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AB-176 Education finance: education omnibus trailer bill. (2023-2024)

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Assembly Bill No. 176

CHAPTER 998

An act to amend Sections 8207.1, 8210, 8211, 8231, 8320, 32282, 41601, 42238.01, 42252, 46010, 46120, 46211, 46393, 48648, 51747.5, 51749.5, 66026.5, 69617, 78071, 78221, 78222, 78261, 84917, 87482, 88650, 88826, and 88826.5 of, to amend, repeal, and add Section 8217 of, and to repeal Section 71096 of, the Education Code, to amend, repeal, and add Sections 1596.809 and 13235 of, the Health and Safety Code, to amend Section 20662 of the Public Contract Code, to amend Section 10227.6 of the Welfare and Institutions Code, and to amend Section 110 of Chapter 38 of the Statutes of 2024, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor September 30, 2024. Filed with Secretary of State September 30, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 176, Committee on Budget. Education finance: education omnibus trailer bill.

(1) The Early Education Act, among other things, requires the Superintendent of Public Instruction to administer all California state preschool programs. Existing law requires the Superintendent to adopt rules and regulations pursuant to the act. The act, until July 1, 2027, authorizes a California state preschool contractor operating a part-day, full-day, or both part- and full-day California state preschool program to enroll interested eligible 2-year-old children, as defined. The act, on or after July 1, 2027, prohibits a contractor from serving any 2-year-old children, unless the contractor was serving those 2-year-old children before July 1, 2027, as provided. The act requires the Superintendent to develop guidance for contractors to follow when enrolling 2-year-old children. The act requires each applicant or contracting agency to give priority for services for part-day and full-day California state preschool programs according to a specified priority order.

This bill would, until July 1, 2027, revise and recast the priority order for 2-year-old children, as specified. The bill would, until July 1, 2027, require the Superintendent's guidance to be developed in consultation with the State Department of Social Services and include guidance for safe, age-appropriate diapering and toilet training, as specified. The bill would authorize the State Department of Education, for purposes of expediting the implementation of state or federal legislation to expand preschool services, to use an alternative application process and waive certain regulations.

The act authorizes a provider operating a state preschool program within the attendance boundary of certain public schools where at least 80% of enrolled pupils are eligible for free or reduced-price meals to enroll 3-year-old and 4-year-old children in accordance with the above-described enrollment priorities.

This bill would, until July 1, 2027, additionally authorize those providers to enroll 2-year-old children, as specified.

(2) The act establishes the California Universal Preschool Planning Grant Program with the goal of expanding access universally to preschool programs for 3- and 4-year-old children, as provided. The act requires the Superintendent to develop and administer

a grant process and award grant funds to each county that applies for funding, as provided. To the extent funds are available in the annual Budget Act for the 2023–24 and 2024–25 fiscal years, the act requires existing grantees, newly formed consortia of current grantees, or individual counties who participated as a grantee in a former consortium for this grant to be eligible to apply for a renewal grant under the program.

This bill would instead, to the extent funds are available in the Budget Act of 2023, only make existing grantees eligible to apply for a renewal grant under the program. The bill would, to the extent funds are available in the Budget Act of 2024, make existing grantees, newly formed consortia, and individual counties who participated in a former consortium for this grant eligible to apply for a grant under the program, except as provided.

(3) Existing law requires each school district and county office of education to develop a comprehensive school safety plan for each of its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires the school safety plan to include, beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency. Existing law authorizes the instructional continuity plan to include support to pupils and families to enroll in or be temporarily reassigned to another local educational agency outside of the school district in which the pupil's parent or guardian resides.

This bill would instead authorize the instructional continuity plan to include support to pupils and families to enroll in or be temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides.

(4) Existing law requires the governing board of a school district to report to the Superintendent during each fiscal year the average daily attendance of the school district for all full school months, as provided. Existing law requires the average daily attendance to be determined by dividing the total number of days of attendance allowed in all full school months by the number of days the schools are actually taught in all full school months, excluding Saturdays or Sundays and excluding weekend makeup classes.

This bill would also exclude from those calculations attendance generated through an attendance recovery program.

(5) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. 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, defined as those pupils who are English learners, foster youth, or eligible for free or reduced-price meals, served by the county superintendent of schools, school district, or charter school, as specified.

