in subdivision (a) of Section 48853.5.

SEC. 66. Section 48853.5 of the Education Code is amended to read:

48853.5. (a) This section applies to a foster child. "Foster child" means any of the following:

(1) A child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code.

(2) A child who is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, whether or not the child has been removed from their home.

(3) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.

(4) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code.

(b) The department, in consultation with the California Foster Youth Education Task Force, shall develop a standardized notice of the educational rights of foster children, as specified in Sections 48850 to this section, inclusive, and Sections 48911, 48915.5, 49069.5, 49076, 51225.1, and 51225.2. The notice shall include complaint process information, as applicable. The department shall make the notice available to educational liaisons for foster children for dissemination by posting the notice on its internet website. Any version of this notice prepared for use by foster children shall also include, to the greatest extent practicable, the rights established pursuant to Section 16001.9 of the Welfare and Institutions Code. In developing the notice that includes the rights in Section 16001.9 of the Welfare and Institutions Code, the department shall consult with the Office of the State Foster Care Ombudsperson.

(c) Each local educational agency shall designate a staff person as the educational liaison for foster children. In a school district that operates a foster children services program pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3, the educational liaison shall be affiliated with the local foster children services program. The educational liaison shall do both of the following:

(1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.

(2) Assist foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records, and grades.

(d) If so designated by the superintendent of the local educational agency, the educational liaison shall notify a foster child's attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, pending proceedings to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act, and, if the foster child is an individual with exceptional needs, pending manifestation determinations pursuant to Section 1415(k) of Title 20 of the United States Code if the local educational agency has proposed a change in placement due to an act for which the decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools.

(e) This section does not grant authority to the educational liaison that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible adult appointed by the court to represent the child pursuant to Section 361 or 726 of the Welfare and Institutions Code, a surrogate parent, or a foster parent exercising the authority

granted under Section 56055. The role of the educational liaison is advisory with respect to placement decisions and determination of the school of origin.

(f) (1) At the initial detention or placement, or any subsequent change in placement of a foster child, the local educational agency serving the foster child shall allow the foster child to continue their education in the school of origin for the duration of the jurisdiction of the court.

(2) If the jurisdiction of the court is terminated before the end of an academic year, the local educational agency shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive, to continue the foster child's education in the school of origin through the duration of the academic school year.

(3) (A) If the jurisdiction of the court is terminated while a foster child is in high school, the local educational agency shall allow the former foster child to continue the foster child's education in the school of origin through graduation.

(B) For purposes of this paragraph, a school district is not required to provide transportation to a former foster child who has an individualized education program that does not require transportation as a related service and who changes residence but remains in the former foster child's school of origin pursuant to this paragraph, unless the individualized education program team determines that transportation is a necessary related service.

(4) To ensure that the foster child has the benefit of matriculating with the foster child's peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the local educational agency shall allow the foster child to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

(5) (A) Paragraphs (2), (3), and (4) do not require a school district to provide transportation services to allow a foster child to attend a school or school district, unless there is an agreement with a local child welfare agency that the school district assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless otherwise required under federal law. This paragraph does not prohibit a school district from, at its discretion, providing transportation services to allow a foster child to attend a school or school district.

(B) In accordance with Section 6312(c)(5) of Title 20 of the United States Code, local educational agencies shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the foster youth.

(6) The educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.

(7) Before making a recommendation to move a foster child from the foster child's school of origin, the educational liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interests.

(8) (A) If the educational liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by the foster child's transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school.

(B) The new school shall immediately enroll the foster child even if the foster child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Chapter 1 (commencing with Section 120325) of Part 2 of Division 105 of the Health and Safety Code, proof of residency, other documentation, or school uniforms.

(C) Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide all records to the new school within two business days of receiving the request.

(9) If a dispute arises regarding the request of a foster child to remain in the school of origin, the foster child has the right to remain in the school of origin pending resolution of the dispute. The dispute shall be resolved in accordance with the existing dispute resolution process available to a pupil served by the local educational agency.

(10) The local educational agency and the county placing agency are encouraged to collaborate to ensure maximum use of available federal moneys, explore public-private partnerships, and access any other funding sources to promote the well-being of foster children through educational stability.

(11) It is the intent of the Legislature that this subdivision shall not supersede or exceed other laws governing special education services for eligible foster children.

(g) For purposes of this section, "school of origin" means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

(h) This section does not supersede other law governing the educational placements in juvenile court schools, as described in Section 48645.1, by the juvenile court under Section 602 of the Welfare and Institutions Code.

(i) (1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under 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 local educational agency 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 decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or if the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

(4) Information regarding the requirements of this section shall be included in the annual notification distributed to, among others, pupils, parents or guardians of pupils, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

SEC. 67. Section 49069.5 of the Education Code is amended to read:

49069.5. (a) The Legislature finds and declares all of the following:

(1) The mobility of pupils in foster care often disrupts their educational experience.

(2) Efficient transfer procedures and transfer of pupil records are critical factors in the swift placement of foster children in educational settings.

(3) Pupils who have had contact with the juvenile justice system are often denied credit or partial credit earned during enrollment in juvenile court schools. Delays in school enrollment and loss of earned credit can result in improper class or school placement, denial of special education services, and school dropout.

(b) The proper and timely transfer between schools of pupils in foster care is the responsibility of both the local educational agency, including the county office of education for pupils in foster care who are enrolled in juvenile court schools, and the county placing agency, which includes the county probation department.

(c) As soon as the county placing agency or county office of education becomes aware of the need to transfer a pupil in foster care out of the pupil's current school, the county placing agency or county office of education shall contact the appropriate person at the local educational agency of the pupil. The county placing agency shall notify the local educational agency of the date that the pupil will be leaving the school and request that the pupil be transferred out.

(d) Upon receiving a transfer request from a county placing agency or notification of enrollment from the new local educational agency, the local educational agency receiving the transfer request or notification shall, within two business days, transfer the pupil out of school and deliver the educational information and records of the pupil to the next educational placement.

(e) As part of the transfer process described under subdivisions (c) and (d), the local educational agency shall compile the complete educational record of the pupil, including a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794) or individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

(f) The local educational agency shall assign the duties listed in this section to a person who is competent to handle the transfer procedure and who is aware of the specific educational recordkeeping needs of homeless, foster, and other transient children who transfer between schools.

(g) The local educational agency shall ensure that, if the pupil in foster care is absent from school due to a decision to change the placement of a pupil made by a court or placing agency, the grades and credits of the pupil will be calculated as of the date the pupil left school and no lowering of grades will occur as a result of the absence of the pupil under these circumstances.

(h) The local educational agency shall ensure that, if the pupil in foster care is absent from school due to a verified court appearance or related court ordered activity, no lowering of the pupil's grades will occur as a result of the absence of the pupil under these circumstances.

(i) (1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under 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 local educational agency 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 decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or if the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

(4) Information regarding the requirements of this section shall be included in the annual notification distributed to, among others, pupils, parents or guardians of pupils, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

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

(1) "County placing agency" means a county social services department or county probation department.

(2) "Local educational agency" means a school district, a county office of education, a charter school participating as a member of a special education local plan area, or a special education local plan area.

(3) "Pupil in foster care" has the same meaning as "foster child," as that term is defined in subdivision (a) of Section 48853.5.

SEC. 68. Section 49421.5 of the Education Code is amended to read:

49421.5. (a) (1) On or before June 30, 2022, the State Department of Education shall establish a process to select, with approval from the executive director of the state board, a local educational agency to provide guidance around Medi-Cal billing and increase local educational agencies' capacity to successfully submit claims through the Local Educational Agency Medi-Cal Billing Option Program. The local educational agency selected shall have demonstrated success in submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services, and a willingness and capacity to perform the duties described in paragraph (2). The State Department of Health Care Services shall provide relevant data, including, but not limited to, the number of years participating in the program and cost reimbursement data for each local educational agency, in the form and manner requested by the State Department of Education and the executive director of the state board no later than August 31, 2021, to aid in the selection process. The State Department of Health Care Services shall assist the State Department of Education, as needed, with the selection process, including verifying information provided by local educational agencies regarding program participation during the selection process.

(2) The local educational agency selected pursuant to paragraph (1) shall do all of the following:

(A) Provide effective assistance and support to local educational agencies in securing federal reimbursement for services provided to Medi-Cal eligible pupils.

(B) Work in coordination and collaboration with expert lead agencies identified pursuant to Section 52073.1, special education resource leads identified pursuant to Section 52073.2, the State Department of Education, and the State Department of Health Care Services.

(C) Identify and disseminate information regarding existing resources, professional development activities, and other efforts currently available to assist local educational agencies in successfully submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services.

(D) Upon request by the State Department of Education and the State Department of Health Care Services, develop new resources and activities designed to build capacity for local educational agencies to secure federal reimbursement for

services provided to Medi-Cal eligible pupils.

(E) Serve as a point of contact for local educational agencies, and regularly participate and share the perspectives of local educational agencies in the Local Educational Agency Program Advisory Workgroup convened by the State Department of Health Care Services.

(F) Other duties, as prescribed by the State Department of Education, to enhance Medi-Cal services on schoolsites, increase access of care for pupils, and increase Medi-Cal reimbursement for local educational agencies.

(3) A local educational agency may partner as a consortium with other local educational agencies, institutions of higher education, nonprofit educational services providers, county mental health providers, or other local partners to submit a proposal to the State Department of Education to be considered for selection as the local educational agency pursuant to paragraph (1).

(b) (1) The term of a local educational agency selected pursuant to subdivision (a) shall not exceed five years.

(2) The selected local educational agency shall commit to providing program data to the State Department of Education, as specified by the Superintendent, to evaluate the effectiveness of the activities performed under paragraph (2) of subdivision (a).

(3) At the conclusion of the term of the selected local educational agency, the State Department of Education, with approval from the executive director of the state board, may renew the term of the selected local educational agency or select a new local educational agency in a manner consistent with subdivision (a).

(4) If a selected local educational agency requests that its term be renewed, it shall provide a description of the efforts it has made to carry out the duties described in paragraph (2) of subdivision (a), and before renewing the term, the State Department of Education shall evaluate the local educational agency's success in carrying out those duties.

(c) Notwithstanding Section 13340 of the Government Code, commencing with the 2021–22 fiscal year, each fiscal year the sum of two hundred fifty thousand dollars (\$250,000) shall be appropriated from the General Fund to the State Department of Education to be awarded to the local educational agency selected pursuant to this section.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (c) 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, for the fiscal year in which they are appropriated.

SEC. 69. Section 51225.2 of the Education Code is amended to read:

51225.2. (a) For purposes of this section, the following definitions apply:

(1) "Former juvenile court school pupil" means a pupil who, upon completion of the pupil's second year of high school, transfers to a school district or charter school, excluding a school district operated by the Division of Juvenile Justice of the Department of Corrections and Rehabilitation, from a juvenile court school.

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

(3) "Pupil in foster care" has the same meaning as "foster child," as that term is defined in subdivision (a) of Section 48853.5.

(4) "Pupil participating in a newcomer program" means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

(5) "Pupil who is a child of a military family" means a pupil who meets the definition of "children of military families" under Section 49701.

(6) "Pupil who is a homeless child or youth" means a pupil who meets the definition of "homeless children and youths" in Section 11434a(2) of Title 42 of the United States Code.

(7) "Pupil who is a migratory child" means a pupil who meets the definition of "currently migratory child" under subdivision (a) of Section 54441.

(b) (1) Notwithstanding any other law, a local educational agency shall accept coursework satisfactorily completed by a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed.

(2) For purposes of coursework completed by a pupil who is a child of a military family, "public school" includes schools operated by the United States Department of Defense.

(c) The credits accepted pursuant to subdivision (b) shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school.

(d) A local educational agency shall not require a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the local educational agency shall not require the pupil to retake the portion of the course the pupil completed unless the local educational agency, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the pupil in foster care, the pupil who is a homeless child or youth, the former juvenile court school pupil, the pupil who is a child of a military family, the pupil who is a migratory child, or the pupil participating in a newcomer program shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

(e) A pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

(f) (1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under 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 local educational agency 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 decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or if the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

(4) Information regarding the requirements of this section shall be included in the annual notification distributed to, among others, pupils, parents or guardians of pupils, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

SEC. 70. Section 51225.31 is added to the Education Code, to read:

51225.31. (a) (1) Notwithstanding any other law, a local educational agency shall exempt an individual with exceptional needs who satisfies the eligibility criteria described in subdivision (b) from all coursework and other requirements adopted by the governing board or governing body of the local educational agency that are additional to the statewide coursework requirements specified in Section 51225.3 and shall award the pupil a diploma of graduation from high school, as described in Section 7801(23)(A)(ii)(I)(bb) of Title 20 of the United States Code.

(2) In accordance with Section 300.102(a)(3) of Title 34 of the Code of Federal Regulations, the award of a diploma of graduation from high school pursuant to this subdivision does not change a local educational agency's obligation to provide a free appropriate public education or otherwise constitute a change in placement.

(b) An individual with exceptional needs shall be eligible for the exemption and award described in subdivision (a) if their individualized education program provides for all of the following:

(1) The pupil is required to take the alternate assessment aligned to alternate achievement standards in grade 11, as described in subdivision (k) of Section 60640.

(2) The pupil is required to complete state standards aligned coursework to meet the statewide coursework requirements specified in Section 51225.3.

(c) Before a pupil commences grade 10, the pupil's individualized education program team shall determine and notify the parent or guardian of the pupil of whether the pupil may be eligible to graduate pursuant to the exemption described in this section.

(d) An individual with exceptional needs who meets the criteria for a diploma of graduation from high school pursuant to this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of

similar age would be eligible to participate. Participation in graduation activities shall not be construed as termination of the provision of free appropriate public education, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations.

(e) For purposes of this section, "local educational agency" includes a school district, county office of education, charter school, or state special school.

SEC. 71. Section 51475 is added to the Education Code, immediately following Section 51474, to read:

51475. (a) The California Serves Program is hereby established under the administration of the department, in collaboration with CaliforniaVolunteers, for purposes of promoting access to effective service learning for pupils in grade 12 who are enrolled at participating local educational agencies, with the goal of expanding access for high school graduates in obtaining a State Seal of Civic Engagement through service learning.

(b) The department, in partnership with CaliforniaVolunteers, shall do all of the following:

(1) Review the available evidence on ways to incorporate effective service learning for pupils in grades 9 to 12, inclusive, and, on or before January 1, 2024, provide recommendations to the Legislature, consistent with Section 9795 of the Government Code and consistent with the recommended criteria and implementation guidance for the State Seal of Civic Engagement pursuant to this article, on evidence-based strategies to expand access to high-quality service learning programs in California high schools and promote equitable access to these programs.

(2) On or before January 1, 2024, develop and post on the department's and CaliforniaVolunteers' internet websites evidence-based strategies for expanding access to high-quality service learning programs that may be used by teachers and local educational agencies.

(3) Develop model uniform metrics, based on the recommended criteria for the State Seal of Civic Engagement, for the measurement of pupil progress toward academic, civic engagement, and other learning objectives. Civic learning objectives shall include the final goal of awarding of the State Seal of Civic Engagement pursuant to this article.

(4) Use the evidence, recommendations, and metrics identified pursuant to paragraphs (1) to (3), inclusive, in the administration of the California Serves Program.

(c) (1) Commencing with the 2022–23 fiscal year, the sum of five million dollars (\$5,000,000) is hereby appropriated, each fiscal year, from the General Fund to the department for annual awards to local educational agencies for California Serves Program grants pursuant to this section.

(2) The department, in collaboration with CaliforniaVolunteers, shall establish the California Serves Program grant program, develop criteria for the awarding of grants and an application process, request necessary data from participating local educational agencies, and award grants consistent with this section.

(d) In order for a local educational agency to be eligible for a grant under this section, at least 55 percent of the pupils enrolled in the applicant local educational agency shall be unduplicated pupils as defined in Section 2574 or 42238.02, as applicable.

(e) Eligible local educational agencies who receive grants pursuant to this grant program shall receive an amount of up to five hundred thousand dollars (\$500,000) annually.

(f) Allowable uses for funding allocated pursuant to this grant program include all of the following:

(1) Paid planning time for teachers to increase the use of service learning in their instruction.

(2) Professional development for school and local educational agency administrators and classroom teachers on service learning.

(3) Purchase of instructional materials to aid in the use of service learning in instruction.

(4) Participation costs of pupils and school personnel, including any materials or travel expenses related to service learning activities.

(5) Personnel costs for coordination of service learning at a local educational agency or a schoolsite of a local educational agency.

(6) Participation costs associated with grant program evaluation.

(g) Notwithstanding Section 10231.5 of the Government Code, on or before November 5, 2024, and annually thereafter, the department, in partnership with CaliforniaVolunteers, shall submit a report on the program to the appropriate fiscal and policy

committees of the Legislature, consistent with Section 9795 of the Government Code. The report shall include an evaluation of the program using the model uniform metrics established by the department in partnership with CaliforniaVolunteers pursuant to paragraph (3) of subdivision (b), and shall include, but not be limited to, all of the following information:

(1) The number of participating pupils, schools, and local educational agencies, and the grant awards for each grantee.

(2) The demographics of pupils engaged in service learning as a result of the grant.

(3) The impact of the service performed by pupils and school staff as a result of the grant.

(4) Pupil outcomes in the academic, civic engagement, and other learning objectives measured by the model uniform metrics identified by the department in partnership with CaliforniaVolunteers pursuant to paragraph (3) of subdivision (b), including, but not limited to, obtaining the State Seal of Civic Engagement.

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

(1) "CaliforniaVolunteers" means CaliforniaVolunteers as established by Executive Order No. S-24-06.

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

(3) "Program" means the California Serves Program established pursuant to subdivision (a).

(4) "Service learning" means an educational approach that intentionally combines meaningful community service activities with instruction and reflection to support pupil progress toward academic and civic engagement learning objectives while meeting societal needs.

(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (c) 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 the appropriation is made, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the fiscal year in which the appropriation is made.

SEC. 72. Section 51744 is added to the Education Code, immediately preceding Section 51745, to read:

51744. (a) The Legislature finds and declares that by offering a range of quality educational options, including classroom-based, hybrid, and nonclassroom-based programs, local educational agencies can better tailor instruction to pupils, thereby improving academic outcomes while maximizing enrollment.

(b) It is the intent of the Legislature that local educational agencies offer educational programs that best serve the needs of their pupils.

(c) It is also the intent of the Legislature to encourage local educational agencies, when adopting a written policy pursuant to Section 51747 or 51749.5, to consider offering more than one independent study model for short- and long-term placements in accordance with Sections 51747, 51747.5, and 51749.6.

SEC. 73. Section 51745 of the Education Code is amended to read:

51745. (a) Commencing with the 1990–91 school year, a local educational agency may offer independent study to meet the educational needs of pupils in accordance with the requirements of this article. For the 2021–22 school year only, the governing board of a school district or a county office of education shall offer independent study to meet the educational needs of pupils. Educational opportunities offered through independent study may include, but shall not be limited to, the following:

(1) Special assignments extending the content of regular courses of instruction.

(2) Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum.

(3) Continuing and special study during travel.

(4) Volunteer community service activities and leadership opportunities that support and strengthen pupil achievement.

(5) Individualized study for a pupil whose health would be put at risk by in-person instruction, as determined by the parent or guardian of the pupil, or a pupil who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance.

(b) Beginning July 1, 2021, with the exception of pupils participating in independent study programs due to an emergency, as described in Sections 41422 and 46392, not more than 10 percent of the pupils participating in an opportunity school or program,

or a continuation high school, calculated as specified by the department, shall be eligible for apportionment credit for independent study pursuant to this article. A pupil who is pregnant or is a parent who is the primary caregiver for one or more of their children shall not be counted within the 10 percent cap.

(c) An individual with exceptional needs, as defined in Section 56026, may participate in independent study, if the pupil's individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation. If a parent or guardian of an individual with exceptional needs requests independent study pursuant to paragraph (5) of subdivision (a), the pupil's individualized education program team shall make an individualized determination as to whether the pupil can receive a free appropriate public education in an independent study placement. A pupil's inability to work independently, the pupil's need for adult support, or the pupil's need for special education or related services shall not preclude the individualized education program team from determining that the pupil can receive a free appropriate education in an independent study placement.

(d) A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through independent study.

(e) No course included among the courses required for high school graduation under Section 51225.3 shall be offered exclusively through independent study.

(f) The governing board of a school district or county office of education may meet the requirement to offer independent study for the 2021–22 school year described in subdivision (a) by contracting with a county office of education or by entering into an interdistrict transfer agreement with another school district pursuant to Section 46600.

(g) The requirement to offer independent study for the 2021–22 school year described in subdivision (a) may be waived for school districts by the county superintendent of schools in the county in which the school district is located and waived for county offices of education and school districts in single-district counties by the Superintendent if the school district or county office of education, as applicable, demonstrates both of the following:

(1) Offering independent study would create an unreasonable fiscal burden on the school district or county office of education due to low numbers of pupils participating or other extenuating circumstances.

(2) The governing board of the school district or county office of education does not have the option to enter into an interdistrict transfer agreement with another school district or to contract with a county office of education to provide an independent study option, as described in subdivision (f).

SEC. 74. Section 51745.5 of the Education Code is amended to read:

51745.5. For purposes of this article the following definitions apply:

(a) “Live interaction” means interaction between the pupil and local educational agency classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.

(b) “Local educational agency” means a school district, county office of education, or charter school.

(c) “Pupil-parent-educator conference” means a meeting involving, at a minimum, all parties who signed the pupil's written independent study agreement pursuant to subdivision (g) of Section 51747 or the written learning agreement pursuant to subdivision (b) of Section 51749.6.

(d) “Synchronous instruction” means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher and pupil. Synchronous instruction shall be provided by a teacher or teachers of record for that pupil pursuant to Section 51747.5 or the certificated employee of the local educational agency providing instruction for course-based independent study.

SEC. 75. Section 51746 of the Education Code is amended to read:

51746. It is the intent of the Legislature that school districts and county offices of education offering independent study shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the pupil is enrolled pursuant to Section 51748 as is available to all other pupils in the school. In addition, the services and resources may include, but need not be limited to, any of the following:

(a) A designated learning center or study area staffed by appropriately trained personnel.

(b) The services of qualified personnel to assess the achievement, abilities, interests, aptitudes, and needs of participating pupils to determine each of the following:

(1) Whether full-time independent study is the most appropriate placement for the pupil being referred.

(2) If the answer to paragraph (1) is affirmative, the determination of the most appropriate individualized plan and resources to be made available to pupils enrolled in full-time independent study.

SEC. 76. Section 51747 of the Education Code is amended to read:

51747. A local educational agency shall not be eligible to receive apportionments for independent study by pupils, regardless of age, unless it has adopted written policies, and has implemented those policies, pursuant to rules and regulations adopted by the Superintendent, that include, but are not limited to, all of the following:

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

(b) (1) The level of satisfactory educational progress and the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether the pupil should return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

(2) Satisfactory educational progress shall be determined based on all of the following indicators:

(A) The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in paragraphs (4) and (5) of subdivision (d) of Section 52060.

(B) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.

(C) Learning required concepts, as determined by the supervising teacher.

(D) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

(c) The provision of content aligned to grade level standards that is substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria.

(d) Procedures for tiered reengagement strategies for all pupils who are not generating attendance for more 10 percent of required minimum instructional time over four continuous weeks of a local educational agency's approved instructional calendar, pupils found not participatory in synchronous instructional offerings pursuant to Section 51747.5 for more than 50 percent of the scheduled times of synchronous instruction in a school month as applicable by grade span, or pupils who are in violation of the written agreement pursuant to subdivision (g). These procedures shall include local programs intended to address chronic absenteeism, as applicable, with at least all of the following:

(1) Verification of current contact information for each enrolled pupil.

(2) Notification to parents or guardians of lack of participation within one school day of the recording of a nonattendance day or lack of participation.

(3) A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.

(4) A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement, and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the policies adopted pursuant to paragraph (4) of subdivision (g).

(e) (1) For pupils in transitional kindergarten and grades 1 to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.

(2) For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.

(3) For pupils in grades 9 to 12, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year.

(f) A plan to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days.

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

(1) The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.

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

(3) The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.

(4) A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.

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

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

(7) A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

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

(9) (A) For a pupil participating in an independent study program that is scheduled for more than 14 school days, each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. Beginning in the 2022–23 school year, for a pupil participating in an independent study program that is scheduled for less than 15 school days, each written agreement shall be signed within 10 school days of the commencement of the first day of the pupil's enrollment in independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.

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

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

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

(E) Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the department, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.

(F) Notwithstanding subparagraph (A), for the 2021–22 school year only, a local educational agency shall obtain a signed written agreement for an independent study program of any length of time from the pupil, or the pupil's parent or legal guardian if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable, no later than 30 days after the first day of instruction in an independent study program or October 15, whichever date comes later. This subparagraph does not relieve a local educational agency from the obligation to comply with the requirements of this article, as amended by the act adding this subparagraph, upon commencement of instruction for a participating pupil in the 2021–22 school year.

(h) (1) For the 2021–22 school year only, school districts and county offices of education shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021–22 school year. This notice shall include written information on the local educational agency's internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study. If 15 percent or more of the pupils enrolled in a local educational agency that provides instruction in transitional kindergarten, 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, the written information shall, in addition to being written in English, be written in the primary language.

(2) Before signing a written agreement pursuant to this section, the parent or guardian of a pupil may request that the local educational agency conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.

(i) Subdivisions (d), (e), and (f) shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision.

(j) (1) Notwithstanding paragraph (8) of subdivision (g) of this section, paragraph (1) of subdivision (e) of Section 46300, and subdivision (d) of Section 51745, for the 2021–22 school year only, a local educational agency shall be eligible to receive apportionments for independent study for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, and for school closures due to COVID-19 pursuant to subdivision (c) of Section 41422. Local educational agencies shall receive apportionment for these pupils for all schooldays that they participate in and meet all other apportionment requirements of independent study while in quarantine or during a school closure.

(2) Notwithstanding Section 47612.5, for the 2021–22 fiscal year, a classroom-based charter school that provides an independent study program pursuant to this article for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, shall not attribute quarantine-based independent study average daily attendance required pursuant to law for a nonclassroom-based charter school pursuant to Section 47612.5 and shall not be required to submit a request for a funding determination as a result of providing independent study to quarantined pupils.

(3) This subdivision shall apply only to pupils participating in independent study due to quarantine who do not have the option of in-person instruction, and only for the period of quarantine mandated pursuant to state or local health guidance or order. This subdivision shall not apply to classroom-based charter schools offering independent study to pupils whose parents or guardians have requested independent study pursuant to subdivision (a) of Section 51745.

(k) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of the adoption of the policies required pursuant to this section, including

loss of apportionment for independent study for local educational agencies found to be noncompliant, unless compliance verification for those policies is already included in the audit guide.

(l) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 77. Section 51747.5 of the Education Code is amended to read:

51747.5. (a) The independent study by each pupil shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the local educational agency who possesses a valid certification document pursuant to Section 44865 or an emergency credential pursuant to Section 44300, registered as required by law.

(b) (1) A local educational agency may claim apportionment credit for independent study only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the local educational agency, or the combined time value of pupil work product and pupil participation in synchronous instruction pursuant to paragraph (2). It is the intent of the Legislature that teachers be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for pupil work and synchronous instruction participation.

(2) For purposes of computing average daily attendance for each pupil enrolled in independent study pursuant to Section 51747, the following computations shall apply:

(A) For each schoolday, add the combined equivalent daily time value of pupil work products, as personally judged by a certificated employee of the local educational agency.

(B) (i) For each schoolday, add the combined daily instructional minutes a pupil participated in synchronous instruction, as defined by subdivision (d) of Section 51745.5 and offered pursuant to subdivision (e) of Section 51747, for which evidence of pupil participation is furnished and maintained. Evidence of pupil participation may include, but is not limited to, pupil work produced or performed, as verified by a certificated employee and maintained by the local educational agency for each hour or fraction thereof of the synchronous instructional offering.

(ii) Pursuant to paragraph (1), a local educational agency may claim apportionment credit in this paragraph insofar as a pupil's participation in a synchronous instructional offering augments the time value of pupil work product.

(C) For each schoolday, add the sum of subparagraphs (A) and (B).

(3) The average daily attendance computed pursuant to this subdivision shall not result in more than one unit of average daily attendance per pupil.

(4) Notwithstanding any other law, average daily attendance computed for pupils enrolled in independent study shall not be credited with average daily attendance other than what is specified in this section.

(c) A local educational agency shall document each pupil's participation in live interaction and synchronous instruction pursuant to Section 51747 on each schoolday, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A pupil who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that schoolday for purposes of pupil participation reporting and tiered reengagement pursuant to Section 51747.

(d) A local educational agency shall maintain written or computer-based evidence of pupil engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades.

(e) For purposes of this section, a local educational agency shall not be required to sign and date pupil work products when assessing the time value of pupil work products for apportionment purposes.

(f) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) to (d), inclusive, unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(g) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 78. Section 51749.5 of the Education Code is amended to read:

51749.5. (a) Notwithstanding any other law, and commencing with the 2015–16 school year, a local educational agency may, for pupils enrolled in kindergarten and grades 1 to 12, inclusive, provide independent study courses pursuant to the following

conditions:

- (1) The governing board or body of the local educational agency adopts policies, at a public meeting, that comply with the requirements of this section and any applicable regulations adopted by the state board.
- (2) A signed learning agreement is completed and on file pursuant to Section 51749.6.
- (3) Courses are taught under the general supervision of certificated employees who hold the appropriate subject matter credential pursuant to Section 44300 or 44865, or subdivision (l) of Section 47605, and are employed by the local educational agency at which the pupil is enrolled, or by a local educational agency that has a memorandum of understanding to provide the instruction in coordination with the local educational agency at which the pupil is enrolled.
- (4) (A) Courses are annually certified, by local educational agency governing board or body resolution, to be of the same rigor, educational quality, and intellectual challenge substantially equivalent to in-person instruction and equivalent classroom-based courses, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria.

(B) This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each schoolday that a pupil is enrolled, number of equivalent total instructional minutes, number of course credits for each course, and a plan as described in subparagraph (C). This information shall be consistent with that of equivalent classroom-based courses.

(C) (i) For pupils in transitional kindergarten and grades 1 to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.

(ii) For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.

(iii) For pupils in grades 9 to 12, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year.
- (5) Pupils enrolled in courses authorized by this section shall meet the applicable age requirements established pursuant to Sections 46300.1, 46300.4, 47612, and 47612.1.
- (6) Pupils enrolled in courses authorized by this section shall meet the applicable residency and enrollment requirements established pursuant to Sections 46300.2, 47612, 48204, and 51747.3.
- (7) (A) An individual with exceptional needs, as defined in Section 56026, may participate in course-based independent study, if the pupil's individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

(B) A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through course-based independent study.
- (8) (A) Satisfactory educational progress shall be determined based on all of the following indicators:
 - (i) The pupil's achievement and engagement in the independent study program, as indicated by the pupil's performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in paragraphs (4) and (5) of subdivision (d) of Section 52060.
 - (ii) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - (iii) Learning required concepts, as determined by the supervising teacher.
 - (iv) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.
(B) If satisfactory educational progress in one or more courses is not being made, certificated employees providing instruction shall notify the pupil and, if the pupil is less than 18 years of age, the pupil's parent or legal guardian, and conduct an evaluation to determine whether it is in the best interest of the pupil to remain in the course or whether the pupil should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the findings of an evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil

record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

(C) Procedures for tiered reengagement strategies for all pupils who are not making satisfactory educational progress in one or more courses, or who are in violation of the written learning agreement pursuant to Section 51749.6. These procedures shall include, but are not necessarily limited to, all of the following:

(i) Verification of current contact information for each enrolled pupil.

(ii) A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.

(iii) A clear standard for requiring a pupil-parent-educator conference to review a pupil's written learning agreement, and reconsider the independent study course's impact on the pupil's achievement and well-being.

(D) Written or computer-based evidence of satisfactory educational progress, as described in subparagraph (A), shall be retained for each course and pupil. At a minimum, this evidence shall include a grade book or summary document that, for each course, lists all assignments, examinations, and associated grades.

(9) A plan to transition pupils whose families wish to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.

(10) A proctor shall administer examinations.

(11) (A) Statewide testing results for pupils enrolled in any course authorized pursuant to this section shall be reported and assigned to the school or charter school at which the pupil is enrolled, and to any school district, charter school, or county office of education within which that school's or charter school's testing results are aggregated.

(B) Statewide testing results for pupils enrolled in a course or courses pursuant to this section shall be disaggregated for purposes of comparing the testing results of those pupils to the testing results of pupils enrolled in classroom-based courses.

(12) A pupil shall not be required to enroll in courses authorized by this section.

(13) The pupil-to-certificated-employee ratio limitations established pursuant to Section 51745.6 are applicable to courses authorized by this section.

(14) For each pupil, the combined equivalent daily instructional minutes for enrolled courses authorized by this section and enrolled courses authorized by all other laws and regulations shall meet the minimum instructional day requirements applicable to the local educational agency. Pupils enrolled in courses authorized by this section shall be offered the minimum annual total equivalent instructional minutes pursuant to Sections 46200 to 46208, inclusive, and Section 47612.5.

(15) Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.

(16) A pupil participating in independent study shall not be assessed a fee prohibited by Section 49011.

(17) A pupil shall not be prohibited from participating in independent study solely on the basis that the pupil does not have the materials, equipment, or internet access that are necessary to participate in the independent study course.

(b) For purposes of computing average daily attendance for each pupil enrolled in one or more courses authorized by this section, the following computations shall apply:

(1) (A) For each schoolday, add the combined equivalent daily instructional minutes, as certified in paragraph (4) of subdivision (a), for courses authorized by this section in which the pupil is enrolled.

(B) For each schoolday, add the combined daily instructional minutes of courses authorized by all other laws and regulations in which the pupil is enrolled and for which the pupil meets applicable attendance requirements.

(C) For each schoolday, add the sum of subparagraphs (A) and (B).

(2) If subparagraph (C) of paragraph (1) meets applicable minimum schoolday requirements for each schoolday, and all other requirements in this section have been met, credit each schoolday that the pupil is demonstrating satisfactory educational progress pursuant to the requirements of this section, with up to one school day of attendance.

(3) (A) Using credited schoolday attendance pursuant to paragraph (2), calculate average daily attendance pursuant to Section 41601 or 47612, whichever is applicable, for each pupil.

(B) The average daily attendance computed pursuant to this subdivision shall not result in more than one unit of average daily attendance per pupil.

(4) Notwithstanding any other law, average daily attendance computed for pupils enrolled in courses authorized by this section shall not be credited with average daily attendance other than what is specified in this section.

(5) If more than 10 percent of the total average daily attendance of a local educational agency is claimed pursuant to this section, then the amount of average daily attendance for all pupils enrolled by that school district, charter school, or county office of education in courses authorized pursuant to this section that is in excess of 10 percent of the total average daily attendance for the local educational agency shall be reduced by either (A) the statewide average rate of absence for elementary school districts for kindergarten and grades 1 to 8, inclusive, or (B) the statewide average rate of absence for high school districts for grades 9 to 12, inclusive, as applicable, as calculated by the department for the prior fiscal year, with the resultant figures and ranges rounded to the nearest 10th.

(c) For purposes of this section, "equivalent total instructional minutes" means the same number of minutes as required for an equivalent classroom-based course.

(d) This section does not prohibit the right to collectively bargain any subject within the scope of representation pursuant to Section 3543.2 of the Government Code.

(e) (1) The Superintendent shall conduct an evaluation of independent study courses offered pursuant to this section and report the findings to the Legislature and the Director of Finance no later than September 1, 2019. The report shall, at a minimum, compare the academic performance of pupils in independent study with demographically similar pupils enrolled in equivalent classroom-based courses.

(2) The requirement for submitting a report imposed under paragraph (1) is inoperative on September 1, 2023, pursuant to Section 10231.5 of the Government Code.

(3) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(f) (1) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of the ratios included in this section, including fiscal penalties for noncompliance as described in this section.

(2) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) to (e), inclusive, unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(g) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 79. Section 51749.6 of the Education Code is amended to read:

51749.6. (a) Before enrolling a pupil in a course authorized by Section 51749.5, each local educational agency shall provide the pupil and, if the pupil is less than 18 years of age, the pupil's parent or legal guardian, with a written learning agreement that includes all of the following:

(1) A summary of the policies and procedures adopted by the governing board or body of the local educational agency pursuant to Section 51749.5, as applicable.

(2) The duration of the enrolled course or courses, the duration of the learning agreement, and the number of course credits for each enrolled course consistent with the certifications adopted by the governing board or body of the local educational agency pursuant to Section 51749.5. The duration of a learning agreement shall not exceed a school year or span multiple school years.

(3) The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a pupil evaluation is required to determine whether the pupil should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program.

(4) The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.

(5) A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

(6) A statement that enrollment in a course authorized pursuant to Section 51749.5 is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through course-based independent study only if the pupil is offered the alternative of classroom instruction.

(7) The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.

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

(9) A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in course-based independent study.

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

(b) (1) For independent study programs projected to last more than 14 school days for an individual pupil, the learning agreement shall be signed, before the commencement of an independent study course, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. Beginning in the 2022–23 school year, for independent study programs projected to last less than 15 school days for an individual pupil, each learning agreement shall be signed within 10 school days of the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.

(2) The signed learning agreement constitutes permission from a pupil's parent or legal guardian, if the pupil is less than 18 years of age, for the pupil to receive instruction through course-based independent study.

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

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

(5) Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained as an electronic file.

(6) Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the department, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.

(7) Notwithstanding subparagraph (A), for the 2021–22 school year only, a local educational agency shall obtain a signed written agreement for independent study from the pupil, or the pupil's parent or legal guardian if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. This subparagraph does not relieve a local educational agency from the obligation to

comply with the requirements of this article, as amended by the act adding this paragraph, upon commencement of instruction for a participating pupil in the 2021–22 school year.

(8) (A) For the 2021–22 school year only, school districts and county offices of education shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021–22 school year. This notice shall include written information on the local educational agency's internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study. If 15 percent or more of the pupils enrolled in a local educational agency that provides instruction in transitional kindergarten, 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, the written information shall, in addition to being written in English, be written in the primary language.

(B) Upon the request of the parent or guardian of a pupil, and before signing a written agreement pursuant to this section, the local educational agency shall conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.

(c) Notwithstanding paragraph (6) of subdivision (a) of this section, paragraph (1) of subdivision (e) of Section 46300, and subparagraph (B) of paragraph (7) of subdivision (a) of Section 51749.5 for the 2021–22 school year only, a local educational agency shall be eligible to receive apportionments for independent study for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, and for school closures due to COVID-19 pursuant to subdivision (c) of Section 41422. Local educational agencies shall receive apportionment for these pupils for all schooldays that they participate in and meet all other apportionment requirements of independent study while in quarantine or during a school closure.

(d) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) and (b) unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(e) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 80. Section 52063 of the Education Code is amended to read:

52063. (a) (1) The governing board of a school district shall establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district regarding the requirements of this article.

(2) A parent advisory committee shall include parents or legal guardians of currently enrolled pupils in the school district to whom one or more of the definitions in Section 42238.01 apply, and parents or legal guardians of currently enrolled pupils with disabilities in the school district.

(3) This subdivision shall not require the governing board of the school district to establish a new parent advisory committee if the governing board of the school district already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal Elementary and Secondary Education Act, as amended by the federal Every Student Succeeds Act (Public Law 114-95), pursuant to Section 1116 of Subpart 1 of Part A of Title I of that act.

(b) (1) The governing board of a school district shall establish an English learner parent advisory committee if the enrollment of the school district includes at least 15 percent English learners and the school district enrolls at least 50 pupils who are English learners.

(2) This subdivision shall not require the governing board of the school district to establish a new English learner parent advisory committee if the governing board of the school district already has established a committee that meets the requirements of this subdivision.

SEC. 81. Section 52064 of the Education Code is amended to read:

52064. (a) On or before March 31, 2014, the state board shall adopt a template for a local control and accountability plan and an annual update to the local control and accountability plan for the following purposes:

- (1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.
- (2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.
- (3) For use by charter schools to meet the requirements of Section 47606.5.

(b) On or before January 31, 2022, the template adopted by the state board shall require the inclusion of all of the following information:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, subdivision (d) of Section 52060, or subdivision (d) of Section 52066, as applicable, and for any additional local priorities identified by the governing board of the school district, the county board of education, or in the charter school petition. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in subdivision (a) of Section 52052.

(2) A description of the specific actions that the school district, county office of education, or charter school will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1). The specific actions shall not supersede the provisions of existing local collective bargaining agreements, if any, within the jurisdiction of the school district, county office of education, or charter school.

(3) One or more summary tables listing and describing the budgeted expenditures for the ensuing fiscal year implementing each specific action included in the local control and accountability plan, including expenditures and specific actions for the ensuing fiscal year that will serve unduplicated pupils, as defined in Section 42238.02, and pupils redesignated as fluent English proficient. The summary table or tables shall include both of the following:

(A) The total overall expenditures for all specific actions included in the local control and accountability plan, broken down by personnel and nonpersonnel expenditures.

(B) The subtotals of expenditures for each specific action included in the local control and accountability plan broken down into the following categories:

- (i) Funds apportioned under the local control funding formula pursuant to Section 42238.02.
- (ii) All other state funds.
- (iii) All local funds.
- (iv) All federal funds.

(4) One or more summary tables listing and describing all of the specific actions and budgeted expenditures in paragraph (3) that contribute to the demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, grouped as follows:

(A) Specific actions and budgeted expenditures provided to all pupils on a districtwide, countywide, or charterwide basis.

(B) Specific actions and budgeted expenditures that are targeted only to one or more unduplicated pupil subgroups. For these specific actions, the description shall specify the unduplicated pupil subgroup or subgroups that are targeted by each specific action and, if not provided at all schools, the school or schools where the specific action is provided.

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.

(5) An estimate of the funds to be apportioned in the ensuing fiscal year on the basis of the number and concentration of unduplicated pupils and calculation of the percent the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(6) (A) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(B) As part of the demonstration required by subparagraph (A), the summary tables required by paragraph (4) shall demonstrate both of the following:

(i) That the full proportionality obligation referenced in paragraph (1) of subdivision (a) of Section 42238.07 is being met annually through the listed actions and services.

(ii) Each action's quantitative contribution toward the proportionality obligation as expenditures or its qualitative contribution as a percentage of increased or improved services for unduplicated pupils over and above the level of services provided to all pupils, consistent with the regulations adopted by the state board pursuant to Section 42238.07.

(7) A review of the progress toward the goals included in the existing local control and accountability plan, a review of any changes in the applicability of the goals, an assessment of the effectiveness of the specific actions described in the existing local control and accountability plan toward achieving the goals, a description of changes to the specific actions and related expenditures or quality improvements the school district, county office of education, or charter school will make as a result of the review and assessment, and an update on progress implementing the specific actions in the current fiscal year, including estimated actual expenditures for the specific actions and actual quality improvements.

(8) (A) The calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07.

(B) If applicable to the school district, county office of education, or charter school pursuant to subdivision (d) of Section 42238.07, a description of the specific actions and related expenditures to be implemented using the funds specified in that paragraph, including a demonstration that the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(9) A plan summary that includes general information about the school district, county office of education, or charter school and highlights of the local control and accountability plan and annual update to the local control and accountability plan, including reflections on annual performance on the California School Dashboard authorized in Section 52064.5 and other local data.

(10) A summary of the stakeholder engagement process and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.

(11) For local educational agencies that receive concentration grant funding pursuant to Section 42238.02, a demonstration that the additional funding received as a result of the increased concentration grant add-on percent specified in subparagraph (B) of paragraph (1) of subdivision (f) of Section 42238.02 will be used to increase the number of credentialed staff, classified staff, or both of those, that provide direct services to pupils, including custodial staff, on school campuses with greater than 55-percent unduplicated pupil enrollment in the prior year as compared to the staff-to-pupil ratios at schools within the local educational agency with an unduplicated pupil enrollment in the prior year of 55 percent or less, if any.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) (1) The template for the local control and accountability plan and annual update to the local control and accountability plan shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The state board shall include instructions for school districts, county offices of education, and charter schools to complete the local control and accountability plan and annual update to the local control and accountability plan consistent with the requirements of this section. The state board may include more technical language in the instructions.

(2) Except as provided in paragraph (3), the state board shall not require school districts, county offices of education, or charter schools to provide any information in addition to the information required pursuant to subdivision (b).

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law, including meeting the requirements of Section 300.600 of Title 34 of the Code of Federal Regulations.

(e) (1) The process of developing and annually updating the local control and accountability plan should support school districts, county offices of education, and charter schools in comprehensive strategic planning, accountability, and improvement across the state priorities and any locally identified priorities through meaningful engagement with local stakeholders.

(2) In developing the template for the local control and accountability plan and annual update to the local control and accountability plan, the state board shall ensure that school districts, county offices of education, and charter schools track and report their progress annually on all state priorities, including the applicable metrics specified within each state priority and, for charter schools, in accordance with Section 47606.5.

(3) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools should prioritize the focus of the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan within one or more state priorities. The instructions shall further specify that school districts, county offices of education, and charter schools should consider their performance on the state and local indicators, including their locally collected and reported data for the local indicators, that are included in the California School Dashboard authorized in Section 52064.5 in determining whether and how to prioritize the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan.