Existing law defines “eligible for free or reduced-price meals” for these purposes to mean a pupil who is determined to meet federal income eligibility criteria, either through completing an application for the federal National School Lunch Program or through an alternative household income data collection form, or who is deemed to be categorically eligible for free or reduced-price meals under the federal National School Lunch Program, as provided. Existing law authorizes a school participating in a special assistance alternative authorized by federal law to establish a base year for purposes of the local control funding formula, as specified, and authorizes a school, between base year eligibility determinations, to include (A) any newly enrolled pupils who are determined to be eligible for free or reduced-price meals or (B) any current pupils found to be newly eligible for free or reduced-price meals, as identified through a local or state direct certification match or another categorical designation.

This bill would authorize a school, between base year eligibility determinations, to instead include any current or newly enrolled pupils who are determined to be eligible for free or reduced-price meals.

(6) Existing law, among other things, appropriates various amounts, as specified, from the Public School System Stabilization Account for the support of school districts, but requires the Controller to first transfer those amounts to Section A of the State School Fund.

This bill would revise the list of appropriations that the Controller is required to first transfer to Section A of the State School Fund, as provided.

(7) Existing law establishes the Expanded Learning Opportunities Program and requires local educational agencies, as a condition of receipt of certain funds under the program, to offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Existing law requires the Superintendent of Public Instruction to allocate program funding in a specified manner, and requires those funds to be used to support pupil access to expanded learning opportunity programs. Existing law requires an expanded learning opportunity program operated by a third party that holds a child daycare facility license or special permit as of June 1, 2023, to maintain that license or permit capacity until June 30, 2024.

This bill would extend the requirement to maintain that license or permit capacity by one year to June 30, 2025. The bill would also require a local educational agency that receives specified funds under the program to report final expenditures to the State Department of Education and would require a local educational agency that does not submit the final expenditure report to forfeit program funds for that fiscal year, as provided.

(8) Existing law authorizes a local educational agency, beginning July 1, 2025, to implement attendance recovery programs for pupils to make up lost instructional time and offset absences, as specified. Existing law requires the attendance generated in an attendance recovery program to be applied to the schoolday in which the pupil was absent for the purposes of generating attendance. Existing law imposes certain requirements relating to pupil-to-teacher ratios for attendance recovery programs. Existing law prohibits pupils enrolled in a nonclassroom-based program from participating in an attendance recovery program and specifies that a pupil is enrolled in a nonclassroom-based program for this purpose if, for school districts, the pupil meets the minimum day requirements for independent study and is continually enrolled in independent study for more than 14 schooldays in a school year or, for charter schools, the pupil is continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught.

This bill would delete the requirement that the attendance generated in an attendance recovery program must be applied to the schoolday in which the pupil was absent. The bill would prohibit a pupil from being credited with more than 5 days of attendance per school week for school districts or county offices of education, or more than one day of attendance in a calendar day when school is actually taught for charter schools. The bill would revise the pupil-to-teacher ratio requirements for attendance recovery programs. The bill would specify that a pupil is enrolled in a nonclassroom-based program for purposes of the prohibition on participation in an attendance recovery program if, for school districts, the pupil meets the minimum day requirements for independent study and is continually enrolled in independent study for more than 15 schooldays in a school year or, for charter schools, the pupil is continually enrolled in independent study for more than 15 schooldays on any of the days on which school is taught.

(9) If the average daily attendance of a local educational agency has been materially decreased during a fiscal year because of an emergency and that fact has been established to the satisfaction of the Superintendent by an affidavit submitted by the local educational agency, existing law requires the Superintendent to credit to the local educational agency the total average daily attendance that would have been credited to it had the emergency not occurred.

Existing law requires, for affidavits submitted for emergencies occurring after September 1, 2021, but on or before June 30, 2025, the local educational agency to certify that it has a plan for independent study to be offered to pupils and requires, for affidavits submitted for emergencies occurring on or after July 1, 2025, the local educational agency to certify that it has a comprehensive school safety plan, including an instructional continuity plan to provide instruction when in-person instruction is disrupted due to an emergency.

This bill would extend the above-described respective ending and commencing date by one year to instead be on or before June 30, 2026, and on or after July 1, 2026, respectively.