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners.

(5) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that meet the criteria to receive technical assistance pursuant to Section 47607, 47607.2, 52071, or 52071.5, as applicable, based on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal in the local control and accountability plan focused on improving the performance of the pupil subgroup or subgroups.

(6) (A) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that, for any school district or county office of education with a school that meets the criteria described in subparagraph (B), the school district or county office of education shall include a goal in the local control and accountability plan focused on addressing the disparities in performance at the school or schools compared to the school district or county office of education as a whole.

(B) The requirement described in subparagraph (A) shall apply for any local educational agency with two or more schools if, for two consecutive years, a school receives the two lowest performance levels on all but one of the state indicators for which the school receives performance levels on the California School Dashboard pursuant to subdivision (d) of Section 52064.5 and the performance of the local educational agency for all pupils is at least one performance level higher on all of those indicators.

(f) (1) Except as provided in subdivision (g), the state board shall adopt the template pursuant to the requirements 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). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(2) Notwithstanding paragraph (1), the state board may adopt or revise the template in accordance with the requirements of 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). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This paragraph shall become inoperative on January 31, 2019.

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session, legislation passed during the 2019–20 Regular Session, or Assembly Bill 130 of the 2021–22 Regular Session shall not be subject to the requirements 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). The state board may make necessary revisions to the template in accordance with the requirements of 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).

(h) Revisions to a template shall be approved by the state board by January 31 before the fiscal year during which the template is to be used by a school district, county superintendent of schools, or charter school.

(i) In developing the template, the state board shall take steps to minimize duplication of effort at the local level to the greatest extent possible. The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing

board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

(j) Notwithstanding any other law, the templates developed by the state board pursuant to this section, as it read on June 30, 2018, shall continue in effect until the state board adopts a new template pursuant to subdivision (b) on or before January 31, 2020, except that the state board may adopt revisions to those templates pursuant to subdivision (g) that are necessary to implement Assembly Bill 1808 of the 2017–18 Regular Session or meet federal requirements.

SEC. 82. Section 52064.3 is added to the Education Code, to read:

52064.3. (a) (1) On or before January 31, 2025, the state board shall adopt an IDEA Addendum relating to improvements in services for individuals with exceptional needs.

(2) The department shall develop a process to design the template for the IDEA Addendum that, at minimum, does all of the following:

(A) Provides opportunities for input from educational partners.

(B) Results in a template that meets the oversight and monitoring requirements of the department and state board under the federal Individuals with Disabilities Education Act.

(C) Facilitates all the requirements of subdivision (d), including, but not limited to, facilitating the ability to identify areas of the IDEA Addendum that are in alignment with the local control and accountability plan.

(b) Upon identification by the department that an improvement plan is necessary pursuant to Section 300.600 et seq. of Title 34 of the Code of Federal Regulations, the identified school district, county office of education, or charter school shall complete the IDEA Addendum.

(c) The template for the IDEA Addendum shall, to the greatest extent practicable, use language that is understandable and accessible to parents.

(d) On or before July 1, 2025, each school district, charter school, or county office of education that is required to develop an IDEA Addendum pursuant to subdivision (b) shall do both of the following:

(1) The IDEA Addendum shall be developed in conjunction with, and attached to, the local control and accountability plan and annual update to the local control and accountability plan, shall be adopted by the governing board of a school district pursuant to Section 52062, by a county board of education pursuant to Section 52068, or by the governing body of a charter school pursuant to Section 47606.5, and shall be updated on an annual basis thereafter.

(2) The IDEA Addendum shall be submitted to the department within 15 days of adoption by the governing board of a school district, county board of education, or governing body of a charter school as set forth in paragraph (1).

(e) A school district, charter school, or county office of education that was identified by the department and adopted an improvement plan before July 1, 2025, shall not be required to develop an IDEA Addendum pursuant to this section until the expiration of their existing plan, or no later than July 1, 2028, whichever comes first.

(f) The IDEA Addendum shall constitute an addendum for purposes of the posting requirements described in Sections 47606.5 and 52065.

(g) Nothing in this section requires a school district, charter school, or county office of education to include items from the IDEA Addendum in their local control and accountability plan.

(h) The development of the template for the special education addendum shall not be subject to the requirements 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).

(i) Unless specified, no other requirements of this article shall apply to this section.

SEC. 83. 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, revisions, or addenda, including those to comply with federal law, 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, and any updates, revisions, or addenda, including those to comply with federal law, 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, revisions, or addenda, including those to comply with federal law, 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. 84. Section 52066 of the Education Code is amended to read:

52066. (a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a county board of education's local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or former Section 60811.4, as that section read on June 30, 2016, for purposes of gaining academic content knowledge and English language proficiency.

(3) (A) Parental involvement and family engagement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(B) Family engagement may include, but need not be limited to, efforts by the school district and each individual schoolsite to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting pupil success, and empowering families to advocate for equity and access. Family engagement may include, but need not be limited to, treating families as partners to inform, influence, and create practices and programs that support pupil success and collaboration with families and the broader community, expand pupil learning opportunities and community services, and promote civic participation.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of pupils who have successfully completed both types of courses described in subparagraphs (B) and (C).

(E) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education 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.

(f) To the extent practicable, data reported in a local control and accountability plan 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.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.

(iii) Providing any other support to school districts and schools within the county in implementing this article.

(iv) Providing support to school districts in developing and implementing the addendum specified in Section 52064.3.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

(3) This subdivision shall not apply to a county superintendent of schools with jurisdiction over a single school district.

(4) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department's internet website.

SEC. 85. Section 52069 of the Education Code is amended to read:

52069. (a) (1) A county superintendent of schools shall establish a parent advisory committee to provide advice to the county board of education and the county superintendent of schools regarding the requirements of this article.

(2) A parent advisory committee shall include parents or legal guardians of pupils currently enrolled in county office of education-operated schools to whom one or more of the definitions in Section 42238.01 apply, and parents or legal guardians of pupils with disabilities currently enrolled in county office of education-operated schools.

(3) This subdivision shall not require the county superintendent of schools to establish a new parent advisory committee if the county superintendent of schools already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal Elementary and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.) pursuant to Section 6312 of that act.

(b) (1) A county superintendent of schools shall establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15 percent English learners and the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

(2) This subdivision shall not require the county superintendent of schools to establish a new English learner parent advisory committee if the county superintendent of schools already has established a committee that meets the requirements of this subdivision.

SEC. 86. Section 52073.2 of the Education Code is amended to read:

52073.2. (a) 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 in consultation with the Department of Finance, special education local plan areas, county offices of education, or consortia of special education local plan areas and county offices of education to serve as special education resource leads to work with lead agencies selected pursuant to Sections 52073 and 52073.1, and other county offices of education, to improve pupil outcomes as part of the statewide system of support pursuant to this article.

(b) The process to select special education resource leads shall ensure that no more than 10 special education resource leads are selected to provide specific expertise on special education issues within the statewide system of support. At least three resource leads shall be selected in a manner to ensure statewide representation and focus directly on building local and regional capacity to support local educational agencies in achieving the goals, actions, and services identified in their local control and accountability plans. Special education resource leads shall be selected for a term not to exceed five years.

(c) Commencing with the grant cycle beginning July 1, 2023, both of the following shall occur:

(1) At least one resource lead shall be selected to support the development and implementation of high-quality individualized education programs.

(2) At least one resource lead shall be selected to, in partnership with a family support organization, or coalition of family support organizations, that provides support to families of pupils with disabilities, provide capacity building, training, and technical assistance on family support for families of pupils with disabilities, and conflict prevention and alternate dispute resolution in special education.

(d) For purposes of this section, "family support organization that provides support to families of pupils with disabilities" includes, but is not limited to, a state or federally funded organization that provides support to families of pupils with disabilities.

SEC. 87. Section 52073.3 is added to the Education Code, to read:

52073.3. (a) The Legislature finds and declares all of the following:

(1) Without capacity in California's public school system to conduct meaningful interestholder engagement, especially as it relates to the local control and accountability plan development process, pupils, families, and communities may not be able to hold school districts accountable for decisions that affect pupil outcomes.

(2) The statewide system of support established pursuant to Section 52059.5 should include expertise and resources to help school districts improve in their ability to engage interestholders meaningfully.

(3) Through an important investment made through the Budget Act of 2018, the statewide system of support has grown to include the Community Engagement Initiative, which was established for the purpose of all of the following:

(A) Building capacity in communities and school districts to have difficult conversations with each other and build trust, with a focus on improving outcomes for pupils.

(B) Identifying effective models of community engagement and metrics to evaluate those models.

(C) Developing effective peer-to-peer partnerships between school districts and county offices of education, utilizing the existing professional learning networks structure administered by the California Collaborative for Educational Excellence, to deepen community engagement using lessons learned from the work identified in subparagraph (A) and the models identified in subparagraph (B).

(D) Scaling up the work identified in subparagraphs (A), (B), and (C) to improve community engagement statewide and incorporate practices that prove effective toward school district and county office of education continuous improvement efforts.

(4) Through the Community Engagement Initiative, local educational agencies have been able to create authentic partnerships among pupils, families, districts, and communities that nurture relationships, build trust, ensure cultural, racial, and linguistic equity, and lead to transformative pupil outcomes.

(5) While the initial investment in the Community Engagement Initiative was an important initial foray into building local educational agency engagement capacity, work remains to strengthen engagement statewide and further address the gaps in local capacity for meaningful community engagement.

(b) The Community Engagement Initiative Expansion, or the Expansion, is hereby established for all of the following purposes:

(1) Increasing and enhancing the emphasis on the engagement of pupils, families, and communities in all aspects of the Community Engagement Initiative.

(2) Expanding the use of the Community Engagement Initiative's identified metrics to create a common definition and clear standards for meaningful engagement at the local and state levels.

(3) Developing an in-depth training series on meaningful pupil, family, and community engagement and engaging local educational agencies and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(4) Increasing the capacity of the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) to scale up the initiative and improve alignment with the statewide system of support.

(c) (1) By May 1, 2023, the department and the California Collaborative for Educational Excellence, with approval from the executive director of the state board, shall select an expert community engagement lead agency, consistent with Section 52073.1, to coadminister the Expansion with the California Collaborative for Educational Excellence.

(2) The lead agency selected for the Expansion shall demonstrate a willingness and capacity to do all of the following:

(A) Develop and disseminate expertise in community engagement.

(B) Work collaboratively with the California Collaborative for Educational Excellence and a diverse group of education interestholders.

(C) Communicate regularly with the department, the California Collaborative for Educational Excellence, and the lead agencies specified in Section 52073 through the formal process established pursuant to subparagraph (B) of paragraph (2) of subdivision (a) of Section 52073.

(D) Document the outcomes of the activities authorized by this section through the duration of the Expansion and, in partnership with the California Collaborative for Educational Excellence and the Expansion participants, develop resources based on the experiences and conclusions of the Community Engagement Initiative's participants and the Expansion's participants from their specific contexts that are broadly applicable and actionable statewide.

(E) Play a leadership role in disseminating the information specified in subparagraph (D) throughout the statewide system of support established pursuant to Section 52059.5 and serving as a resource to local educational agencies and community interestholders in applying that information to their local context.

(d) (1) The California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall create a common definition and clear metrics for effective, equitable community engagement that draw upon the metrics developed pursuant to paragraph (3) of subdivision (f) Section 140 of Chapter 32 of the Statutes of 2018.

(2) The metrics shall mirror the original purpose of the Community Engagement Initiative, which is to engage underrepresented pupils, families, and communities, build trust and have authentic and productive conversations, and link engagement to efforts that improve student outcomes.

(e) (1) On or before December 1, 2023, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall develop an in-depth training series and resources on meaningful pupil, family, and community engagement.

(2) The developed training series and resources shall be able to accomplish, at a minimum, all of the following:

(A) Develop professional development through train-the-trainer models or online training modules that are scaffolded to support the continued professional development and deeper expertise of educators.

(B) Provide technical assistance to local educational agencies.

(C) Develop a network of educators, especially those selected to participate in previous community engagement professional learning networks pursuant to Section 140 of Chapter 32 of the Statutes of 2018, who can provide coaching and training to other local educational agencies.

(3) The developed training series and resources shall include content on areas, including, but not limited to, all of the following:

(A) How to have conversations on complex issues such as race, language, disability, understanding community expertise, and sharing power.

(B) Engaging local educational agency and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(C) Focusing on and centering the voices of pupils, families, and communities in decisionmaking processes.

(D) Protocols for facilitating professional learning networks to help other communities and school districts improve and deepen their interactions, including the Community Engagement Initiative Protocol Toolkit, developed and tested by community engagement professional learning networks convened pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(E) Metrics for measuring increases in community engagement, including the metrics developed pursuant to subdivision (d).

(F) How to leverage the Community Engagement Initiative for transformational school investments and authentic pupil, family, community, and educator engagement, including, but not limited to, local control and accountability plans, expanded learning opportunity programs, and California Community School Partnership Act grants.

(4) The training series and resources shall be made publicly available, at no cost to local educational agencies statewide.

(5) The California Collaborative for Educational Excellence shall periodically update the trainings and resources, as needed, based on the findings of future community engagement professional learning networks and other research.

(f) For the 2022–23 fiscal year to the 2026–27 fiscal year, inclusive, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall convene 30 community engagement professional learning networks. Each of these professional learning networks shall be similar in composition to the teams described in subdivision (d) of Section 140 of Chapter 32 of the Statutes of 2018. These teams shall be willing to do all of the following:

(1) Participate in the professional learning network for no less than two years.

(2) Engage in open dialogue on issues related to improving local pupil outcomes.

(3) Partner with other communities and school districts on improving community engagement.

(g) For the 2022–23 fiscal year, each of the professional learning networks created pursuant to subdivision (f) shall include as cofacilitators members of a team that participated in the initial community engagement professional learning networks established pursuant to subdivisions (e) and (g) of Section 140 of Chapter 32 of the Statutes of 2018.

(h) Beginning on July 1, 2024, the professional learning networks created pursuant to subdivision (f) may also include as cofacilitators members of a team that participated in the initial community engagement professional learning networks established pursuant to subdivision (k) of Section 140 of Chapter 32 of the Statutes of 2018.

(i) Each of the professional learning networks established pursuant to subdivision (f) shall do both of the following:

(1) Deepen the community engagement of the school districts and communities participating in each professional learning network, including by engaging with the Community Engagement Protocol Toolkit developed by the community engagement professional learning networks established pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(2) Use the metrics developed pursuant to paragraph (3) of subdivision (f) of Section 140 of Chapter 32 of the Statutes of 2018 to measure changes in community engagement in each of the participating communities and school districts.

(j) By June 30, 2027, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall submit a report to the executive director of the state board, the Superintendent, the executive director of the California Collaborative for Educational Excellence, each of the lead agencies identified pursuant to Section 52073, and the chairpersons of each of the appropriate policy and fiscal committees of the Legislature. The report shall include all of the following:

(1) A description of best practices for improving community engagement identified by the professional learning networks established under the Community Engagement Initiative and the Expansion, and any changes in the understanding of best practices throughout the duration of the Expansion.

(2) Using the definition and metrics identified pursuant to subdivision (d), an analysis of the impact of the work done by each team through the professional learning networks on their home communities and school districts.

(3) Feedback to improve the community engagement professional learning network protocol and metrics, and additional activities or resources that would assist in continued development of capacity within local educational agencies and local communities for conducting meaningful interestholder engagement.

(k) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the Superintendent for allocation to the California Collaborative for Educational Excellence to expand and strengthen the Community Engagement Initiative pursuant to this section. The administrative agent of the California Collaborative for Educational Excellence, pursuant to policy and program direction from the governing board of the California Collaborative for Educational Excellence, shall develop the budget for the Community Engagement Initiative Expansion, subject to approval by the Department of Finance. Of the amount appropriated in this subdivision, five million dollars (\$5,000,000) shall be allocated to the administrative agent of the California Collaborative for Educational Excellence for costs associated with administering this program. All funds appropriated pursuant to this subdivision shall be available for encumbrance until June 30, 2029.

(l) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (k) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 88. Chapter 16.1 (commencing with Section 53020) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 16.1. Golden State Pathways Program

53020. This chapter shall be known, and may be cited, as the Golden State Pathways Program Act.

53021. The Golden State Pathways Program is hereby established to do all of the following:

(a) Promote pathways in high-wage, high-skill, high-growth areas, including, but not limited to, technology, health care, education, including early education and child development, and climate-related fields that allow pupils to advance seamlessly from high school to college and career and, provide the workforce needed for economic growth.

(b) Encourage collaboration between local educational agencies, institutions of higher education, local and regional employers, and other relevant community interest holders to develop, or expand the availability of, innovative college and career pathways that simultaneously align with a local educational agency's local or regional labor market needs.

(c) Enable more pupils to access postsecondary education opportunities and workforce training opportunities, or to obtain gainful employment in an industry that simultaneously aligns with local, regional, or state labor market needs.

(d) Support the continued development of a skilled and educated workforce, with an emphasis on addressing areas of acute statewide need, such as developing a diverse workforce to meet the need for professional and learning support positions in childcare settings, preschools, and schools maintaining prekindergarten, kindergarten, or any of grades 1 to 12, inclusive.

53022. For purposes of this chapter, the following definitions apply:

(a) "High-priority local educational agency" means a local educational agency that meets any of the following criteria:

- (1) Fifty percent or more of the enrolled pupils at the local educational agency are unduplicated pupils, as defined in Section 42238.02.
- (2) The local educational agency has a higher than state average dropout rate.
- (3) The local educational agency has a higher than state average rate of suspension and a higher than state average rate of expulsion.
- (4) The local educational agency has higher than state average rates of child homelessness, foster youth, or justice-involved youth.
- (5) The local educational agency has a lower than state average rate of pupils completing all of the A–G courses required to be eligible for admission to the University of California or the California State University.

(b) "Local educational agency" means a school district, charter school, county office of education, or regional occupational center or program operated by a joint powers authority or county office of education.

(c) "Region" means the regional planning unit as defined by California's Unified Strategic Workforce Development Plan, developed by the California Workforce Development Board, pursuant to the federal Workforce Innovation and Opportunity Act (Public Law 113–128).

53023. Contingent upon appropriation by the Legislature in the annual Budget Act or other statute, the department shall administer the Golden State Pathways Program as a competitive grant program. In order to be eligible to receive a grant award, grant recipients shall do the following, as applicable:

(a) Commit to providing participating pupils with all of the following:

(1) An integrated program of study that includes all of the courses to meet the A–G course requirements needed to be eligible for admission to the University of California or the California State University and at least one of the other criteria to be considered prepared for the purposes of meeting academic and career-readiness standards as defined in the College/Career Indicator associated with the California School Dashboard maintained by the department pursuant to Section 52064.5. Local educational agencies are encouraged to integrate career pathways content and applications into A–G courses. Local educational agencies may also provide or expand access to courses that satisfy A–G course requirements through existing programs such as:

(A) UC Scout, which is a University of California Student Academic Preparation and Educational Partnerships (SAPEP) program that develops and delivers A–G approved online classes and curriculum to pupils.

(B) University of California and California State University extended learning programs that offer college preparatory courses that fulfill the A–G subject requirements for admission to the University of California and the California State University.

(2) The opportunity to earn at least 12 postsecondary credits that are applicable toward the completion of a degree, certificate, or credential through any of the following:

(A) (i) Consistent with the requirements of Section 76004, College and Career Access Pathways dual enrollment courses.

(ii) To meet the requirements of clause (i), grant recipients are expected to establish, expand, or maintain a College and Career Access Pathways partnership agreement with their local community college district consistent with the requirements of Section 76004.

(B) Advanced Placement courses.

(C) International Baccalaureate courses.

(3) Opportunities to participate in work-based learning experiences in partnership with regional businesses and industries, state and local governmental entities, and nonprofit and community-based organizations that do all of the following:

(A) Integrate career awareness and career exposure activities.

(B) Emphasize opportunities to pupils in paid internships, preapprenticeships, or apprenticeships that offer pupils the ability to learn technical and professional skills.

(C) Emphasize opportunities for pupils to develop social and professional networks that will better enable them to launch their careers.

(4) Integrated support services necessary to address a pupil's social, emotional, and academic needs.

(b) Develop and integrate standards-based academics with a career-relevant, sequenced curriculum following industry-themed pathways that are aligned to high-skill, high-wage, or high-demand jobs in their regional economy or the state economy.

(c) Provide articulated pathways from high school to postsecondary education and training that are aligned with the workforce development needs of their regional economy.

(d) Collaborate with other local educational agencies, institutions of higher education, local and regional employers, and other relevant community interest holders to develop, or expand the availability of, innovative college and career pathways that align with their regional labor market needs.

(e) Leverage available resources or in-kind contributions from public, private, and philanthropic sources to sustain the ongoing operation of their Golden State Pathways Program.

53023.5. Community college districts may partner with local educational agencies to submit applications to receive funding under this program to support the offering of a Golden State Pathways Program.

53024. (a) As a condition of receiving a Golden State Pathways Program grant, a recipient shall:

(1) Not use Golden State Pathways Program grant funds to supplant state, federal, or any other public or private sources of funding that is otherwise, or would otherwise be, used to support the activities required of a Golden State Pathways Program grant recipient.

(2) Identify and set aside funding within its own budget or obtain funding commitments from program partners to fully sustain the ongoing operation of their Golden State Pathways Program and how other programs would be supported or integrated with, or that have been aligned with, a local educational agency's Golden State Pathways Program.

(b) A grant recipient subject to the requirements of Sections 52060 and 52061, Sections 52066 and 52067, or Section 47606.5, as applicable, shall ensure that the activities supported by a Golden State Pathways Program grant are in alignment with the priorities and activities of the grant recipient's local control and accountability plan.

(c) (1) A grant recipient shall annually collect and submit data, disaggregated by pupil subgroup, on outcome measures to the department, which shall include, but are not 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 all of the following as applicable:

(A) Pupil academic performance indicators, including information disaggregated by pupil subgroups.

(B) The number and rate of school or program graduates by pupil subgroups.

(C) The rate of pupils completing the courses to meet the A–G course requirements needed to be eligible for admission to the University of California or the California State University at the participating schoolsite, disaggregated by pupils participating in a pathways program pursuant to this chapter and pupils not participating in a pathways program pursuant to this chapter.

(D) The number of postsecondary credits earned, internships and apprenticeships completed, and career technical education courses completed.

(E) Attainment of certificates, credentials, and degrees.

(F) Postsecondary enrollment, or pupils who meet the requirements to be considered a pupil who successfully transferred to a four-year university for purposes of Section 84750.4.

(G) Transitions to employment, apprenticeships, or job training in the industry sector educational pathway program offered by the participating local educational agency.

(H) The number of pupils completing career technical education coursework and the number of pupils completing a career technical education pathway consisting of a sequence of two or more career technical education courses in the same career technical education subject matter discipline.

(2) To the extent feasible, it is the intent of the Legislature that upon the implementation of the California Cradle-to-Career Data System established in Section 10860, the data required pursuant to paragraph (1) shall be integrated within the California Cradle-to-Career Data System.

53025. (a) The Superintendent, in consultation with the executive director of the state board, shall award grants on a competitive basis to grant recipients for the following:

(1) Consortium development and planning grants to support collaborative planning between a grant recipient and their program partners in the development of high-quality college and career pathways opportunities that are consistent with the requirements of this chapter. Of the amounts appropriated to support the Golden State Pathways Program, the Superintendent may use up to 10 percent of the funds for consortium development and planning grants.

(2) Implementation grants to support a grant recipient's ability to offer participating pupils high-quality college and career pathways opportunities consistent with the requirements of this chapter. Of the amounts appropriated to support the Golden State Pathways Program, the Superintendent shall use not less than 85 percent of the funds for implementation grants.

(b) (1) Of the amounts appropriated to support the Golden State Pathways Program, the Superintendent may use up to 5 percent of the appropriation to contract, in consultation with the executive director of the state board, with up to 10 local educational agencies for the provision of technical assistance to local educational agencies, applicants, and grant recipients that is aligned to technical assistance provided for other College and career readiness initiatives, including, but not limited to, those established pursuant to this chapter and the California Career Technical Education Incentive Grant Program pursuant to Chapter 16.5 (commencing with Section 53070). Of these technical assistance grantees, one local educational agency with demonstrated expertise in the design and implementation of college and career pathways will act as the lead technical assistance grantee and work with the department to provide leadership and direction for the other technical assistance grantees, who will provide technical assistance to different regions in the state.

(2) To be eligible for the contract pursuant to paragraph (1), the local educational agency shall commit to all of the following:

(A) Assisting local educational agencies in the continuous improvement of their Golden State Pathways Programs.

(B) Leveraging evidence-based program frameworks, such as linked learning framework and quality standards, to provide assistance to grantees.

(C) Providing prospective applicants and grantees with feedback regarding the development of their planned application, implementation, and continuous improvement of their Golden State Pathways Program and other career technical education programs, courses, and pathways that have been integrated with, or that have been aligned with, a local educational agency's Golden State Pathways Program.

(D) Creating a community of practice network that enables grantees to share best practices with other grantees and other interested local educational agencies.

(E) Assisting grant recipients with the collection and reporting of required data pursuant to this chapter.

(3) It is the intent of the Legislature that the Superintendent identify and contract with a local educational agency to provide technical assistance consistent with the requirements of paragraph (2) not less than three months prior to grant applications being due to the Superintendent.

(4) The Superintendent, in consultation with the executive director of the state board, shall contract with an independent entity to evaluate the program's effectiveness in meeting the goals described in Section 53021. This evaluation shall be completed no sooner than June 30, 2027, and no later than June 30, 2028.

(5) Any funds used by the Superintendent for purposes of paragraph (1) shall be available for encumbrance and expenditure for five fiscal years.

(c) In determining the grant amounts for an implementation grant and for a consortium development and planning grant, the Superintendent, in consultation with the executive director of the state board, shall consider all of the following:

(1) The number of pupils enrolled by the applicant.

(2) The number of pathways programs proposed to be established or expanded by the applicant and the number of schoolsites that would participate in the pathways program.

(3) The estimated number of pupils that would be enrolled in the applicant's pathways programs.

(4) The number of entities collaborating with the applicant to achieve the goal outlined in subdivision (a) of Section 53021.

(d) An applicant seeking a grant under this chapter shall submit an application to the Superintendent at a time, in a manner, and with any appropriate information, as the Superintendent may reasonably require. Each grant application submitted shall include all of the following:

(1) A description and documentation of how the applicant will collaborate with their local or regional interest holders to develop or offer high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(2) A description of all of the educational, career, or support services to be provided at the schoolsite, a partnering college or university site, virtually, or at the locations where eligible work-based learning would occur.

(3) A description regarding how the applicant's Golden State Pathways Program would support the needs of the applicant's underrepresented pupils.

(4) A description of all direct and indirect resources, and partner entities that will support the applicant's development or implementation of high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(5) A description of the applicant's current and future efforts to sustain the ongoing operation of their Golden State Pathways Program beyond the life of their grant. Additionally, if applicants participate in the California Career Technical Education Incentive Grant Program established pursuant to Section 53070, the K–12 component of the Strong Workforce Program, or any other state college and career programs, they are encouraged to describe how they will create cohesion between those programs and college and career pathways developed or offered under the Golden State Pathways Program.

(6) Provisions for data collection and recordkeeping necessary to comply with the requirements of subdivision (c) of Section 53024 and to verify that the grant funds were expended to develop or implement high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(e) (1) An applicant seeking a grant under this chapter may request both a planning and implementation grant.

(2) An applicant that is seeking both a planning and implementation grant shall submit, and receive approval of, a supplemental report to the Superintendent detailing the implementation plan developed using the resources received from their planning grant, before expending their implementation grant resources.

(f) In awarding grants pursuant to this chapter, the Superintendent shall prioritize applications submitted by a high-priority local educational agency that seeks to establish pathways programs in the following areas:

(1) Education, including early education and child development.

(2) Computer science.

(3) Health care.

(4) Science, technology, engineering, and mathematics pathways that also focus on climate resilience.

SEC. 89. 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, 2027, 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, 2026. 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. 90. Section 56402 of the Education Code is amended to read:

56402. (a) The department shall award grants to establish Family Empowerment Centers on Disability. In the first year of operation, the department shall award these grants no later than February 15, 2002. In subsequent years, to the extent funding is available, the department shall award these grants no later than February 15 of that year, except as specified in paragraph (1) of subdivision (b).

(b) (1) The department shall, by March 1, 2022, award grants to establish new Family Empowerment Centers on Disability in the 41 regions in the state established under the Early Start Family Resource Centers that do not have a Family Empowerment Center on Disability.

(2) In making awards pursuant to this subdivision, the Superintendent shall give priority to applicants that are able to ensure continuity of support for families transitioning from services under Part C to Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), either because the applicant operates a program of family support for parents of children with disabilities up to three years of age, or the applicant works in close partnership with an organization that does so, and shall take into consideration the capacity of applicants to carry out the activities specified in Section 56408.

(c) Once funding is secured, and annually until all centers are established, the department shall submit a report to the appropriate policy and fiscal committees of the Legislature documenting progress in establishing new centers pursuant to this section.

(d) The department shall develop the grant application, with advice from stakeholders, including parents and family members of children with disabilities, adults with disabilities, the Advisory Commission on Special Education, and representatives of community agencies serving children and adults with disabilities.

(e) The sum of twenty-five thousand dollars (\$25,000) shall be made available to the department, from the funds appropriated for purposes of this chapter, for the purpose of securing an outside contractor to develop a request for proposal, disseminate the proposal, empanel readers to evaluate the proposals, and cover other costs related to this process.

SEC. 91. Section 56836.07 of the Education Code is amended to read:

56836.07. (a) For the 2004–05 fiscal year to the 2019–20 fiscal year, inclusive, to the extent there is an appropriation in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area. For the 2004–05 fiscal year to the 2019–20 fiscal year, inclusive, for which there is an appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance determined pursuant to Section 56836.11.

(b) For the 2020–21, 2021–22, and 2022–23 fiscal years, to the extent there is an appropriation of federal funds in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area for the 2019–20 fiscal year as of the second principal apportionment. For the 2020–21, 2021–22, and 2022–23 fiscal years, to the extent there is an appropriation of federal funds in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.11.

(c) For the 2020–21, 2021–22, and 2022–23 fiscal years, to the extent there is a General Fund appropriation in the annual Budget Act for purposes of mental health-related services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area for the 2019–20 fiscal year as of the second principal apportionment. For the 2020–21, 2021–22, and 2022–23 fiscal years, to the extent there is a General Fund appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance for the 2019–20 fiscal year

determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.11.

(d) For the 2023–24 fiscal year and each fiscal year thereafter, to the extent there is an appropriation of federal funds in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.144, reported for the local educational agency for the prior fiscal year as of the second principal apportionment. For the 2023–24 fiscal year and each fiscal year thereafter for which there is an appropriation of federal funds in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community Schools based on the ratio of the amount per unit of average daily attendance for the prior fiscal year determined pursuant to Section 56836.146.

(e) For the 2023–24 fiscal year and each fiscal year thereafter, to the extent there is a General Fund appropriation in the annual Budget Act for purposes of mental health-related services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.144, reported for the local educational agency for the current fiscal year as of the second principal apportionment. For the 2023–24 fiscal year and each fiscal year thereafter for which there is a General Fund appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community Schools based on the ratio of the amount per unit of average daily attendance for the current fiscal year determined pursuant to Section 56836.146.

(f) For the 2020–21 fiscal year and each fiscal year thereafter, the General Fund appropriations specified in subdivisions (c) and (e) shall be available for all mental health-related services for pupils with or without an individualized education program, including, but not limited to, all of the following:

(1) Out-of-home residential services for emotionally disturbed pupils.

(2) Counseling and guidance services, including counseling, personal counseling, and parental counseling and training.

(3) Psychological services.

(4) Social work services.

(5) Behavioral interventions.

(6) Any other mental health-related service not necessarily required by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

SEC. 92. Section 56836.144 of the Education Code is amended to read:

56836.144. (a) For the 2020–21 and 2021–22 fiscal years, the Superintendent shall calculate allocations to special education local plan areas based on the average daily attendance reported for the special education local plan area for the fiscal year in which the computation is made, the most recent prior fiscal year, or the second most recent prior fiscal year, whichever is greatest.

(b) Commencing with the 2022–23 fiscal year, the Superintendent shall calculate special education funding allocations based on the average daily attendance reported for each local educational agency and charter school that is a local educational agency for purposes of special education accountability pursuant to Section 47641 for the fiscal year in which the computation is made, the most recent prior fiscal year, or the second most recent prior fiscal year, whichever is greatest.

(c) Commencing with the 2022–23 fiscal year, if a charter school becomes a local educational agency for purposes of special education accountability, the average daily attendance reported for the charter school in the year the computation is made, the most recent prior fiscal year, and the second most recent prior fiscal year shall be attributed to the charter school.

SEC. 93. Section 56836.146 of the Education Code is amended to read:

56836.146. (a) For the 2020–21 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) Six hundred twenty-five dollars (\$625) per unit of average daily attendance.

(2) The amount of funding per unit of average daily attendance calculated in the 2019–20 fiscal year pursuant to Section 56836.08 for the special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) Seven hundred fifteen dollars (\$715) per unit of average daily attendance.

(2) The amount of funding per unit of average daily attendance calculated in the 2020–21 fiscal year pursuant to paragraph (2) of subdivision (a), adjusted by the inflation factor described in Section 56836.142, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) Eight hundred twenty dollars (\$820) per unit of average daily attendance.

(2) The amount of funding per unit of average daily attendance calculated in the 2021–22 fiscal year pursuant to paragraph (2) of subdivision (b).

(d) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) For the 2023–24 fiscal year, the amount of funding per unit of average daily attendance calculated for the 2022–23 fiscal year pursuant to paragraph (1) of subdivision (c), adjusted by the inflation factor described in Section 56836.142. For each fiscal year thereafter, the amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to this paragraph, adjusted each year by the inflation factor described in Section 56836.142.

(2) The amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to paragraph (2) of subdivision (c).

(e) For purposes of calculating the amount of funding per unit of average daily attendance 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 make the following computations:

(1) For the 2020–21 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2019–20 fiscal year pursuant to Section 56836.10 by 13 percent and then multiply by the inflation factor described in Section 56836.142 for the 2020–21 fiscal year.

(2) For the 2021–22 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2020–21 fiscal year by 10 percent, and then adjust that amount by the inflation factor described in Section 56836.142 for the 2021–22 fiscal year, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

(3) For the 2022–23 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2021–22 fiscal year by 14 percent, and then adjust that amount by the inflation factor described in Section 56836.142 for the 2022–23 fiscal year.

(4) For the 2023–24 fiscal year and for each fiscal year thereafter, the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year shall be adjusted by the inflation factor described in Section 56836.142 for the current fiscal year.

SEC. 94. Section 56836.148 of the Education Code is amended to read:

56836.148. (a) For the 2020–21 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (a) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) Section 56836.144 for the corresponding special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (b) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144 for the corresponding special education local plan area.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (c) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(d) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (d) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(e) For purposes of calculating the base funding 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 make the following computations:

(1) For the 2020–21 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (1) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(2) For the 2021–22 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (2) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(3) For the 2022–23 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (3) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(4) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, multiple the amount of funding per unit of average daily attendance computed in paragraph (4) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(f) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall make publicly available the amount of special education funding each local educational agency generates for their special education local plan area pursuant to subdivisions (c) and (d).

(g) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, each special education local plan area shall report to their member local educational agencies no later than 30 days after receiving their apportionment the amount of funding each local educational agency generates pursuant to subdivisions (c) and (d).

SEC. 95. Section 60900 of the Education Code is amended to read:

60900. (a) The department shall contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the tests administered pursuant to Chapter 5 (commencing with Section 60600) and Chapter 7 (commencing with Section 60810). The longitudinal data shall be known as the California Longitudinal Pupil Achievement Data System.

(b) The proposals developed pursuant to subdivision (a) shall evaluate and determine whether it would be most effective, from both a fiscal and a technological perspective, for the state to own the system. The proposals shall additionally evaluate and determine the most effective means of housing the system.

(c) The California Longitudinal Pupil Achievement Data System shall be developed and implemented in accordance with all state rules and regulations governing information technology projects.

(d) The system or systems developed pursuant to this section shall be used to accomplish all of the following goals:

(1) To provide school districts and the department access to data necessary to comply with federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

(2) To provide a better means of evaluating educational progress and investments over time.

(3) To provide local educational agencies with the data needed to improve pupil achievement, including college and career readiness.

(4) To provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data between and among the state's educational segments and operational tools, as defined in Section 10861, including, but not limited to, all of the following:

(A) Pupil level data from all grade levels, inclusive of transitional kindergarten programs, as described in Section 48000, that shall be collected separately from kindergarten pupil data, in elementary and secondary schools, including, but not limited

to, juvenile court schools, alternative schools, continuation schools, special education schools, and adult educational programs offering a high school diploma or equivalency.

(B) Pupil level data collected in both detention and nondetention settings.

(C) Pupil level data to postsecondary educational institutions and the Student Aid Commission.

(5) To facilitate the ability of the state to publicly report data, as specified in Section 6401(e)(2)(D) of the federal America COMPETES Act (20 U.S.C. Sec. 9871) and as required by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(6) To ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

(e) In order to comply with federal law as delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the local educational agency shall retain individual pupil records for each test taker, including all of the following:

(1) All demographic data collected from the California Assessment of Student Performance and Progress (CAASPP) and English language development tests.

(2) Pupil achievement data from assessments administered pursuant to the CAASPP and English language development testing programs. To the extent feasible, data should include subscore data within each content area.

(3) A unique pupil identification number, to be identical to the pupil identifier developed pursuant to the California School Information Services, that shall be retained by each local educational agency and used to ensure the accuracy of information on the header sheets of the CAASPP tests and the English language development test.

(4) All data necessary to compile reports required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), including, but not limited to, dropout and graduation rates.

(5) Other data elements deemed necessary by the Superintendent, with the approval of the state board, to comply with the federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), after review and comment by the advisory board convened pursuant to subdivision (h). Before the implementation of this paragraph with respect to adding data elements to the California Longitudinal Pupil Achievement Data System for the purpose of complying with the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the department and the appropriate postsecondary educational agencies shall submit an expenditure plan to the Department of Finance detailing any administrative costs to the department and costs to any local educational agency, if applicable. The Department of Finance shall provide to the Joint Legislative Budget Committee a copy of the expenditure plan within 10 days of receipt of the expenditure plan from the department.

(6) To enable the department, the University of California, the California State University, and the Chancellor of the California Community Colleges to meet the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), these entities shall be authorized to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems, to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(f) The California Longitudinal Pupil Achievement Data System shall have all of the following characteristics:

(1) The ability to sort by demographic element collected from the CAASPP tests and English language development test.

(2) The capability to be expanded to include pupil achievement data from multiple years.

(3) The capability to monitor pupil achievement on the CAASPP tests and English language development test from year to year and school to school.

(4) The capacity to provide data to the state and local educational agencies upon their request.

(5) The capability to provide data to support operational tools, as defined in Section 10861.

(g) Data elements and codes included in the system shall comply with Sections 49061 to 49079, inclusive, and Sections 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5 of the California Code of Regulations, with the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal

Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), Section 1232h of Title 20 of the United States Code, and related federal regulations.

(h) The department shall convene an advisory board consisting of representatives or designees from the state board, the Department of Finance, the State Privacy Ombudsman, the Legislative Analyst's Office, representatives of parent groups, school districts, and local educational agencies, and education researchers to establish privacy and access protocols, provide general guidance, and make recommendations relative to data elements. The department is encouraged to seek representation broadly reflective of the general public of California.

(i) This section shall be implemented using federal funds received pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes of this section in Item 6110-113-0890 of Section 2.00 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002). The release of these funds is contingent on approval of an expenditure plan by the Department of Finance.

(j) For purposes of this chapter, a local educational agency shall include a county office of education, a school district, and a charter school.

SEC. 96. Section 60900.5 of the Education Code is amended to read:

60900.5. (a) The California College Guidance Initiative (CCGI), as defined in Section 10861, is hereby authorized to provide its services to all California school districts.

(b) In furtherance of paragraph (5) of subdivision (b) of Section 10867, the department shall enter into a memorandum of understanding with the CCGI, as authorized in subdivision (a), to accomplish all of the following:

(1) Share course level data from each local educational agency to validate, as they are submitted to the California Longitudinal Pupil Achievement Data System (CalPADS), if the course meets the requirements of A–G coursework, as defined in Section 10861.

(2) Share pupil course level data to inform individual pupil accounts on the operational tools.

(3) Collect additional data elements to ensure proper functioning and to incentivize use of the operational tools.

(4) Share pupil level data with the Student Aid Commission, postsecondary educational institutions, and programs that support college and career planning, application, and transition, as permitted under the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(5) Notwithstanding subdivision (g) of Section 10860 and subdivision (c) of Section 10863, fully effectuate the intent of the Cradle-to-Career Data System Act pursuant to Chapter 8.5 (commencing with Section 10850) of Part 7 of Division 1 of Title 1.

(c) The department shall provide guidance to local educational agencies through CalPADS to clarify data standards and promote best practices. The department shall refer local educational agencies to CCGI for technical assistance in reconciling discrepancies between A–G coursework, as listed in their local pupil information system, and how those courses are registered in the course management portal at the office of the President of the University of California, or a successor A–G course management portal.

(d) The department shall ensure that the notifications provided by local educational agencies, as required by the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), include appropriate content related to all of the following:

(1) CalPADS data shall be shared with the CCGI.

(2) CalPADS pupil level data shall be used to provide pupils and families with direct access to online tools and resources.

(3) A pupil may transmit information shared with the CCGI to both of the following:

(A) Postsecondary educational institutions for purposes of admissions and academic placement.

(B) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(e) The Legislature finds and declares its intent that the CCGI, upon full implementation of this section, provide all of the following services:

(1) A free college and career planning curriculum and internet website for grades 6 to 12, inclusive, designed to provide touch points three to six times per year.

(2) Financial aid curriculum for grades 9 to 12, inclusive.

(3) Support to school districts to plan for and monitor use of planning tools and curriculum.

(4) Tools to enable pupils and their families to determine if they are on track to meet college qualifications, based on their individual goals, and to allow authorized secondary school counselors to view the progress of individual pupils on meeting California State University and University of California eligibility requirements.

(5) Validation of data relating to A–G admission requirements in local pupil information systems that is flagged with respect to the University of California Course Management Portal.

(6) Technical assistance to school districts on data cleanup processes.

(7) Providing statewide pupil identification numbers to the California Community Colleges, the California State University, the University of California, and the Student Aid Commission so that information stored in local systems will improve matches for research purposes and the Cradle-to-Career Data System.

(8) Transcripts processed in near real time with the California Community Colleges, the California State University, the University of California, and the Student Aid Commission, using an application programming interface.

(9) Allow secondary school pupils to give permission to inform public colleges if they are a first-generation college student, homeless, migrant, or economically disadvantaged.

(10) Provide information on race or ethnicity, grade point average, high school graduation status, and where pupils applied to college to the Student Aid Commission through a faster application programming interface format.

(11) Prepopulation of California Community Colleges, California State University, and University of California application fields related to statewide pupil identification numbers, transcript data, demographic information, and other data elements that can reduce barriers for pupils.

(12) Development of new planning tools related to career and technical education pathways, apprenticeships, transfer options, and regional labor markets.

(13) Potential shift of data provision from school districts to the department.

(f) The scaling of the CCGI is further intended to address all of the following problems and state needs:

(1) Reduce equity gaps in college-going rates by ensuring that all pupils and their families have the information needed to develop college and career plans, starting in grade 6, and to secure financial aid.

(2) Enable secondary school counselors to monitor where pupils are applying and support them to complete applications.

(3) Identify secondary school courses that are incorrectly flagged as fulfilling California State University and University of California eligibility requirements compared to the University of California Course Management Portal.

(4) Reduce structural barriers by allowing pupils to launch college and financial aid applications from a single location, using one set of log on credentials.

(5) Ensure that pupils can easily and quickly transmit academic records to public postsecondary educational institutions when applying for admission.

(6) Share additional information with the Student Aid Commission to validate and reduce the time to determine eligibility for Cal Grant awards.

(7) Reduce the administrative burden on school districts and colleges to transmit and validate records.

(8) Strengthen data that can be used to match pupil records.

(g) On or before September 1, 2022, and on or before September 1 of each year thereafter, the Riverside County Office of Education shall report to the Director of Finance and the Joint Legislative Budget Committee regarding the annual budget for the CCGI as supported through the annual Budget Act. The annual report due on or before September 1, 2022, shall only address any changes to the first annual report provided in March 2022 pursuant to this subdivision. Each annual report thereafter shall include, but not necessarily be limited to, all of the following information:

(1) All other public and private sources of revenue.

(2) How prior fiscal year funds were spent and current fiscal year funds are budgeted to be spent.

(3) A budget change proposal, if any additional funds are being requested for the budget year.

(4) The names and locations of local educational agencies that have partnered with the CCGI, including identification of local educational agencies that were added in the prior fiscal year and are intended to be added in the budget year.