(10) Existing law, commencing with the 2024–25 fiscal year, requires the State Department of Education to annually report specified information on its internet website regarding juvenile court and county community school pupils, including, among other information, (A) the number and percentage of pupils who leave juvenile court schools without a high school diploma or high school equivalency who transfer back and enroll in a school district or charter school and (B) juvenile court school or county community school pupil access to and completion of A–G approved courses, high school equivalency tests, and accredited college coursework.

This bill would revise those reporting requirements, as specified.

(11) Existing law requires the Legislative Analyst's Office to conduct an assessment, on or before January 1, 2025, evaluating the efficacy of existing programs in allied health jointly offered between campuses of the California Community Colleges, the California State University, and the University of California. Existing law requires the final assessment to be reported, in writing, to the Legislature and the Governor on or before January 1, 2025, as specified.

This bill instead would require the Legislative Analyst's Office to conduct an assessment, on or before January 1, 2031, evaluating the efficacy of existing programs in nursing jointly offered between campuses of those segments of public postsecondary education. The bill would require the assessment to be reported, in writing, to the Legislature and the Governor on or before January 1, 2031.

(12) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission. For applications received under the program on July 1, 2024, to June 30, 2025, inclusive, existing law requires the commission to provide one-time grants of up to \$10,000 to each student enrolled in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential if the student commits to working at a priority school or a California

preschool program for 2 years within 4 years following the date the student completes the professional preparation program, as specified. Existing law, commencing July 1, 2024, requires the commission to prioritize awards to eligible applicants with the lowest income at the time of application.

This bill would instead, commencing July 1, 2024, require the commission to prioritize awards to eligible applicants with the lowest income and asset levels at the time of application, and would specify a methodology for calculating those income and asset levels.

(13) Existing law requires the office of the Chancellor of the California Community Colleges to report to the Department of Finance no later than September 1 of each year certain information related to the amount of discounts for community colleges authorized by a program to advance universal telecommunications services, as provided.

This bill would repeal that provision.

(14) Existing law authorizes the chancellor's office to establish the Rising Scholars Network to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students, as defined. Existing law requires a community college district that wishes to participate in the Rising Scholars Network to apply to the Board of Governors of the California Community Colleges for funding, as provided.

This bill would authorize an additional 15 community colleges to enter into Rising Scholars Network agreements. Beginning in the 2025–26 fiscal year, the bill would authorize the board of governors to prioritize funding provided in the annual Budget Act for Rising Scholars Network applications that demonstrate positive student outcomes consistent with specified goals and guidance.

(15) Existing law requires the chancellor's office to submit to the Legislature and the Department of Finance, by April 1 of each year, a systemwide report that summarizes reports submitted by community college districts on the expenditure of Student Equity and Achievement Program funding, as specified. Existing law requires the Chancellor of the California Community Colleges to report to the Department of Finance, the Legislative Analyst's Office, and the appropriate policy and fiscal committees of the Legislature, on or before March 15 of each year, on the expenditure of certain funds, including program funds, as provided.

Beginning in the 2025–26 fiscal year, this bill would require the above-described annual reports to instead be submitted on or before March 1.

(16) If a community college district, in order to qualify for Nursing Enrollment Growth and Retention program funds, commits to taking certain actions, existing law requires the community college district to report specified data to the chancellor's office. Existing law requires the chancellor's office to compile and provide the reported data to the Legislature and the Governor by July 1 of each year.

Beginning in the 2025–26 fiscal year, this bill would require the chancellor's office to instead report that data biennially on or before March 1 and would authorize the data to be submitted with the below-described report related to allied health professional programs.

Existing law requires the chancellor to report to the Legislature and the Governor, on or before September 30 of each year, specific information related to certain community college clinical nursing faculty, as provided.

Beginning in the 2025–26 fiscal year, this bill would require that information to instead be reported biennially on or before March 1 and would authorize the information to be submitted with the below-described report related to allied health professional programs.

Existing law requires the chancellor to provide to the Legislature, beginning July 1, 2019, and each year thereafter, a report that includes information related to certain allied health professional programs, as provided.

Beginning in the 2025–26 fiscal year, this bill would require the chancellor to instead provide this report biennially on or before March 1 and would authorize the report to be submitted with the above-described data related to the Nursing Enrollment Growth and Retention program.