(5) The names of postsecondary educational agencies that have partnered with the CCGI, including identification of postsecondary educational agencies that were added in the prior fiscal year and the budget year and identification of any postsecondary educational agencies that terminated their partnership with the CCGI.

(6) Website analytics on identifying the number of accounts, types of activities completed, and the number of pupils that applied to college via the CCGI.

(7) Information on progress towards meeting the deliverables expected of the CCGI pursuant to subdivision (a).

SEC. 97. Section 69617 of the Education Code is amended to read:

69617. (a) (1) Subject to moneys appropriated by the Legislature for purposes of this section, the commission shall administer the Golden State Teacher Grant Program. Under the program, the commission shall provide one-time grant funds of up to twenty thousand dollars (\$20,000) to each student enrolled, or who has applied for enrollment, on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential, at either a qualifying institution, as defined in subdivision (l) of Section 69432.7, or a professional preparation program approved by the Commission on Teaching Credentialing that has a main campus location or administrative entity that resides in California, including professional preparation programs operated by local educational agencies in California, if the student commits to working at a priority school for four years within the eight years following the date the student completes the professional preparation program.

(2) Funds appropriated for the Golden State Teacher Grant Program in the Budget Act of 2020 and the Budget Act of 2021 shall be available for encumbrance or expenditure by the commission until June 30, 2026.

(3) Grant funds shall be used to supplement and not supplant other sources of grant financial aid, and may be disbursed in more than one academic year, provided that the total amount of funds granted to an applicant does not exceed twenty thousand dollars (\$20,000).

(b) The one-time grant funds issued pursuant to this section shall not exceed the amount appropriated for the Golden State Teacher Grant Program in the Budget Act of 2020 and the Budget Act of 2021.

(c) (1) A grant recipient shall agree to serve at a priority school for four years and shall have eight years, upon completion of the recipient's professional preparation program, to meet that obligation. Except as provided in paragraph (4), a grant recipient shall agree to repay the state 25 percent of the total received grant funds annually, up to full repayment of the received grant funds, for each year the recipient fails to do one or more of the following:

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

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

(C) Before or upon completion of the professional preparation program, satisfy the state basic skills requirement pursuant to Sections 44252 and 44252.5.

(D) Complete the required teaching service or clinical practice following completion of the recipient's professional preparation program.

(2) Complete their teacher preparation program and earn a preliminary credential within three years after the first distribution of grant funds. Nonperformance of the commitment to serve at a priority school for four years shall be certified by the commission.

(3) Nonperformance of the commitment to earn a preliminary teaching credential or pupil personnel services credential 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 commission, and may include, but shall not necessarily be limited to, counting a school year towards the required four-year service 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 serve due to the financial circumstances of the school district, including a decision to not reelect the employee for the next succeeding school year.

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

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

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

(e) The commission shall develop a process by which students interested in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential may submit a request for a preenrollment conditional award notice from the commission. The notice shall provide information regarding the Golden State Teacher Grant Program award amount the student may be eligible to receive upon enrollment in the professional preparation program and formal application to the commission to participate in the Golden State Teacher Grant Program.

(f) (1) A "priority school" means a school with 55 percent or more of its pupils being unduplicated pupils, as defined in subdivision (b) of Section 42238.02.

(2) The commission, in coordination with the State Department of Education, shall publish a list of priority schools by April 15 of each year.

(g) (1) The commission may adopt regulations, including any amendments to regulations, necessary for the implementation of the Golden State Teacher Grant Program. The commission may adopt emergency regulations it deems necessary for the implementation of this program, in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). For purposes of the Administrative Procedure Act, including Section 11349.6 of the Government Code, the adoption of those regulations or amendments to those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare, notwithstanding subdivision (e) of Section 11346.1 of the Government Code.

(2) Notwithstanding any other law and without further compliance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), any emergency regulations and amendments to the emergency regulations adopted pursuant to paragraph (1) shall remain in force and effect until June 30, 2025.

(3) No rule, policy, or standard of general application issued by the commission in implementing this section shall be subject to the requirements 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).

(h) The commission shall conduct, in partnership with the Commission on Teacher Credentialing, an evaluation of the Golden State Teacher Grant Program to determine the effectiveness of the program in recruiting credential candidates and employing credentialholders at priority schools. The commission is encouraged to use qualitative and quantitative measures to quantify the number of credential candidates the program recruited into professional preparation programs, disaggregated by program and institution type, and the number of credentialholders employed at priority schools, disaggregated by subject matter placement, and to describe the effects of the program on the decisions of credential candidates to enter and remain in the education field. The commission shall provide, with respect to the evaluation, a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 31, 2025, and every two years thereafter.

(i) The commission shall accept applications for the Golden State Teacher Grant Program beginning on September 1 for the following academic year and shall establish a process and timeline that allows institutions of higher education to provide applicants with grant eligibility determinations before the deadline for enrolling in their professional preparation program.

(j) The commission shall permit grant recipients to receive funds in more than one academic year, provided the total amount of funds granted to any applicant does not exceed twenty thousand dollars (\$20,000).

SEC. 98. Section 7901 of the Government Code is amended to read:

7901. For the purposes of Article XIII B of the California Constitution and this division:

(a) "Change in California per capita personal income" means the number resulting when the quotient of the California personal income, as published by the United States Department of Commerce in the Survey of Current Business for the fourth quarter of a calendar year divided by the civilian population of the state on January 1 of the next calendar year, as estimated by the

Department of Finance, is divided by the similarly determined quotient for the next prior year. For example, the change in California per capita personal income for 1979 (to be used for computing the appropriations limit for the 1980–81 fiscal year) would equal the fourth quarter 1979 personal income divided by the January 1, 1980, population, the quotient divided by the fourth quarter 1978 personal income divided by the January 1, 1979, population.

(b) "Change in population" for a local agency for a calendar year means the number resulting when the percentage change in population between January 1 of the next calendar year and January 1 of the calendar year in question, as estimated by the Department of Finance pursuant to Section 2227 of the Revenue and Taxation Code for each city and county and Section 2228 of the Revenue and Taxation Code for each special district, plus 100, is divided by 100. For example, the change in population for 1979 would equal the percentage change in population between January 1, 1980, and January 1, 1979, plus 100, the sum divided by 100. For purposes of the state's appropriations limit, "change in population" means the number resulting when the civilian population of the state on January 1 of the next calendar year, as estimated by the Department of Finance, is divided by the similarly estimated population for January 1 of the calendar year in question. For example, the change in population for 1979 (to be used for computing the appropriations limit for the 1980–81 fiscal year) would equal the January 1, 1980, population divided by the January 1, 1979, population.

A city or special district may choose to use the change in population within its jurisdiction or within the county in which it is located. For a special district located in two or more counties, the special district may choose to use the change in population in the county in which the portion of the district is located which has the highest assessed valuation. Each city and special district shall select its change in population pursuant to this paragraph annually by a recorded vote of the governing body of the city or special district. A charter city and county may choose to use the change in population provided in this paragraph or may choose to use the change in population provided in Section 2 of Chapter 1221 of the Statutes of 1980.

A county may choose to use any one of the following:

- (1) The change in population within its jurisdiction.
- (2) The change in population within its jurisdiction, combined with the change in population within all counties having borders that are contiguous to that county.
- (3) The change in population within the incorporated portion of the county.

(c) "Change in population" for a school district means the change in average daily attendance between the year prior to that for which the appropriations limit is being computed and the year for which the appropriations limit is being computed, using the average daily attendance as defined in Section 7906.

(d) "Change in population" for a community college district means the number resulting when the average daily attendance reported by the community college district for state apportionment funding purposes computed pursuant to former Article 2 (commencing with Section 84520) of Chapter 4 of Part 50 of the Education Code is divided by the similarly computed average daily attendance for the previous year.

(e) "Local agency" means a city, county, city and county, special district, authority or other political subdivision of the state, except a school district, community college district, or county superintendent of schools. The term "special district" shall not include any district which (1) existed on January 1, 1978, and did not possess the power to levy a property tax at that time or did not levy or have levied on its behalf, an ad valorem property tax rate on all taxable property in the district on the secured roll in excess of $12\frac{1}{2}$ cents per one hundred dollars (\$100) of assessed value for the 1977–78 fiscal year, or (2) existed on January 1, 1978, or was thereafter created by a vote of the people, and is totally funded by revenues other than the proceeds of taxes as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution.

If a special district levied, or had levied on its behalf, different property tax rates for the 1977–78 fiscal year depending on which area or zone within the district boundaries property was located, it shall be deemed not to have levied a secured property tax rate in excess of $12\frac{1}{2}$ cents per one hundred dollars (\$100) of assessed value if the total revenue derived from the ad valorem property tax levied by or for the district for 1977–78, divided by the total amount of taxable assessed valuation within the district's boundaries for 1977–78, does not exceed .00125.

(f) "School district" means an elementary, high school, or unified school district.

(g) "Local jurisdiction" means a local agency, school district, community college district, or county superintendent of schools.

(h) As used in Section 2 and subdivision (b) of Section 3 of Article XIII B, "revenues" means all tax revenues and the proceeds to a local jurisdiction or the state received from (1) regulatory licenses, user charges, and user fees to the extent that those proceeds exceed the costs reasonably borne by that entity in providing the regulation, product, or service, and (2) the investment of tax revenues as described in subdivision (i) of Section 8 of Article XIII B. For a local jurisdiction, revenues and appropriations

shall also include subventions, as defined in Section 7903, and with respect to the state, revenues and appropriations shall exclude those subventions.

(i) (1) "Proceeds of taxes" shall not include proceeds to a local jurisdiction or the state from regulatory licenses, user charges, or user fees except to the extent that those proceeds exceed the costs reasonably borne by that entity in providing the regulation, product, or service.

(2) "Proceeds of taxes" also does not include the proceeds received by a local jurisdiction from a license tax imposed pursuant to Section 25149.5 of the Health and Safety Code or a tax or fee imposed pursuant to Section 25173.5 of the Health and Safety Code on the operation of a hazardous waste facility, or the proceeds received by a local jurisdiction from a surcharge that is collected by a regional disposal facility, as authorized pursuant to Section 115255 of the Health and Safety Code to the extent that these proceeds of the license tax, tax, fee, or surcharge are expended for costs or increased burdens on local jurisdictions that are associated with the hazardous waste facility or regional disposal facility. These costs or burdens include, but are not limited to, general fund expenses, the improvement and maintenance of roads and bridges, fire protection, emergency medical response, law enforcement, air and groundwater monitoring, epidemiological studies, emergency response training, and equipment related to the hosting of the hazardous waste facility or regional disposal facility.

(3) For the 2021–22 fiscal year, and each fiscal year thereafter, "proceeds of taxes" does not include deposits by a local jurisdiction into a routine restricted maintenance account, as described in paragraph (1) of subdivision (b) of Section 17070.75 of the Education Code.

SEC. 99. Section 7906 of the Government Code is amended to read:

7906. For school districts:

(a) (1) For the 1980–81 to 2012–13 fiscal years, inclusive, "ADA" means a school district's second principal apportionment units of average daily attendance as determined pursuant to Section 42238.5 of the Education Code, including average daily attendance in summer school, regional occupational centers and programs, and apprenticeship programs, and excluding average daily attendance in adult education programs. All other units of average daily attendance including, but not limited to, special day classes for special education pupils, shall be included.

(A) For purposes of this subdivision, the average daily attendance of apprenticeship programs shall be determined pursuant to Section 79149.1 or 79149.3 of the Education Code.

(B) For the 2008–09 to 2012–13 fiscal years, inclusive, the average daily attendance of public school districts, including county superintendents of schools, serving kindergarten and grades 1 to 12, inclusive, or any part thereof, shall include the same amount of average daily attendance for classes for supplemental instruction and regional occupational centers and programs that was used for purposes of this section for the 2007–08 fiscal year.

(2) For the 2013–14 fiscal year and each fiscal year thereafter, "ADA" means a school district's second principal apportionment units of average daily attendance, as determined pursuant to Section 42238.05 of the Education Code.

(b) "Foundation program level" means:

(1) For the 1978–79 fiscal year, one thousand two hundred forty-one dollars (\$1,241) for elementary school districts, one thousand three hundred twenty-two dollars (\$1,322) for unified school districts, and one thousand four hundred twenty-seven dollars (\$1,427) for high school districts.

(2) For the 1979–80 fiscal year to the 1986–87 fiscal year, inclusive, the levels specified in paragraph (1) increased by the lesser of the change in cost of living or California per capita personal income for the preceding calendar year.

(3) For the 1986–87 fiscal year, the levels specified in paragraph (2) increased by one hundred eighty dollars (\$180) for elementary school districts, one hundred ninety-one dollars (\$191) for unified school districts, and two hundred seven dollars (\$207) for high school districts.

(4) For the 1987–88 fiscal year, the levels specified in paragraph (3) increased by the lesser of the change in cost of living or California per capita personal income for the preceding calendar year.

(5) For the 1988–89 fiscal year and each fiscal year thereafter, the foundation program level shall be the appropriations limit of the school district for the current fiscal year, plus amounts paid for any nonreimbursed court or federal mandates imposed on or after November 6, 1979, less the sum of the following:

(A) Interest earned on the proceeds of taxes during the current fiscal year.

(B) The 50 percent of miscellaneous funds received during the current fiscal year that are from the proceeds of taxes.

(C) Locally voted taxes received during the current fiscal year, such as parcel taxes or square foot taxes, unless for voter-approved bonded debt.

(D) Any other local proceeds of taxes received during the current fiscal year, other than local taxes that offset state aid, such as excess bond revenues transferred to a school district's general fund pursuant to Section 15234 of the Education Code.

(c) "Proceeds of taxes" shall be deemed to include subventions received from the state only if those subventions are for one of the following purposes:

(1) Basic aid subventions of one hundred twenty dollars (\$120) per ADA.

(2) (A) Additional apportionments that, when added to the school district's local revenues, do not exceed the foundation program level for that school district. In no case shall subventions received from the state for reimbursement of state mandates in accordance with Section 6 of Article XIII B of the California Constitution or Section 17561, or for reimbursement of court or federal mandates imposed on or after November 6, 1979, be considered "proceeds of taxes" for purposes of this section.

(B) A school district's local revenues for purposes of subparagraph (A) are the amounts that offset state aid, as follows:

(i) For the 1980–81 to 2012–13 fiscal years, inclusive, as defined in Section 42238 of the Education Code.

(ii) For the 2013–14 fiscal year and each fiscal year thereafter, as defined in subdivision (j) of Section 42238.02 of the Education Code.

(d) Proceeds of taxes for a fiscal year shall not include any proceeds of taxes within the school district's beginning balance or reserve, unless those funds were not appropriated in a prior fiscal year. Funds that were appropriated to a reserve or other fund referenced in Section 5 of Article XIII B of the California Constitution shall be deemed to be appropriated for the purpose of this paragraph.

(e) The remainder of the state apportionments shall not be considered proceeds of taxes for a school district, and shall be considered appropriations subject to the state's limit.

(f) (1) Each school district shall report to the Superintendent of Public Instruction and to the Director of Finance at least annually its appropriations limit, its appropriations subject to limitation, the amount of its state aid apportionments and subventions included within the proceeds of taxes of the school district, amounts excluded from its appropriations limit, and any increase or decrease to its appropriations limit pursuant to Section 7902.1, at a time and in a manner prescribed by the Superintendent of Public Instruction and approved by the Director of Finance.

(2) (A) A local jurisdiction that made a deposit into a routine restricted maintenance account, as described in paragraph (1) of subdivision (b) of Section 17070.75 of the Education Code, for the 2021–22 fiscal year shall revise the report that is required pursuant to paragraph (1) to reflect the exclusion in paragraph (3) of subdivision (i) of Section 7901.

(B) For purposes of subparagraph (A), the Director of Finance may direct the Superintendent of Public Instruction to make any necessary adjustments to a local jurisdiction's report, and may direct the Superintendent of Public Instruction to notify the local jurisdiction of the adjustments made. These adjustments may be retroactive to the two fiscal years before the adjustments made.

(g) For the 1988–89 fiscal year and each fiscal year thereafter, paragraph (2) of subdivision (c) shall not be construed as requiring the amount determined pursuant to subdivision (b) to be multiplied by the amount determined pursuant to subdivision (a) for purposes of determining the amount of state aid included in school district "proceeds of taxes" for purposes of this section.

SEC. 100. Section 20309 of the Government Code is amended to read:

20309. (a) A member of the system described in subdivision (b) who subsequently is employed to perform service subject to coverage by the Defined Benefit Program of the State Teachers' Retirement Plan, may elect to retain coverage by this system for that subsequent service. An election to retain coverage under this system shall be submitted in writing by the member to the employer on a form prescribed by the system within 60 days after the member's date of hire to perform service that requires membership in the Defined Benefit Program of the State Teachers' Retirement Plan. The employer shall retain a copy of the employee's signed election form and submit the original signed form to the system. A member who elects to retain coverage under this system pursuant to this section shall be deemed to be a school member while employed by a school employer.

(b) This section shall apply to a member of the system who either (1) was employed by a school employer, the Board of Governors of the California Community Colleges, or the State Department of Education within 120 days before the member's date of hire to perform service that requires membership in the Defined Benefit Program of the State Teachers' Retirement Plan or (2) has at least five years of credited service under this system.

(c) Any election made pursuant to this section shall become effective as of the first day of employment in the position that qualified the member to make an election.

(d) A member providing emergency teaching services pursuant to Executive Order No. N-3-22 is eligible to elect to retain coverage under this section, notwithstanding the requirements in subdivision (a). The exception in this subdivision does not exempt any individual from any other requirement for eligibility to make the election authorized by this section. The eligibility to elect to retain coverage as authorized by this subdivision shall remain in effect only until January 1, 2024.

SEC. 101. Section 13265 of the Welfare and Institutions Code is amended to read:

13265. (a) Subject to an appropriation of funds for this purpose in the annual Budget Act, the State Department of Social Services shall administer, in collaboration with the State Department of Education, the California Newcomer Education and Well-Being Program (CalNEW) to provide services for newcomer pupils, English learners, and immigrant families. The department shall allocate funding to school districts and county offices of education with significant numbers of newcomer pupils, or a significant population of English learner pupils. Funds allocated under this section shall be used to plan, design, and implement academic and social support services for the purpose of improving pupils' academic engagement and social and emotional well-being. The department shall have sole discretion to determine which school districts, county offices of education, and services to fund.

(b) Subject to an appropriation of funds for this purpose in the annual Budget Act, the department shall do both of the following:

- (1) Contract to conduct a formal evaluation of the services provided pursuant to subdivision (a).
- (2) Contract to provide technical assistance to support implementation of the services described in this section.

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

- (1) "English learner" has the same meaning as defined in Section 306 of the Education Code.
- (2) "Immigrant families" means families with household members and immediate relatives of pupils in which one or more of the members or relatives are not United States citizens.
- (3) "Newcomer pupil" has the same meaning as "immigrant children and youth" as defined in Section 7011(5) of Title 20 of the United States Code.

(d) In accordance with Section 1621(d) of Title 8 of the United States Code, this section provides services for undocumented persons.

(e) The State Department of Education shall, for the duration of the program described in this section, cooperate with the department to provide all data, data systems, and source code requested to the department for the purpose of effectively operating this program.

(f) Notwithstanding any other law:

- (1) Contracts or grants awarded pursuant to this chapter shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.
- (2) Contracts or grants awarded pursuant to this chapter shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(g) Funds appropriated for this purpose in the annual Budget Act shall be available for encumbrance or expenditure for two fiscal years and liquidation for another three fiscal years.

SEC. 102. Section 113 of Chapter 24 of the Statutes of 2020 is amended to read:

Sec. 113. (a) The sum of fifty million dollars (\$50,000,000) is hereby appropriated from the General Fund in the 2020–21 fiscal year to the State Department of Education on a one-time basis to administer the Early Literacy Support Block Grant.

(b) (1) The State Department of Education shall award grants to local educational agencies with the 75 schools with the highest percentage of pupils in grade 3 scoring at the lowest achievement standard level, also referred to as the level 1 achievement level, on the consortium summative assessment in English language arts. A grant provided pursuant to this section shall be divided into three yearly allocations and awarded consistent with subdivision (f).

(2) For purposes of this subdivision, both of the following shall apply:

- (A) Grant eligibility shall be determined based on the weighted average, as calculated by the State Department of Education, of the 2018 and 2019 results on the consortium summative assessment in English language arts specified in

Section 60640 of the Education Code.

(B) A school, including a charter school, shall be eligible for a grant only if it meets both of the following conditions:

- (i) The school reported results for at least 11 pupils in grade 3 for both the 2018 and 2019 results on the consortium summative assessment in English language arts.
- (ii) The school was designated "Traditional" in the "Educational Option Type" field, as reported through the 2018–19 Source File for the California Longitudinal Pupil Achievement Data System established pursuant to Chapter 10 (commencing with Section 60900) of Part 33 of Division 4 of Title 2 of the Education Code.

(c) The State Department of Education shall establish the per-school grant amount for an eligible school based on the school's grade 3 enrollment, with three tiers of funding based on the 2018–19 enrollment of grade 3 pupils at eligible schools.

(d) (1) As a condition of receiving a grant pursuant to this section, the local educational agency shall agree that it will use grant funds for an eligible school for only the purposes described in paragraphs (2) and (3).

(2) Except as provided in subparagraph (E), the local educational agency shall, for each of its eligible schools, conduct a root cause analysis and needs assessment, consistent with all of the following:

(A) The root cause analysis and needs assessment shall examine both school-level and local educational agency-level practices or unmet needs, including those relating to school climate, social-emotional learning, and the experience of pupils who are below grade-level standard on the English language arts content standards adopted by the State Board of Education and their families, that have contributed to low pupil outcomes for pupils in grade 3 on the consortium summative assessment in English language arts.

(B) The root cause analysis and needs assessment shall identify the strengths and weaknesses of both the eligible school and the local educational agency with regard to literacy instruction in kindergarten and grades 1 to 3, inclusive. The local educational agency shall review all relevant diagnostic measures, including, but not limited to, pupil performance data, data on effective and ineffective practices, and equity and performance gaps.

(C) The local educational agency shall consult with stakeholders, including school staff, school leaders, parents, and community members, at each eligible school about the root cause analysis and needs assessment and proposed expenditures of the grant funds. The local educational agency may use an existing schoolsite council established pursuant to Section 65000 of the Education Code for this purpose. If the schoolsite council is used for this purpose, the school shall provide public notice of meetings and shall conduct meetings in the manner required by Section 35147 of the Education Code.

(D) The local educational agency shall partner with staff with expertise in literacy from the county office of education for the county in which the local educational agency is located, a geographic lead agency established pursuant to Section 52073 of the Education Code, or the expert lead in literacy established pursuant to Section 114 of this act in the development of the root cause analysis and needs assessment and the literacy action plan described in paragraph (3). In addition, the local educational agency may partner with a member of an institution of higher education or nonprofit organization with expertise in literacy for this purpose, and may also involve experts in participatory design and meaningful community involvement.

(E) If a local educational agency or eligible school has completed a root cause analysis and needs assessment that complies with the requirements specified in subparagraphs (A) to (D), inclusive, within the last two years, it may use that root cause analysis and needs assessment for purposes of developing and adopting the literacy action plan pursuant to paragraph (3).

(3) Based on the root cause analysis and needs assessment, the local educational agency shall develop a three-year local educational agency literacy action plan, consistent with all of the following:

(A) The local educational agency literacy action plan shall include goals and actions to improve literacy instruction based on the root cause analysis and needs assessment and shall include a section reflecting the input received from stakeholders at each eligible school as part of the root cause analysis and needs assessment.

(B) The local educational agency literacy action plan shall identify metrics to measure progress toward the goals and actions.

(C) The local educational agency literacy action plan shall identify planned expenditures for programs or services consistent with one or more of the categories described in subdivision (e).

(D) Grant funds may be used only to fund supplemental activities targeted for kindergarten and grades 1 to 3, inclusive, and shall not supplant already existing activities being provided by the local educational agency or at the eligible school. The activities shall be targeted for improvement strategies for pupils in kindergarten and grades 1 to 3, inclusive, at eligible schools.

(E) The local educational agency shall provide a copy of the draft local educational agency literacy action plan to each eligible school to share with the school community before it is finalized for presentation to the governing board or body of the local educational agency.

(F) The local educational agency literacy action plan shall be adopted at a regularly scheduled, publicly noticed meeting of the governing board or body of the local educational agency as a nonconsent agenda item.

(G) A local educational agency that includes more than one eligible school may develop one literacy action plan addressing all of its eligible schools, and the local educational agency may combine the grant funds to maximize results at the eligible schools only if the literacy action plan is specifically responsive to the root cause analysis and needs assessment specific to each of the eligible schools.

(e) A local educational agency shall expend grant funds only on programs or services within one or more of the following categories:

(1) Access to high-quality literacy teaching, which shall include any of the following:

(A) Hiring of literacy coaches or instructional aides to provide support to struggling pupils, including, among others, bilingual reading specialists to support English learner programs.

(B) Development of strategies to provide culturally responsive curriculum and instruction.

(C) Evidence-based professional development for teachers, instructional aides, and school leaders regarding literacy instruction and literacy achievement and the use of data to help identify and support struggling pupils.

(D) Professional development for teachers and school leaders regarding implementation of the curriculum framework for English language arts adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(2) Support for literacy learning, which shall include any of the following:

(A) Purchase of literacy curriculum resources and instructional materials aligned with the English language arts content standards and the curriculum framework for English language arts adopted by the State Board of Education, but only if the literacy action plan also includes professional development for staff on effective use of these materials.

(B) Purchase of diagnostic assessment instruments to help assess pupil needs and progress and training for school staff regarding the use of those assessment instruments.

(3) Pupil supports, which shall include any of the following:

(A) Expanded learning programs, such as before- and after-school programs or summer school, to improve pupils' access to literacy instruction.

(B) Extended schoolday to enable implementation of breakfast in the classroom or library models to support expanded literacy instruction.

(C) Strategies to improve school climate, pupil connectedness, and attendance and to reduce exclusionary discipline practices, including in-school suspensions, that may limit a pupil's time in school.

(D) Strategies to implement research-based social-emotional learning approaches, including restorative justice.

(E) Expanded access to the school library.

(4) Family and community supports, which shall include any of the following:

(A) Development of trauma-informed practices and supports for pupils and families.

(B) Provision of mental health resources to support pupil learning.

(C) Strategies to implement multitiered systems of support and the response to intervention approach.

(D) Development of literacy training and education for parents to help develop a supportive literacy environment in the home.

(E) Strategies to improve parent and community engagement and to improve communication with parents regarding how to address pupils' literacy needs.

(f) The State Department of Education may establish conditions for the grant and otherwise administer the grant as necessary to advance the purposes of this section. In administering the grant, the State Department of Education shall ensure all of the following:

(1) The State Department of Education shall provide a local educational agency up to fifty thousand dollars (\$50,000) for each eligible school for purposes of conducting the root cause analysis and needs assessment for each eligible school and preparing the local educational agency literacy action plan.

(2) A local educational agency that receives a grant shall submit its literacy action plan to the State Department of Education. The State Department of Education or its designee shall review each local educational agency's literacy action plan to determine if all of the following conditions are met:

(A) The local educational agency consulted with each eligible school and stakeholders in the development of the root cause analysis and needs assessment.

(B) The local educational agency identified the county office of education, geographic lead agency authorized pursuant to Section 52073 of the Education Code, or expert lead in literacy established pursuant to Section 114 of this act with which the local educational agency partnered in the development of the root cause analysis and needs assessment and literacy action plan.

(C) The literacy action plan was approved by the governing board or body of the local educational agency at a publicly noticed meeting.

(D) The planned expenditures are for programs or services consistent with subdivision (e).

(E) The literacy action plan clearly articulates that the grant funds will be used for supplemental activities.

(3) Upon approval of the literacy action plan by the State Department of Education or its designee, the local educational agency shall receive the balance of its first-year allocation to begin implementing the literacy action plan at eligible schools.

(4) Each local educational agency with an eligible school shall provide the State Department of Education, the schoolsite council at each eligible school, and the governing board or body of the local educational agency with quarterly reports demonstrating that it has made expenditures consistent with the applicable literacy action plan. These reports shall also be publicly posted on the local educational agency's internet website.

(5) On an annual basis, each local educational agency with an eligible school shall submit to the State Department of Education, the schoolsite council at each eligible school, and the governing board or body of the local educational agency a report on achievement towards the actions and goals described, and an assessment of progress made on the metrics identified, in its literacy action plan. These reports shall also be publicly posted on the local educational agency's internet website.

(6) At the end of the second year of grant eligibility, a local educational agency with an eligible school shall, as a nonconsent agenda item at a regularly scheduled, publicly noticed meeting of its governing board or body, provide an update on progress implementing the literacy action plan. The local educational agency may modify the literacy action plan based on this update, consistent with the authorized uses of the grant funds.

(7) Upon submission of the reports required in paragraphs (4) and (5), the local educational agency shall receive its second- and third-year allocations, as applicable.

(g) Notwithstanding any other law, this section shall not be subject to waiver by the State Board of Education pursuant to Section 33050 of the Education Code or by the Superintendent of Public Instruction.

(h) 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 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 103. Section 119 of Chapter 24 of the Statutes of 2020, as amended by Section 65 of Chapter 110 of the Statutes of 2020, is amended to read:

Sec. 119. (a) The Legislature finds and declares all of the following:

(1) (A) Pupils with dyslexia and other forms of specific learning disabilities often go undiagnosed until the pupil is failing in school, while many pupils are never diagnosed and never receive services. Early identification and intervention with pupils showing signs of dyslexia are critical for improving pupil outcomes.

(B) The most effective treatment for pupils who struggle with reading and related language problems is early diagnosis and skilled teaching. For that reason, it is critical that educators receive evidence-based practices and strategies informed by research to reduce the impact on long-term educational outcomes.

(C) The California Dyslexia Guidelines, developed by the State Department of Education pursuant to Section 56335 of the Education Code, as added by Chapter 647 of the Statutes of 2015 (Assembly Bill 1369 of the 2015–16 Regular Session), provides guidelines for educators, parents, and other stakeholders in identifying, assessing, and supporting pupils with dyslexia. While these guidelines created a road map for supporting pupils with dyslexia, the guidelines were developed before the establishment of the statewide system of support and are not integrated into those supports.

(D) To ensure existing research and available resources lead to improved outcomes for these pupils, the state must invest in a statewide effort to build upon the California Dyslexia Guidelines and to disseminate the knowledge and information of best practices throughout the statewide system of support.

(2) The statewide system of support established pursuant to Section 52059.5 of the Education Code should include expertise and resources to help school districts, county offices of education, and charter schools improve their ability to identify signs of dyslexia and other specific learning disabilities as early as possible and to provide evidence-based supports and services to pupils once identified.

(b) The California Dyslexia Initiative is hereby established for all of the following purposes:

(1) To build capacity in the statewide system of support for school districts, county offices of education, and charter schools to provide early intervention services and supports for pupils with specific learning disabilities, such as dyslexia, with a focus on improving outcomes for pupils in all education settings.

(2) To identify effective models for diagnosis and treatment of specific learning disabilities.

(3) To develop effective professional development for educators on evidence-based instruction and strategies informed by research to reduce the impact on long-term educational outcomes.

(4) To develop effective partnerships between school districts, county offices of education, and charter schools in using the statewide system of support structure administered by the California Collaborative for Educational Excellence and the resources of the State Department of Education to disseminate lessons learned from the capacity built pursuant to paragraph (1) and the models identified in paragraph (2).

(5) To disseminate the resources, information, and models identified in paragraphs (1) to (4), inclusive.

(c) By November 15, 2020, the State Department of Education and the California Collaborative for Educational Excellence, with approval from the executive director of the State Board of Education, shall designate an applicant county office of education to administer the California Dyslexia Initiative in direct consultation with the State Department of Education, the California Collaborative for Educational Excellence, and the postsecondary educational institution selected pursuant to subdivision (d). For this work, the designated county office of education shall demonstrate a willingness and capacity to do all of the following:

(1) Work collaboratively with the State Department of Education, the California Collaborative for Educational Excellence, and the postsecondary educational institution selected pursuant to subdivision (d) to further the purposes of the California Dyslexia Initiative described in subdivision (b).

(2) Communicate regularly with the State Department of Education and the California Collaborative for Educational Excellence.

(3) In partnership with the California Collaborative for Educational Excellence, document the outcomes of the activities described in this section throughout the duration of the California Dyslexia Initiative to ensure the resources, research, and professional development models that are developed are available throughout the statewide system of support and align with other statewide initiatives.

(4) Play a leadership role in the California Dyslexia Initiative.

(d) The designated county office of education shall contract with a California postsecondary educational institution, selected in consultation with the executive director of the State Board of Education, to expand the state's dyslexia and specific learning disabilities early identification and evidence-based best practices for supports and services in furtherance of the California Dyslexia Initiative. The postsecondary educational institution shall be selected no later than December 1, 2020.

(e) The designated county office of education and the selected postsecondary educational institution shall identify existing evidence-based resources, professional development activities, and other efforts currently available at the state, federal, and local levels, and develop new evidence-based resources and activities designed to help local educational agencies across the state identify and provide services and supports to pupils with specific learning disabilities, as defined in Section 56337 of the Education Code, such as dyslexia. The identified and developed resources and activities shall be able to accomplish, at a minimum, all of the following:

- (1) Develop professional development through train-the-trainer models or online training modules.
- (2) Provide technical assistance to local educational agencies.
- (3) Develop a network of educators who can provide coaching and training to other local educational agencies.
- (4) Develop evaluation tools to measure the effectiveness of identified evidence-based strategies.

(f) (1) The sum of two million dollars (\$2,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to allocate to the designated county office of education for the California Dyslexia Initiative.

(2) The sum of two million dollars (\$2,000,000) is hereby appropriated from the Federal Trust Fund to the Superintendent of Public Instruction to allocate to the designated county office of education for the California Dyslexia Initiative.

(3) Of the total amount appropriated pursuant to paragraphs (1) and (2), the designated county office of education may use up to five hundred thousand dollars (\$500,000) to administer the program.

(4) The designated county office of education shall submit an expenditure plan for the funds allocated pursuant to this subdivision to the Department of Finance for approval by January 20, 2021, that includes the estimated allocation to the postsecondary educational institution. The approved expenditure plan shall become operative no sooner than 30 days after notification is provided in writing to the Joint Legislative Budget Committee. The designated county office of education shall encumber or expend the funds appropriated pursuant to this subdivision by June 30, 2024.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by paragraph (1) of subdivision (f) 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 104. Section 123 of Chapter 44 of the Statutes of 2021 is amended to read:

Sec. 123. (a) Notwithstanding subdivision (f) of Section 52064.5 of the Education Code, the State Department of Education shall not publish the California School Dashboard in December 2021 based on performance data on the state and local indicators included in the evaluation rubrics adopted by the State Board of Education.

(b) Notwithstanding Section 60630 of the Education Code, the State Department of Education shall publish any valid and reliable data collected through the California Longitudinal Pupil Achievement Data System or through the collection of local indicator data pursuant to Chapter 10 (commencing with Section 60900) of Part 33 of Division 4 of Title 2 of the Education Code that would have been included in the 2021 California School Dashboard on the DataQuest internet website or by other means.

(c) Notwithstanding Section 52064.5 of the Education Code or any other law, the State Department of Education shall not identify local educational agencies in the 2021–22 school year for technical assistance or intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5 of the Education Code. A local educational agency identified for technical assistance or intervention based on the 2019 California School Dashboard shall retain that identification until the release of the 2022 California School Dashboard.

(d) For purposes of identifying local educational agencies for technical assistance or intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5 of the Education Code in December 2022, the State Department of Education shall use performance data on the state and local indicators using data from the 2021–22 school year, with the exception of English Language Proficiency Assessments for California data from the 2020–21 school year for the purposes of producing status for the English Learner Progress Indicator. For purposes of identifying local educational agencies pursuant to Section 52072 of the Education Code, notwithstanding subdivision (b) of paragraph (1) of Section 52072 of the Education Code, the State Department of Education shall do each of the following:

(1) In December 2022, use performance data on the state and local indicators from the 2017, 2018, 2019, and 2022 California School Dashboards.

(2) In December 2023, use performance data on the state and local indicators from the 2018, 2019, 2022, and 2023 California School Dashboards.

(3) In December 2024, use performance data on the state and local indicators from the 2019, 2022, 2023, and 2024 California School Dashboards.

SEC. 105. Section 138 of Chapter 44 of the Statutes of 2021, as amended by Section 39 of Chapter 252 of the Statutes of 2021, is amended to read:

SEC. 138. (a) For the 2021–22 fiscal year, the sum of one hundred fifty million dollars (\$150,000,000) is hereby appropriated from the General Fund to the State Department of Education for the purposes set forth in subdivisions (b) and (c).

(b) (1) Of the amount appropriated in subdivision (a), one hundred twenty million dollars (\$120,000,000) shall be available for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase pupil access to, or improve the quality of, fresh and nutritious school meals.

(2) Each local educational agency may receive a base allocation of twenty-five thousand dollars (\$25,000).

(3) (A) After allocations are made pursuant to paragraph (2), the remaining funds shall be allocated to local educational agencies with pupil populations that are at least fifty percent eligible for free and reduced-price meals.

(B) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on a local educational agency's total enrollment of pupils who are eligible for free and reduced-price meals.

(4) Allowable uses of funds allocated pursuant to paragraphs (2) and (3) include all of the following:

(A) Cooking equipment and supporting infrastructure system needs, including, but not limited to, combination ovens, steamers, tilting skillets, or electrical support and facility upgrade requirements.

(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, or mobile carts.

(C) Refrigeration and storage, including, but not limited to, walk-in refrigerators, freezers, blast chillers, or system upgrades.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(5) (A) As a condition of receiving funding pursuant to paragraphs (2) and (3), each local educational agency shall report to the State Department of Education on or before June 30, 2023, how it used the funding to improve the quality of school meals or increase participation in subsidized school meal programs.

(B) The State Department of Education shall develop forms that shall be used by local educational agencies to comply with subparagraph (A).

(c) (1) Of the amount appropriated in subdivision (a), thirty million dollars (\$30,000,000) shall be available for the State Department of Education to apportion funds to local educational agencies based on the number of lunches served in October 2020 by the local educational agency.

(2) (A) A local educational agency shall expend funds received pursuant to this section for food service staff to receive training on promoting nutritious foods, which may include training on food preparation, healthy food marketing, and changing the school lunchroom environment.

(B) To the extent any funds remain after the allowable uses specified in subparagraph (A), a local educational agency may use that remaining funding for any of the purposes described in paragraph (4) of subdivision (b).

(3) Notwithstanding paragraph (1), each local educational agency may receive a minimum allocation of two thousand dollars (\$2,000).

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

(1) "Classified school employee" means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.

(2) "Local educational agency" means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(3) "Nutritious" means, at minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

(e) 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 106. Section 147 of Chapter 44 of the Statutes of 2021 is amended to read:

SEC. 147. Commencing with the 2021–22 fiscal year, the Superintendent of Public Instruction shall add three million five hundred thousand dollars (\$3,500,000) to the amount to be apportioned pursuant to Sections 42238.02 and 42238.03 of the Education Code to the San Francisco Unified School District. These funds shall be passed through to the Exploratorium in the City and County of San Francisco by the San Francisco Unified School District for purposes of supporting professional development and leadership training for education professionals, expanding access to quality science, technology, engineering, and mathematics learning opportunities, and supporting statewide implementation of the Next Generation Science Standards. The school district shall not recover indirect costs on these funds.

SEC. 107. Section 47 of Chapter 252 of the Statutes of 2021 is amended to read:

Sec. 47. Notwithstanding any other law, and until July 1, 2023, any holder of a credential or permit issued by the Commission on Teacher Credentialing that authorizes the holder to substitute teach in a general, special, or career technical education assignment may serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment. Nothing in this section shall preclude a local educational agency from following the hiring provisions outlined in Section 44225.7 of the Education Code.

SEC. 108. Section 52 of Chapter 252 of the Statutes of 2021 is amended to read:

Sec. 52. The amount appropriated in the 2020–21 fiscal year for emergency assistance to nonpublic schools as provided under Section 312(d) of Division M of the federal Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260), to the Superintendent of Public Instruction for allocation to eligible nonpublic schools to address the impact of COVID-19 on nonpublic school pupils and teachers in the state, shall be available for encumbrance through September 30, 2023.

SEC. 109. The Legislature finds and declares that the amendments to Section 51745 of the Education Code, made by Section 73 of this act, are intended to clarify the legal requirements for local educational agencies for serving individuals with exceptional needs, as defined in Section 56026 of the Education Code, when offering independent study. The COVID-19 pandemic has caused significant disruption to many aspects of the state's public education system and to the experience of pupils and families. The implementation of independent study programs under Assembly Bill 130 (Chapter 44 of the Statutes of 2021), to support the return to in-person learning in the 2021–22 school year, in particular at the start of the school year, highlighted several areas where additional clarity in the law would benefit local educational agencies, pupils, and families.

SEC. 110. (a) A local educational agency may claim apportionment for a pupil who receives services from a nonpublic, nonsectarian school as defined in Section 56034 of the Education Code through a virtual program if all of the following conditions are met:

(1) The pupil is an individual with exceptional needs, as defined in Section 56026 of the Education Code, whose individualized education program includes a placement at a nonpublic, nonsectarian school pursuant to Sections 56365 and 56366 of the Education Code.

(2) The local educational agency offers independent study pursuant to paragraph (5) of subdivision (a) of Section 51745 of the Education Code.

(3) The pupil's parent or guardian requests independent study pursuant to paragraph (5) of subdivision (a) of Section 51745 of the Education Code.

(4) The pupil's individualized education program team determines that a free appropriate public education can be provided by a virtual program in the nonpublic, school placement.

(5) The virtual program provided by the nonpublic, nonsectarian school includes procedures for tiered reengagement strategies for all pupils who are not generating attendance for more than three schooldays or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of a local educational agency's approved instructional calendar, or pupils who do not participate in scheduled live interaction or synchronous instruction for

more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span.

(b) A local educational agency may claim apportionment credit for a virtual program at a nonpublic, nonsectarian school as described in subdivision (a) only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the nonpublic, nonsectarian school.

(c) To ensure the authorization of services provided under this section does not undermine the entitlement of individuals with exceptional needs to a free appropriate public education, this section shall become inoperative on July 1, 2024, and on January 1, 2025, is repealed.

SEC. 111. (a) The State Department of Education, in consultation with the executive director of the State Board of Education, may extend the contract for the independent evaluation of assessments required pursuant to subdivision (b) of Section 60649 of the Education Code, as that section read on January 1, 2021, by a period of up to two years if additional time is needed to complete the evaluation.

(b) The independent evaluation report that was required to be submitted pursuant to subdivision (c) of Section 60649 of the Education Code, as that section read on January 1, 2021, shall instead be submitted to the Governor, the Superintendent of Public Instruction, the State Board of Education, and the chairs of the education policy committees in both houses of the Legislature by October 31, 2023.

SEC. 112. Commencing with the 2021–22 fiscal year, the Superintendent of Public Instruction shall adjust the amounts determined pursuant to Sections 42238 and 47633 of the Education Code, and used for purposes of allocating revenues received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution, 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 determined pursuant to paragraph (2) of subdivision (d) of Section 42238.02. The calculations performed for the 2021–22 fiscal year shall reflect the annual adjustment pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for the 2013–14 to 2021–22 fiscal years, inclusive. For purposes of allocating Education Protection Account funds, a school district with a revenue limit rate greater than twenty thousand dollars (\$20,000) shall not receive this adjustment. This section shall become inoperative on July 1, 2033.

SEC. 113. Notwithstanding Provision 9 of Item 6100-001-0890 of Section 2.00 of the Budget Act of 2022, implementation of the changes made to Section 60900 of the Education Code by Section 95 of this act shall not subject the department to a loss of funding.

SEC. 114. With respect to Section 36 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 financial distress faced by the Oakland Unified School District.

SEC. 115. With respect to Section 37 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 financial distress faced by the Inglewood Unified School District.

SEC. 116. With respect to Section 135 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 need for Lynwood Unified School District to reconstruct and rehabilitate Lynwood High School.

SEC. 117. 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. 118. Upon order of the Director of Finance, funds reappropriated in Provision (2) of Item 0650-490 of the Budget Act of 2022 may be transferred to Item 6350-601-0001 for administration by the Office of Public School Construction.

SEC. 119. (a) The sum of two hundred million dollars (\$200,000,000) is hereby appropriated from the General Fund to the State Department of Education for the department, in consultation with the Chancellor's office of the California Community Colleges, to administer a competitive grant program pursuant to Article 8.5 (commencing with Section 41585) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2027.

(b) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one hundred fifty million dollars (\$150,000,000) of the appropriation made pursuant to 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund

proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, fifty million dollars (\$50,000,000) of the appropriation made pursuant to 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 2021–22 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 2021–22 fiscal year.

SEC. 120. (a) The sum of five hundred million dollars (\$500,000,000) is hereby appropriated from the General Fund to the State Department of Education for the Golden State Pathways Program established pursuant to Chapter 16.1 (commencing with Section 53020) of Part 28 of Division 4 of Title 2 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2029.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to 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 2021–22 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 2021–22 fiscal year.