(17) Existing law requires the chancellor and the Superintendent of Public Instruction to provide to certain state entities preliminary reports on or before October 30 following each fiscal year for which funds are appropriated for the Adult Education Program, and final reports on or before February 1 of the following year, about the use of specified funds and outcomes for adults statewide and in each adult education region.

This bill would require the chancellor and the Superintendent to instead provide a report on or before February 1 of each fiscal year for which funds are appropriated for the program.

(18) Existing law requires the chancellor to submit a report to the Governor and the Legislature, on or before March 1 of each year, that includes, among other things, data summarizing outcome accountability performance measures implemented by the chancellor for the California Community Colleges Economic and Workforce Development Program, as provided.

Beginning in the 2025–26 fiscal year, this bill would require the chancellor to instead submit this report biennially and would authorize the report to be submitted with the below-described report related to the Strong Workforce Program.

Existing law requires the chancellor's office to annually submit a report to the Governor and the Legislature, on or before January 1, on the community college component of the Strong Workforce Program, as provided.

Beginning in the 2025–26 fiscal year, this bill would require that annual report to instead be submitted on or before March 1 and would authorize the report to be submitted with the above-described report related to the California Community Colleges Economic and Workforce Development Program.

(19) Existing law requires, as part of licensing child day care facilities, the State Department of Social Services to request a fire safety clearance from the appropriate fire marshal. Existing law then requires the primary fire enforcing agency to complete a final fire clearance inspection for a child day care facility, as specified.

This bill would require, until January 1, 2027, state and local fire marshals assigning occupancy and use, or change of use, classifications and issuing fire clearance approvals for day care centers when making those classifications and conducting those inspections on or after January 1, 2023, to use certain provisions of the California Building Standards Code as they read on December 31, 2022. The bill would require the Office of the State Fire Marshal, in consultation with the State Department of Social Services, to promulgate regulations pertaining to occupancy standards for day care centers no later than January 1, 2027.

(20) Existing law requires the Local Agency Public Construction Act to apply to contracts by community college districts. Existing law authorizes the chancellor to enter into a contract or other agreement with the governing board of any community college district whereby the district performs services or acts as a fiscal agent on behalf of the California Community Colleges, if the funds for the contract or agreement are in satisfaction of the state constitutional obligation to appropriate a minimum amount of funds for the support of school districts and community college districts for each fiscal year.

Existing law, until July 1, 2025, exempts the chancellor from the requirement to advertise for or invite bids for certain contracts or other agreements with the governing board of a community college district that are no more than \$20,000,000. Existing law, until July 1, 2025, also exempts from the requirement to advertise or invite bids the renewal of existing contracts or other agreements that the chancellor has entered into with the governing board of a community college, regardless of the amount.

This bill would extend those dates by 2 years, thereby making the exemptions described above operative until July 1, 2027.

(21) Existing law makes specified funds appropriated in the Budget Act of 2023 and the Budget Act of 2024 for education for adults in correctional facilities and for special education available for encumbrance until July 31, 2024, for funds appropriated in the Budget Act of 2023 and until July 31, 2025, for funds appropriated in the Budget Act of 2024.

This bill would instead make funds appropriated for those purposes in the Budget Act of 2021 and the Budget Act of 2022 available for liquidation until July 31, 2024, for funds appropriated in the Budget Act of 2021 and until July 31, 2025, for funds appropriated in the Budget Act of 2022. By extending the period of time in which funds encumbered under existing appropriations may be liquidated, the bill would make an appropriation.

(22) This bill would appropriate \$1,500,000 from the General Fund to the State Allocation Board to be available for allocation to the Trinity Alps Unified School District to support the construction of an all-weather track at Trinity High School.

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

(23) This bill would state that its provisions are severable.

(24) 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.

(25) This bill would incorporate additional changes to Section 32282 of the Education Code proposed by AB 1858, AB 2887, and AB 2968 to be operative only if this bill and any or all of those bills are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 69617 of the Education Code proposed by SB 1391 to be operative only if this bill and SB 1391 are enacted and this bill is enacted last.

(26) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

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

SECTION 1. Section 8207.1 of the Education Code, as added by Section 5 of Chapter 73 of the Statutes of 2024, is amended to read:

8207.1. (a) A California state preschool contractor operating a part-day, full-day, or both part- and full-day California state preschool program may, but is not required to, enroll interested eligible two-year-old children.