SEC. 121. (a) For the 2022–23 fiscal year, the sum of one billion one hundred twenty-five million dollars (\$1,125,000,000) is hereby appropriated from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies over five years beginning in the 2023–24 fiscal year, consistent with this section. This funding shall be available for encumbrance until June 30, 2029. For the 2023–24 fiscal year to the 2027–28 fiscal year, inclusive, the State Air Resources Board shall award grants, totaling two hundred twenty-five million dollars (\$225,000,000) in each fiscal year to local educational agencies. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(b) For the 2022–23 fiscal year, the sum of three hundred seventy-five million dollars (\$375,000,000) is hereby appropriated from the General Fund to the Energy Commission to fund zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement the vehicle investments described in subdivision (a). This funding shall be available for encumbrance until June 30, 2029. For the 2023–24 fiscal year to the 2027–28 fiscal year, inclusive, the Energy Commission shall award grants, totaling seventy-five million dollars (\$75,000,000) in each fiscal year to local educational agencies. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(c) The State Air Resources Board and the Energy Commission shall coordinate to offer a single application to cover vehicle purchases, infrastructure investments, and other associated funding requests.

(d) The State Air Resources Board and the Energy Commission shall ensure that the funding provided in this section supports the transition to zero-emission schoolbus fleets by supporting up to the full purchase cost of zero-emission schoolbuses and related schoolbus charging or fueling infrastructure, as well as provide funding support for other associated costs, including workforce development and training.

(e) (1) The State Air Resources Board, in consultation with the Energy Commission, shall prioritize funding zero-emission schoolbuses under this section.

(2) If a local educational agency is able to provide sufficient information to the State Air Resources Board and the Energy Commission to demonstrate significant barriers to the adoption of zero-emission technology at the time of application, and that alternate approaches to decrease internal combustion vehicle use are not appropriate, the State Air Resources Board and the Energy Commission may fund schoolbuses powered by renewable fuel under this section, to the extent and in the time period that these barriers apply to the local educational agency.

(f) Priority shall be given to grantees serving a high percentage of unduplicated pupils, as defined in Section 42238.02 of the Education Code, grantees operating the oldest internal combustion buses, grantees that are small and rural school districts, and grantees purchasing zero-emission buses with bidirectional charging where available.

(g) The State Air Resources Board and the Energy Commission shall create program guidelines relative to their respective activities. Notwithstanding any other law, the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part

1 of Division 3 of Title 2 of the Government Code) shall not apply to the development and approval of the guidelines or other standards or requirements adopted or used by the State Air Resources Board or the Energy Commission in administering these funds.

(h) No less than 90 percent of a grantee's grant award shall be expended for the purchase of zero-emission schoolbuses, as well as the supporting charging infrastructure needed to operate the zero-emission schoolbuses and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades.

(i) Up to 10 percent of a grantee's grant award may be expended to incorporate or supplement funding for the grantee's school transportation program.

(j) (1) Any schoolbuses that are replaced pursuant to this section shall be scrapped no later than 24 months from date of delivery of the replacement vehicles. Grantees shall provide to the State Air Resources Board proof of scrap of the retired internal combustion schoolbus or schoolbuses.

(2) The grant agreement related to the grant award shall require grantees to submit schoolbus and infrastructure information and documentation resulting from the grants provided in this section to the State Air Resources Board and the Energy Commission.

(k) The Department of General Services, in consultation with the Energy Commission and the California Workforce Development Board, shall establish statewide contracts with manufacturers of zero- or low-emission schoolbuses. These contracts shall satisfy the high road standards pursuant to subdivision (r) of Section 14005 of the Unemployment Insurance Code.

(l) As a condition of entering into a statewide contract with the state, a bidder shall incorporate high road job standards designed to achieve all of the following goals:

(1) Support the creation and retention of quality, nontemporary, and full-time jobs that provide high wages, including benefits and access to training.

(2) Support the hiring of displaced workers and individuals facing barriers to employment.

(3) Encourage the development of the state's long-term, climate-sustainable transportation and related infrastructure and manufacturing sectors.

(4) Protect public health by supporting the adoption of specific protections for worker health and safety.

(m) At a minimum, the contract shall include all of the following terms:

(1) All of the bidder's employees performing work to fulfill the contract shall be paid no less than the minimum trainee wage set by the Employment Training Panel for the county in which the work is performed, or the applicable federal, state, or local minimum wage, whichever is greater. To the extent permissible, health care benefits valued at up to two dollars and fifty cents (\$2.50) per hour may be used to meet this wage requirement.

(2) Any person performing work to fulfill the contract shall be placed in the proper employment classification. This requirement includes, but is not limited to, prohibitions on misclassifying a person performing work to fulfill the contract as an independent contractor.

(3) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable federal, state, and local laws pertaining to paid sick leave, including any antiretaliation provisions contained in such laws.

(4) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable safety and health requirements, and shall comply with Sections 6310 and 6311 of the Labor Code, pertaining to protection of employees who file complaints or refuse to work in the face of hazardous conditions.

(5) The bidder and any contractors and subcontractors comply and shall comply with the federal Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.) and all regulations thereunder.

(n) Grants received pursuant to this section shall supplement, not supplant, existing services and funds provided by grantees in support of transportation programs.

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

(1) "Bidder" means a manufacturer of zero-emission schoolbuses that seeks to enter into a statewide contract with the Department of General Services pursuant to this section.

(2) "Energy Commission" means the State Energy Resources Conservation and Development Commission.

(3) "Local educational agency" means any of the following:

(A) A school district, county office of education, or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, with ownership of title for a schoolbus or schoolbuses.

(B) A school district or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, that contracts with a county office of education or private contractor for the maintenance and operation of its schoolbuses.

(C) A county office of education that contracts with a private contractor for maintenance and operation of its schoolbuses.

(D) A joint powers authority currently operating home-to-school transportation programs on behalf of school districts, county offices of education, or charter schools, excluding charter schools classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code.

(4) "Rural school district" means a school district with a school with a locale code of 31, 32, 33, 41, 42, or 43, as classified by the National Center for Education Statistics.

(5) "Small school district" means a school district with fewer than 2,501 units of average daily attendance using the most recently reported annual data in the California Longitudinal Pupil Attendance Data System.

(p) If a participating charter school acquires a schoolbus pursuant to this section and the charter school subsequently ceases operation, the schoolbus shall be made available to the State Air Resources Board for reallocation to other eligible local educational agencies.

(q) 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 2021–22 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 2021–22 fiscal year.

(r) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 122. (a) (1) For the 2022–23 fiscal year, the sum of eighty-five million dollars (\$85,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to county offices of education to provide professional development and support family engagement in mathematics and science for pupils in preschool, transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, aligned with the Next Generation Science Standards, the California Common Core State Standards: Mathematics, the California Computer Science Standards, and the mathematics and science domains of the California Preschool Learning Foundations.

(2) Funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2027.

(b) Of the amount appropriated pursuant to subdivision (a), the sum of thirty-five million dollars (\$35,000,000) shall be allocated to the Fresno County Office of Education to, in partnership with the county office of education-led consortium selected pursuant to subdivision (e), and in collaboration with other state-sponsored and nonprofit mathematics and science educator training initiatives, including those identified in subdivision (g), expand and augment the work of the existing California Statewide Early Math Initiative. Funds shall be used for all of the following purposes:

(1) To expand existing statewide infrastructure and capacity to provide educator professional development and coaching in mathematics and science for preschool, transitional kindergarten, kindergarten, and grades 1 to 3, inclusive.

(2) To generate and disseminate professional learning opportunities for preschool, transitional kindergarten, kindergarten, and grades 1 to 3, inclusive, educators designed to enable local implementation efforts of the Next Generation Science Standards, the California Common Core State Standards: Mathematics, the California Computer Science Standards, and the mathematics and science domains of the California Preschool Learning Foundations.

(3) To support local efforts to improve family and community engagement in mathematics and science education, and positively engage families and communities in implementing the Next Generation Science Standards, the California Common Core State Standards: Mathematics, the California Computer Science Standards, the mathematics and science domains of the California Preschool Learning Foundations, and the Cognitive Development Domain of the California Infant/Toddler Learning and Development Foundations for children from birth to grade 3, inclusive.

(c) Before the release of funds allocated pursuant to subdivision (b), the Fresno County Office of Education shall provide the State Department of Education with a proposed scope of work and five-year budget plan for the funds. In addition to staffing costs, costs to develop educator resources and professional development, and other related expenditures, the budget plan shall include costs for an independent evaluation of the program. Release of funds to the Fresno County Office of Education shall be subject to approval of the scope of work and the budget plan by both the Superintendent of Public Instruction and the executive director of the State Board of Education.

(d) Of the amount appropriated pursuant to subdivision (a), the sum of fifty million dollars (\$50,000,000) shall be allocated to a county office of education, which shall partner with the Fresno County Office of Education's Early Math Initiative and collaborate with other state-sponsored and nonprofit mathematics and science educator training initiatives, including those identified in subdivision (g), to do all of the following:

(1) Expand existing statewide infrastructure and capacity to provide educator professional development and coaching in mathematics and science for grades 4 to 12, inclusive.

(2) Generate and disseminate professional learning opportunities for grades 4 to 12, inclusive, educators designed to enable local implementation efforts of the Next Generation Science Standards, the California Common Core State Standards: Mathematics, and the California Computer Science Standards.

(3) Support local efforts to improve family and community engagement in mathematics and science education, and positively engage families and communities in implementing the Next Generation Science Standards, the California Common Core State Standards: Mathematics, and the California Computer Science Standards for pupils in grades 4 to 12, inclusive.

(e) (1) The State Department of Education, in consultation with the executive director of the State Board of Education, shall establish a competitive process, administered by the department, to select, subject to approval by the executive director of the State Board of Education, a county office of education-led consortium with demonstrated expertise in developing and providing professional learning and mentoring for educators in public schools to strengthen math and science instruction for all pupils.

(2) Applicants shall demonstrate a desire and the capacity to work in collaboration with existing efforts to build a coherent and comprehensive system of statewide supports for all children from birth to grade 12, inclusive. Applicants shall also demonstrate ability to build leadership capacity, actively involve and support teachers and administrators in local planning, and evaluate implementation outcomes.

(f) Before the release of funds allocated pursuant to subdivision (d), the county office of education selected pursuant to subdivision (e) shall provide the State Department of Education with a proposed scope of work and five-year budget plan for the funds. In addition to staffing costs, costs to develop educator resources and professional development, and other related expenditures, the budget plan shall include costs for an independent evaluation of the program. Release of funds to the county office of education selected pursuant to subdivision (e) shall be subject to approval of the scope of work and the budget plan by both the Superintendent of Public Instruction and the executive director of the State Board of Education.

(g) Recipients of funds pursuant to subdivisions (b) and (d) shall, to the greatest extent practicable, facilitate coordination among the grantees of other mathematics and science educator professional development initiatives, including, but not limited to, all of the following:

(1) 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.

(2) Grantees of the 21st Century California School Leadership Academy authorized pursuant to Article 5 (commencing with Section 44690) of Chapter 3.1 of Part 25 of Division 3 of Title 2 of the Education Code.

(3) The California Early Math Initiative authorized pursuant to Sections 130 and 131 of Chapter 44 of the Statutes of 2021.

(4) Grantees of the Learning Acceleration System Grant authorized pursuant to Section 145 of Chapter 44 of the Statutes of 2021.

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

(1) "Consortium" means a lead county office of education partnered with one or more nonprofit entities or institutions of higher education, or both, and may include other county offices of education.

(2) "Educator" means public preschool and kindergarten and grades 1 to 12, inclusive, school administrators, teacher leaders, teachers, professional learning coaches, specialists, paraprofessionals, and before school, after school, and summer school staff.

(3) "Preschool" is defined as any public prekindergarten program administered by a local educational agency serving children from birth until, but not including, kindergarten.

(4) "Science" is defined as any of the sciences, technology, engineering, and computer science.

(i) 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 2021–22 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 2021–22 fiscal year.

SEC. 123. (a) (1) The sum of four hundred thirteen million dollars (\$413,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for apportionment to charter schools in the 2022–23 fiscal year, excluding charter schools classified as nonclassroom-based charter schools as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code.

(2) For each eligible charter school, the Superintendent of Public Instruction shall compare the charter school's 2020–21 fiscal year funded average daily attendance as of the first recertification of the 2020–21 fiscal year annual apportionment to its 2021–22 fiscal year funded average daily attendance as of the 2021–22 fiscal year second principal apportionment, adjusted for the amount of average daily attendance computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023 of the Education Code. If the 2020–21 fiscal year average daily attendance exceeds the 2021–22 fiscal year adjusted average daily attendance, then the Superintendent of Public Instruction shall calculate the following for each eligible charter school:

(A) Compute the difference between 2020–21 fiscal year funded average daily attendance and 2021–22 fiscal year funded average daily attendance, adjusted for the amount of average daily attendance computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023 of the Education Code.

(B) Divide the total local control funding formula base, supplemental, and concentration grants calculated for the charter school pursuant to Section 42238.02 of the Education Code for the 2021–22 fiscal year second principal apportionment by the 2021–22 fiscal year funded average daily attendance for that charter school.

(C) Multiply the amount determined in subparagraph (A) by the amount determined in subparagraph (B).

(3) From the funds provided in paragraph (1), the Superintendent of Public Instruction shall allocate the amount computed pursuant to subparagraph (C) of paragraph (2) to each eligible charter school. The Director of Finance may authorize an increase in the amount appropriated pursuant to paragraph (1) if the sum of the amounts calculated pursuant to subparagraph (C) of paragraph (2) for all eligible charter schools exceeds the amount appropriated in paragraph (1). Any such increase authorized by the Director of Finance shall not exceed the difference between the amount calculated pursuant to subparagraph (C) of paragraph (2) for all eligible charter schools and the amount appropriated in paragraph (1).

(b) The allocation pursuant to this section shall only apply to charter schools that are continuing operation in the 2022–23 fiscal year.

(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 2021–22 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 2021–22 fiscal year.

SEC. 124. (a) For the 2022–23 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the State Department of Education to allocate in a manner consistent with subdivision (b) to further support the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019, to coordinate and support professional learning opportunities for educators across the state. These funds shall be available through the 2024–25 fiscal year to provide one or more grants consistent with subdivision (b).

(b) (1) The State Department of Education and the California Collaborative for Educational Excellence shall establish a process, administered by the department, to select, subject to approval by the executive director of the State Board of Education, one or more local educational agencies with expertise in developing and providing high-quality professional learning to teachers and paraprofessionals in public schools serving transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to conduct the activities described in paragraph (2) 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 prioritize applicants that propose to partner with a county office of education or consortium of county offices of education that were part of the consortia awarded a grant as part of the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019.

(2) The State Department of Education and the California Collaborative for Educational Excellence shall ensure that the entities selected pursuant to paragraph (1) are able to deliver professional learning for teachers and paraprofessionals statewide within each of the following areas:

(A) Universal design for learning to improve inclusive practices for all pupils, including pupils with disabilities, in general education settings.

(B) Implement effective language acquisition programs for English learners, which may include integrated language development within and across content areas, building and strengthening capacity to implement the English Learner Roadmap adopted by the State Board of Education in July 2017, and bilingual and biliterate proficiency.

(3) 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.

(c) The department and the California Collaborative for Education Excellence, shall ensure that the selected grantee or grantees do all of the following:

(1) Develop, and deliver free of charge to local educational agencies statewide, professional development and professional learning opportunities that, at a minimum, are publicly available, content focused, standards and research based, incorporate active learning, support and promote collaboration, use models of effective practice, provide coaching and expert support, offer feedback and reflection, and are of sustained duration.

(2) Leverage and use expertise and resources already identified, developed, and available, including, but not limited to, expert leads established pursuant to Section 52073.1 of the Education Code and the special education resource leads established pursuant to Section 52073.2 of the Education Code, to advance the goals of this section.

(3) Provide professional learning opportunities 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 of Title 2 of the Education Code.

(4) Provide ongoing coaching and training for school staff that supports the professional learning opportunities provided pursuant to this section.

(5) Design and develop professional learning opportunities to include early educators.

(6) Work within the statewide system of support to provide professional development and professional learning opportunities.

(7) Provide ongoing training to develop mentors and coaches that support school staff in high-need settings.

(8) Review professional learning opportunities offered pursuant to this section to ensure they are high quality.

(9) In consultation with the department and the California Collaborative for Educational Excellence, evaluate the professional learning opportunities offered or funded pursuant to this section for their effectiveness. The grantee or grantees shall participate in development of the evaluation.

(10) Identify any existing gaps in capacity to deliver high-quality professional learning opportunities on a statewide basis and work with professional learning providers selected pursuant to this section and other partners to address those gaps.

(d) The grantee or grantees shall provide program information to, and as needed by, the State Department of Education, as a condition of receiving funds pursuant to this section.

(e) By September 1 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.

(f) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, five million dollars (\$5,000,000) of the appropriation made pursuant to 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 2021–22 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 2021–22 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, fifteen million dollars (\$15,000,000) of the appropriation made pursuant to 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 125. (a) For the 2022–23 fiscal year, the sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to one or more local educational agencies in a manner consistent with subdivision (b) to coordinate and support professional learning opportunities for educators across the state. These funds shall be available for encumbrance or expenditure until June 30, 2025.

(b) The State Department of Education shall, through a competitive grant and subject to approval by the executive director of the State Board of Education, select 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, in partnership with a county office of education or consortium of county offices of education, provide professional learning for teachers and paraprofessionals statewide in 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 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.

(c) By March 15 of each year, the State Department of Education 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 and educators served.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 126. (a) (1) The sum of fifteen million dollars (\$15,000,000) is hereby appropriated to the Commission on Teacher Credentialing for the Reading and Literacy Supplementary Authorization Incentive Grant Program to support the preparation of credentialed teachers to earn a supplementary authorization in reading and literacy. This funding shall be available for encumbrance until June 20, 2027.

(2) The commission shall approve applications submitted by local educational agencies that meet the criteria established by the commission pursuant to subparagraph (A) of paragraph (4). To the extent that funds are available, the commission shall allocate funds to participating local educational agencies for each approved application.

(3) A participating teacher is eligible to receive an award of up to two thousand five hundred dollars (\$2,500) from the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(4) The commission shall do all of the following:

(A) Establish grant criteria for local educational agencies.

(B) Issue a request for proposals to all local educational agencies to solicit applications for funding.

(C) Accept grant applications from participating local educational agencies until funds are fully expended.

(D) Review applications and verify that each proposed participant teacher holds a valid credential.

(E) Allocate grants to participating local educational agencies for the purpose of paying the teacher costs of coursework, books, fees, and tuition, as applicable.

(F) Give priority to grant applications for teachers that provide instruction at an eligible schoolsite.

(5) In selecting grant recipients, the commission shall require each applicant to, at a minimum, do all of the following:

(A) Identify the teachers employed by the local educational agency who have been selected to participate in the incentive grant program.

(B) Identify the number of coursework credits required for each selected teacher to earn a supplementary authorization in reading and literacy.

(C) Provide an estimated cost for the required coursework, books, fees, tuition, and release time, as applicable.

(D) Provide a 100-percent match of grant funding in the form of one or both of the following:

(i) One dollar (\$1) for every one dollar (\$1) of grant funding received that is to be used in a manner consistent with allowable grant costs described in paragraph (3).

(ii) An in-kind match of release time or substitute teacher costs for the participating teacher.

(6) The awards allocated pursuant to this section shall not be subject to local educational agency indirect costs.

(7) On or before April 1 of each year until the fiscal year following final disbursement of the grant funds, the commission shall report to the fiscal committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance on the program, including, but not limited to, the number of participating local educational agencies, the number of grants issued, and the number of reading and literacy supplementary authorizations issued. The report shall be submitted in compliance with Section 9795 of the Government Code.

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

(1) "Commission" means the Commission on Teacher Credentialing.

(2) "Local educational agency" means a school district, county office of education, county superintendent of schools, state-operated education program, including a state special school, an education program providing instruction in kindergarten or any of grades 1 to 12, inclusive, that is offered by a state agency, including the Department of Youth and Community Restoration and the State Department of Developmental Services, or a regional occupational center or program operated by a joint powers authority or county office of education.

(3) "Eligible schoolsite" means a schoolsite operated by a local educational agency with an unduplicated pupil percentage for pupils enrolled in kindergarten and grades 1 to 6, inclusive, based on 2021–22 census day pupil data, that is in the highest 10 percent in the state of all schoolsites with either kindergarten or any other of the grades 1 to 6, inclusive. The unduplicated pupil percentage shall be calculated by the sum of the number of unduplicated pupils that are eligible for free and reduced-price meals, classified as English language learners, or that are foster youth, divided by each schoolsite's total enrollment. The Superintendent of Public Instruction shall develop a list of eligible schoolsites, and provide that list to the commission no later than September 1, 2022, for purposes of administering the program.

(4) "Schoolsite" means any school of a local educational agency serving pupils in a classroom setting.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to 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 2021–22 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 2021–22 fiscal year.

SEC. 127. The sum of two million nine hundred sixty thousand dollars (\$2,960,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to offset the State Department of Education's costs associated with activities required to administer the Early Literacy Support Block Grant, consistent with subdivision (f) of Section 113 of Chapter 24 of Statutes of 2020.

SEC. 128. (a) The sum of one million seven hundred thousand dollars (\$1,700,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to be transferred to the Tulare County Office of Education to continue to administer the California Center on Teaching Careers established by, and pursuant to, Section 45 of Chapter 29 of the Statutes of 2016. The Commission on Teacher Credentialing shall complete the transfer of funds to the Tulare County Office of Education on or before December 1, 2022.

(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 2021–22 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 2021–22 fiscal year.

SEC. 129. (a) For the 2022–23 fiscal year, one billion three hundred million dollars (\$1,300,000,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board for new construction and modernization projects

under the Leroy F. Greene School Facilities Act of 1998, pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code.

(b) The funds appropriated in subdivision (a) and the funds intended to be appropriated in subdivision (c) shall be available for encumbrance or expenditure by the State Allocation Board until December 31, 2025.

(c) It is the intent of the Legislature to appropriate an additional two billion sixty million five hundred thousand dollars (\$2,060,500,000) from the General Fund in the 2023–24 fiscal year and an additional eight hundred seventy-five million dollars (\$875,000,000) from the General Fund in the 2024–25 fiscal year to the State Allocation Board to fund projects for the same purposes as described in subdivision (a).

(d) It is the intent of the Legislature for the Office of Public School Construction to process grant applications for apportionment by the State Allocation Board at its current processing capabilities.

SEC. 130. (a) On or before June 30, 2023, 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 2022.

(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 2022, as determined by the Director of Finance.

(c) On or before June 30, 2023, 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 2022 and shall reduce Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2022 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 2022.

(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 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 2022–23 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 2022–23 fiscal year.

SEC. 131. The sum of thirty million dollars (\$30,000,000) 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, the Community Sports Program, and for general operating expenses.

(a) It is the intent of the Legislature that the Special Olympics of Northern and Southern California expend or encumber approximately ten million dollars (\$10,000,000) of the funds appropriated in subdivision (a) in each of the following fiscal years:

(1) The 2022–23 fiscal year.

(2) The 2023–24 fiscal year.

(3) The 2024–25 fiscal year.

(b) The funds appropriated in subdivision (a) shall be available for encumbrance until June 30, 2026.

(c) The Superintendent of Public Instruction may allocate the total amount available pursuant to subdivision (a) to the Special Olympics of Northern and Southern California in the 2022–23 fiscal year.

SEC. 132. (a) The sum of six hundred million dollars (\$600,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, including for freshly prepared

onsite meals, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets. Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of one hundred thousand dollars (\$100,000).

(2) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated proportionally to local educational agencies based on the number of reimbursable meals served in October 2021 by the local educational agency.

(3) Allowable uses of funds allocated pursuant to paragraphs (1) and (2) to increase a school's capacity to prepare meals and improve the nutritional quality of food served through a federal school meal program and to reduce waste include all of the following:

(A) Cooking equipment, including, but not limited to, electrical support and facility upgrade requirements, combination ovens, dishwashers, steamers, or tilting skillets.

(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, liquid beverage dispensers, reusable utensils, food trays, and cups, or mobile carts.

(C) Refrigeration and storage, including, but not limited to, system upgrades, walk-in refrigerators, freezers, or blast chillers.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(E) Supporting infrastructure system needs for items described in subparagraphs (A) to (D), inclusive.

(F) Training and professional development for local educational agency food service staff on expanding meal offerings, including, but not limited to, breakfast and supper, and promoting nutritious foods, which may include training on minimally processed, freshly prepared onsite meals, locally and sustainably grown foods, plant-based foods, restricted diet foods, food preparation, healthy food marketing, reducing food waste, and changing the school lunchroom environment.

(G) To provide additional compensation for additional work relating to serving universal school meals that may include minimally processed, locally and sustainably grown foods, a plant-based or restricted diet food option, or a plant-based milk option.

(4) When acquiring new cooking equipment pursuant to paragraph (3), local educational agencies receiving funds are encouraged, to the extent practicable, to acquire energy-saving electric and induction equipment rather than equipment that uses fossil fuels.

(5) (A) After allocations are made pursuant to paragraph (3), the remaining funds may be allocated to local educational agencies for planning and implementation of facility improvements and equipment upgrades to increase capacity for freshly prepared onsite meal preparation. Allowable uses for this funding shall include the allowable uses described in paragraph (3), as well as costs for planning and costs associated with implementing freshly prepared onsite preparation of reimbursable school meals, serving fresh and nutritious reimbursable school meals using California-grown food, or expanding reimbursable meal options for pupils with restricted diets.

(B) To be eligible for funding under this paragraph, a local educational agency shall attest that no less than 40 percent of reimbursable federal National School Lunch Program and federal School Breakfast Program meals, including the entree and grains, prepared each week, beginning in the 2023–24 school year, shall be freshly prepared onsite meals.

(C) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on the number of reimbursable meals served in October 2021 by the local educational agency.

(c) The State Department of Education shall coordinate with the Department of Food and Agriculture to identify ways by which funding for freshly prepared onsite reimbursable meals may complement local educational agency programs enabled by California Farm to School Incubator Grants.

(d) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, on or before June 30, 2025, on how it used the funding to improve the quality of school meals, increased participation in subsidized school meal programs, and, if applicable, increased the capacity for freshly prepared onsite meals.

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

(1) "Federal school meal program" means the federal National School Lunch Program, the federal School Breakfast Program, the Seamless Summer Option, or the Summer Food Service Program.

(2) "Food service staff" means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.

(3) "Freshly prepared onsite meal" means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in a central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking with both fresh, raw, whole ingredients and ready-made products.

(4) "Local educational agency" means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(5) "Nutritious" means, at a minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

(6) "Plant-based food option" means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(7) "Restricted diet food option" means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(f) 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 2021–22 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 2021–22 fiscal year.

SEC. 133. (a) (1) The sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation, in consultation with the Department of Food and Agriculture, to local educational agencies to expend on implementing any of the following school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program:

(A) Procuring California-grown or produced, sustainably grown, whole or minimally processed foods to support equity in the procurement practices of local educational agencies.

(B) Using California-grown, whole or minimally processed foods in plant-based or restricted diet meals for pupils.

(C) Procuring plant-based or restricted diet meals for pupils in the procurement practices of local educational agencies.

(D) Freshly preparing meals onsite.

(2) Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(3) Notwithstanding any other law, additional funding reallocated to this program pursuant to Provision 7 of Item 6100-203-0001 of Section 2.0 of the Budget Act of 2022 shall be available for the same uses and subject to the same conditions for encumbrance, allocation, and reporting as the funding provided in paragraph (1).

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of fifty thousand dollars (\$50,000).

(2) The department shall, to the extent possible, consolidate the application for these funds with the application for the kitchen infrastructure and training program provided for in Section 132 of this act.

(3) (A) The State Department of Education, in consultation with the Department of Food and Agriculture, shall develop eligibility criteria for California-grown, whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with funds pursuant to this section.

(B) These criteria shall consider supporting local economies, environmental sustainability, animal welfare, and fair labor practices, and may be demonstrated through certifications or other recognitions as appropriate.

(C) The State Department of Education shall develop these criteria no later than January 1, 2023.

(4) (A) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated proportionately to local educational agencies based on the number of meals served in October 2021 by the local educational agency.

(B) After allocations are made pursuant to subparagraph (A), the remaining funds shall be allocated proportionately based on a local educational agency's total enrollment of pupils who are eligible for free or reduced-price meals.

(c) A local educational agency that receives funding under this section shall do both of the following:

(1) Certify that it will use the moneys for the costs incurred by the local educational agency for food products purchased on or after the date the local educational agency received notification from the State Department of Education of the amount to be distributed to the local educational agency, as provided by this section, in meals that are served as part of the United States Department of Agriculture's child nutrition programs.

(2) Satisfy the eligibility requirements developed pursuant to paragraph (3) of subdivision (b).

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

(1) "California-grown" means agricultural products that have been produced in the state, as specified in paragraph (1) of subdivision (a) of Section 43100 of the Food and Agricultural Code.

(2) "Freshly prepared onsite meal" means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in a central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking with both fresh, raw, whole ingredients and ready-made products.

(3) "Local educational agency" means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(4) "Plant-based food option" means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(5) "Restricted diet food option" means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(6) The State Department of Education, in consultation with the Department of Food and Agriculture, may define "whole or minimally processed" pursuant to subparagraph (A) of paragraph (3) of subdivision (b).

(e) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, with a final report due on or before June 30, 2025, on how it used the funding to increase California-grown or produced, sustainably grown, or whole or minimally processed foods in school meals, which could include plant-based and restricted diets, as well as ongoing plans for sustaining these procurement practices. The State Department of Education and the Department of Food and Agriculture shall collaborate on developing the reporting template. The State Department of Education shall share the summary of statewide reporting with the Department of Food and Agriculture and shall coordinate to document best practices and elements of a sustainable food procurement plan for school meals.

(f) 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 2021–22 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 2021–22 fiscal year.

SEC. 134. (a) For the 2022–23 fiscal year, the sum of three billion five hundred sixty million eight hundred eighty-five thousand dollars (\$3,560,885,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools to:

(1) Obtain standards-aligned professional development and acquire instructional materials, in the following subject areas:

(A) Visual and performing arts.

(B) World languages.

(C) Mathematics.

(D) Science.

(E) English language arts, including early literacy.

(F) Ethnic studies.

(G) Financial literacy, including the content specified in Section 51284.5 of the Education Code.

(H) Media literacy.

(I) Computer science.

(2) Obtain instructional materials and professional development aligned to best practices for improving school climate, including training on deescalation and restorative justice strategies, digital literacy, physical education, and learning through play.

(3) Develop diverse book collections and obtain culturally relevant texts, including leveled texts, in both English and pupils' home languages, to support pupils' independent reading. It is the intent of the Legislature that these book collections and culturally relevant texts be used to provide support for pupils through the establishment of site-based school and classroom libraries that are culturally relevant to pupils' home and community experiences and be available in English, pupils' home language, or a combination of more than one language.

(4) Operational costs, including but not limited, to retirement and health care cost increases.

(5) As related to the COVID-19 pandemic, acquire personal protective equipment, masks, cleaning supplies, COVID-19 tests, ventilation upgrades, and other similar expenditures, if they are necessary to keep pupils and staff safe from COVID-19 and schools open for in-person instruction.

(b) The Superintendent of Public Instruction shall apportion funds to county offices of education, school districts, charter schools, and the state special schools on a formula based on a per-pupil basis, as those numbers were reported at for the second principal apportionment for the 2021–22 fiscal year.

(c) Funding appropriated pursuant to this section shall be available for encumbrance through the 2025–26 fiscal year. Local educational agencies are encouraged, but not required, to proportionally use resources received pursuant to this section for the purposes noted in paragraphs (1) to (5), inclusive, of subdivision (a) and to support arts and music education programs.

(d) For purposes of this section, standards-aligned instructional materials includes, but is not limited to, books for school and classroom libraries.

(e) The governing board or body of each school district, county office of education, or charter school receiving funds pursuant to this section shall discuss and approve a plan for the expenditure of funds received pursuant to this section at a regularly scheduled public meeting. It is the intent of the Legislature that each school district, county office of education, or charter school expend any resources received pursuant to this section consistent with their governing board or body approved plan.

(f) The requirements of this section shall not be waived by the State Board of Education pursuant to Section 33050 of the Education Code or any other law.

(g) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), one hundred forty-nine million forty thousand dollars (\$149,040,000) 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 2022–23 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 2022–23 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), three billion eighty-one million two hundred nineteen thousand dollars (\$3,081,219,000) 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 2021–22 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 2021–22 fiscal year.

(3) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), three hundred thirty million six hundred twenty-six thousand dollars (\$330,626,000) 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 135. For the 2022–23 fiscal year, the sum of two hundred fifty millions dollars (\$250,000,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board to be available for allocation to the Lynwood Unified School District. The Lynwood Unified School District shall use these moneys to support the reconstruction and rehabilitation of Lynwood High School, subject to the following requirements:

(a) The Lynwood Unified School District shall submit to the Office of Public School Construction for review and approval, a detailed construction cost estimate that aligns to an industry standard construction cost estimating guide, and to the scope of work represented in the construction drawings approved by the Division of the State Architect, if applicable. The Lynwood Unified School District may choose to submit multiple phases of work, each with a distinct cost estimate. If multiple phases are submitted, each phase shall be subject to a separate fund release.

(b) Prior to the release of any funds, the Lynwood Unified School District shall execute a grant agreement with the Office of Public School Construction and demonstrate that at least 50 percent of construction costs represented in each cost estimate are under binding contract.

(c) (1) The scope of work funded at the high school campus shall not exceed the original number of classrooms or the original type of core facilities that existed at the Lynwood High School site as of May 2020.

(2) In the event the Lynwood Unified School District opts to build fewer classrooms than the original number of classrooms at the Lynwood High School site as of May 2020, the classrooms not replaced may be removed from the Lynwood Unified School District's School Facility Program inventory if previously included.

(d) Funds allocated are subject to meeting substantial progress and expenditure reporting requirements consistent with the terms of the required grant agreement.

(e) Funds not allocated or spent in accordance with program requirements, or savings achieved from funds appropriated pursuant to this section, shall revert to the General Fund after June 30, 2028.

(f) Interim housing costs for pupils impacted by the reconstruction and rehabilitation project are eligible uses of the funds available for allocation.

(g) Other eligible expenditures for the funds available shall include the cost of design, engineering, testing, inspection, plan checking, construction management, site development, evaluation and response action costs relating to hazardous substances at the existing schoolsite, demolition, construction, acquisition and installation of portable classrooms, landscaping, necessary utility costs, utility connections and other fees, equipment including telecommunication equipment to increase school security, furnishings, and the upgrading of electrical systems or the wiring or cabling of classrooms in order to accommodate educational technology. Funding received by the school district pursuant to this section may also be used for the costs of designs and materials that promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high performance schools.

(h) The Lynwood Unified School District shall ensure that it retains all financial accounts, documents, and records necessary for an audit of any projects funded pursuant to this section. For purposes of this subdivision and in compliance with any applicable state and federal standards, the Lynwood Unified School District may maintain records electronically.

(i) The Lynwood Unified School District shall engage an independent auditor to perform a financial and compliance audit performed in accordance with General Accounting Office standards for financial and compliance audits within one year of final submission of the final expenditure report. The audit shall be filed and certified by the Controller in accordance with the procedures outlined in subdivision (c) of Section 41024 of the Education Code, as applicable. The auditor shall ensure that the project is in compliance with the terms of the grant agreement and the requirements of this section. The Office of Public School Construction shall provide technical assistance to the Lynwood Unified School District, as needed.

(j) The Lynwood Unified School District shall adhere to all laws pertaining to the construction of public schools and public works projects, including, but not limited to, those applicable laws in the Public Contract Code, the Labor Code, and the Education Code. The Lynwood Unified School District shall obtain written approval of the State Department of Education that the building plans and specifications comply with the standards adopted by the department pursuant to subdivision (c) of Section 17251 of the Education Code.

(k) Buildings replaced with funds appropriated pursuant to this section for the applicable project, including interim housing facilities that are not temporary in nature, shall not also be eligible for new construction program funds under the Leroy F. Greene School Facilities Act of 1998, also known as the School Facility Program. Buildings replaced with funds from this section for the applicable project shall not also be eligible for modernization program funding under the School Facility Program for the same scope of work.

SEC. 136. (a) The sum of fourteen million dollars (\$14,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the county offices of education selected to develop model curricula for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies, pursuant to Sections 33540.2, 33540.4, 33540.6, and 51226.9 of the Education Code. The funding shall be split equally among the four model curricula, and shall supplement funding appropriated pursuant to Section 156 of Chapter 44 of the Statutes of 2021.

(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 2021–22 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 2020–21 fiscal year.

SEC. 137. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the Literacy Coaches and Reading Specialists Grant Program, which is hereby established, in the manner and for the purposes set forth in this section. Funds appropriated for this purpose are available for encumbrance through June 30, 2027.

(b) (1) Of the amount appropriated in subdivision (a), two hundred twenty-five million (\$225,000,000) shall be allocated by the Superintendent of Public Instruction to local educational agencies for schools eligible pursuant to paragraph (2), to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support. Local educational agencies may opt not to participate in the program described pursuant to this subdivision by informing the State Department of Education, by September 30, 2022, and via a form provided by the State Department of Education, of their intent to decline program funds for their eligible schoolsites. Local educational agencies who receive funding pursuant to this section may also be eligible for the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) Of the amount identified in paragraph (1), the department shall compute an amount per pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, at each eligible schoolsite, such that no local educational agency shall receive less than four hundred fifty thousand dollars (\$450,000) per eligible schoolsite. Grant amounts shall be determined using 2021–22 school enrollment data determined as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification. Local educational agencies receiving an allocation of funds pursuant to this paragraph are encouraged to use these funds over the full grant period, through June 30, 2027. For purposes of allocations and apportionments under this paragraph, a locally-funded charter school shall be included with the chartering authority.

(3) On or before June 30, 2027, a recipient local educational agency shall report to the State Department of Education how it used funds awarded pursuant to this subdivision. The State Department of Education shall create a reporting template for the purposes of this requirement no later than December 31, 2022. Specifically, these reports shall include:

(A) How funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools.

(B) How funds were used to develop and implement school literacy programs.

(C) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.

(D) How the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists past the award period.

(E) Other metrics as determined by the State Department of Education.

(4) On or before December 31, 2027, the Superintendent of Public Instruction shall provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature summarizing the data collected pursuant to paragraph (3).

(c) (1) Of the funds appropriated pursuant to subdivision (a), twenty-five million dollars (\$25,000,000) shall be available for the Superintendent of Public Instruction, in collaboration with the Commission on Teacher Credentialing, and subject to the approval of the executive director of the State Board of Education, to select a county office of education, through a competitive process, to develop and provide training for educators to become literacy coaches and reading and literacy specialists. The Superintendent of Public Instruction shall prioritize applicants with demonstrated success in improving literacy, especially among underperforming pupil subgroups, as well as for those planning on partnering with institutions of higher education with demonstrated success in providing statewide professional development for expert literacy practice. Applicants who participate in the training established pursuant to this subdivision may also participate in the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) The grantee selected pursuant to paragraph (1) shall consider the preparation program standards set by the Commission on Teacher Credentialing for reading and literacy in developing the standards for educator training developed pursuant to this subdivision.

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

(1) "Eligible schoolsite" means an elementary schoolsite operated by a local educational agency with an unduplicated pupil percentage of 97 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive, based on 2021–22 Fall 1 census day pupil data submitted through the California Longitudinal Pupil Achievement Data System. The unduplicated pupil percentage for a schoolsite shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite's total enrollment for kindergarten and grades 1 to 3, inclusive.

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

(3) "School" and "schoolsite" means an elementary school of a local educational agency.

(4) "School literacy program" means a program that includes all of the following:

(A) A school literacy plan that includes goals and actions to improve literacy acquisition for pupils in preschool, if applicable, and kindergarten or any of grades 1 to 3, inclusive. The plan shall identify metrics to measure progress toward the goals and actions.

(B) At least one literacy coach or reading and literacy specialist per school to support educators and pupils in improving literacy instruction and pupil outcomes.

(C) Increased access to evidence-based literacy instruction, through strategies, including, but not limited to, any of the following:

(i) Providing bilingual reading specialists to support dual language acquisition and English language development programs.

(ii) Developing and implementing culturally responsive curriculum and instruction.

(iii) Providing professional development for educators and school leaders in literacy instruction and the use of data to identify and support struggling pupils.

(iv) Providing professional development for educators and school leaders regarding implementation of the curriculum framework for English Language Arts/English Language Development adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(v) Establishing an evidence-based family literacy initiative, which may include, but is not limited to, any of the following:

(I) Family literacy plans that identify literacy and biliteracy goals, benchmarks, and roles for all family members.

(II) Family literacy home visiting programs, including, but not limited to, "promotora" family literacy outreach specialists. Local educational agencies may establish literacy and biliteracy home visits to engage families in how to best support their pupils and every family member in reaching their literacy goals.

(III) Extended-day, summer, or weekend family institutes related to literacy and biliteracy. Local educational agencies are encouraged to work with in-house expanded learning programs to establish literacy and biliteracy support programs and literacy enrichment programs during after school, weekend, and summer hours.

(IV) Public library family literacy partnerships, including, but not limited to, digital tools to support whole family literacy.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to 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 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 138. (a) For the 2022–23 fiscal year, the sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction to establish the 2022 Antibias Education Grant Program in the manner and for the purpose set forth in this section.

(b) The 2022 Antibias Education Grant Program is hereby established for purposes of preventing, addressing, and eliminating racism and bias in all California public schools, and making all public schools inclusive and supportive of all people.

(c) (1) For the 2022–23 fiscal year, the Superintendent of Public Instruction shall award a minimum of 50 grants to local educational agencies. A local educational agency shall not receive a grant under this subdivision of less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure or encumbrance through the 2025–26 fiscal year.

(2) The State Department of Education shall develop an application and criteria a local educational agency must meet to receive funding. A local educational agency that applies for funds shall, at a minimum, demonstrate a need for additional antibias education and training, and describe how the funds will be used.

(3) (A) A grant award under this subdivision shall be known as an Antibias Education Grant. An Antibias Education Grant shall be used for training and resources to prevent and address bias or prejudice toward any group of people based on race, ethnicity, religion, gender, gender identity, sexual orientation, disability, immigration status, language, or any actual or perceived characteristic listed in Section 422.55 of the Penal Code. Emphasis shall be on preventing anti-Semitism and bias or prejudice toward groups, including, but not limited to, African Americans, Asian-Pacific Islanders, Latinos, and people who are lesbian, gay, bisexual, transgender, or questioning youth.

(B) Eligible activities for an Antibias Education Grant may include, but are not limited to, any of the following:

(i) Professional development on topics that address hate, bigotry, racism, or any form of bias or prejudice, including, but not limited to, classroom management techniques, self-regulation, and strategies designed to increase teachers' skills for managing pupils in academic and disciplinary settings.

(ii) Opportunities for teachers, administrators, pupils, other school staff, and members of the governing board or body of the local educational agency to review policies, practices, and procedures that can promote bias, such as referrals for discipline, special education, and course placement, and to update those policies, practices, and procedures to foster in pupils a sense of belonging and connection.

(iii) The development of a comprehensive diversity plan based on the identified needs of the local educational agency using its data and tied to specific outcomes, such as increasing staff diversity or more racially proportionate pupil discipline referrals.

(iv) Curriculum that is appropriate for pupils in kindergarten or any of grades 1 to 12, inclusive, on topics that address hate, bigotry, racism, or any form of bias or prejudice.

(v) Support of pupil-initiated efforts to combat hate, bigotry, racism, or any form of bias or prejudice.

(C) Professional development and curriculum under this paragraph shall use evidence-based strategies, and may include, but are not limited to, those made available on the State Department of Education's internet website.

(d) On or before September 1, 2023, the State Department of Education shall submit a report to the appropriate budget and policy committees of the Legislature regarding the awarding of Antibias Education Grant Program funds, including, but not limited to, the number of awards, the award recipients, the amount of each award, and how funds will be used.

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

(f) 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 2021–22 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 2021–22 fiscal year.

SEC. 139. (a) The sum of thirty-five million dollars (\$35,000,000) is hereby appropriated from the General Fund to the State Department of Education for the Classified School Employee Summer Assistance Program established pursuant to Section 45500 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until September 30, 2024.

(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 2021–22 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 2021–22 fiscal year.

SEC. 140. (a) A basic aid school district that experiences a decrease in local property tax revenues as a result of the wildfires of 2020 shall be reimbursed from the General Fund for losses experienced in the 2020–21 and 2021–22 fiscal years. Reimbursement amounts shall be provided according to the reimbursement schedule submitted to the Department of Finance by the affected counties. 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 September 30, 2022.

(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 2019–20 fiscal year as of the second principal apportionment, an apportionment of state funds as described in subdivision (o) of Section 42238.02 of the Education Code.

(c) Notwithstanding subdivision (a), a school district entitled to funds pursuant to subdivision (e) of Section 46392 of the Education Code for the 2021–22 fiscal year shall not be eligible for reimbursement under this section for the 2021–22 fiscal year.

SEC. 141. Sections 41, 42, 44, 45, 46, 47, and 48 of this act shall become operative on July 1, 2022.

SEC. 142. 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.