(b) The Superintendent, in consultation with the State Department of Social Services, shall develop guidance for contractors to follow when enrolling two-year-old children, which shall include, but not be limited to, guidance for safe, age-appropriate diapering and toilet training in alignment with the requirements set forth in Division 12 (commencing with Section 101151) of Title 22 of the California Code of Regulations.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, the department may, on or before April 1, 2025, implement this section and associated guidance on serving two-year-old children through management bulletins or similar letters of instruction.

(d) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 2. Section 8210 of the Education Code, as amended by Section 9 of Chapter 73 of the Statutes of 2024, is amended to read:

8210. (a) Each applicant or contracting agency shall give priority for part-day programs according to the following:

(1) The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child's parent or guardian to local resources and referral services so that services for the child can be located. To the extent the contractor has elected to offer services pursuant to Section 8207.1, then priority for services shall be given to two-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency.

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the percent of funded enrollment set aside pursuant to Section 8208, the second priority for services shall be given to all three- and four-year-old children with exceptional needs from families with incomes below the income eligibility threshold, as described in Section 8213.

(B) Within this priority category, children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) (A) The third priority for services shall be given to eligible three-year-old or four-year-old children who are not enrolled in a state-funded transitional kindergarten program. This priority shall not include children eligible pursuant to clause (v) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child who is identified as a dual language learner shall be enrolled first.

(iii) If there are no children who are identified as dual language learners, the child that has been on the waiting list for the longest time shall be admitted first.

(4) (A) The fourth priority for services shall be given to eligible two-year-old children, to the extent the contractor has elected to offer services pursuant to Section 8207.1. This priority shall not include children eligible pursuant to clause (v) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child who is identified as a dual language learner shall be enrolled first.

(iii) If there are no children who are identified as dual language learners, the child that has been on the waiting list for the longest time shall be admitted first.

(5) (A) The fifth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the eligibility income threshold, as described in Section 8213.

(B) Within this priority category, priority shall be given to three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the set aside pursuant to Section 8208.

(C) (i) After the children enrolling pursuant to subparagraph (B) are enrolled, three- and four-year-old children without exceptional needs shall be enrolled in income ranking order, with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, being enrolled first.

(ii) For purposes of clause (i), if two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

(6) After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in paragraphs (1) to (5), inclusive, the contractor may enroll the children in the following order:

(A) A California preschool program site operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with Section 8217, may enroll any three- or four-year-old children whose families reside within the attendance boundary of the qualified elementary school, followed by two-year-old children whose families reside within the attendance boundary of the qualified elementary school, to the extent the contractor has elected to offer services pursuant to Section 8207.1. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

(B) Children enrolling in the California state preschool program to provide expanded learning and care to transitional kindergarten or kindergarten pupils, pursuant to subdivision (l) of Section 48000.

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

(c) (1) Children with exceptional needs enrolled in the percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208 shall be enrolled without regard to the priorities listed in subdivision (a).

(2) Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

(d) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 3. Section 8211 of the Education Code, as amended by Section 11 of Chapter 73 of the Statutes of 2024, is amended to read:

8211. (a) Each applicant or contracting agency shall give priority for full-day programs according to the following:

(1) (A) The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited upon written referral from a legal, medical, or social service agency. To the extent the contractor has elected to offer services pursuant to Section 8207.1, then priority for services shall be given to two-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency.

(B) If an agency is unable to enroll a child in this first priority category, the agency shall refer the child's parent or guardian to local resources and referral services so that services for the child can be located.

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208, the second priority for services shall be given to all three- and four-year-old children with exceptional needs from families with incomes below the income eligibility threshold, described in Section 8213.

(B) Within this priority category, children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) (A) The third priority for services shall be given to eligible three-year-old or four-year-old children who are not enrolled in a state-funded transitional kindergarten program. This priority shall not include children eligible pursuant to clause (v) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child who is identified as a dual language learner shall be enrolled first.

(iii) If there are no children who are identified as dual language learners, the child that has been on the waiting list for the longest time shall be admitted first.

(4) (A) The fourth priority for services shall be given to eligible two-year-old children, to the extent the contractor has elected to offer services pursuant to Section 8207.1. This priority shall not include children eligible pursuant to clause (v) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 8208 if they are from families with incomes above the income eligibility threshold, as described in Section 8213.

(B) (i) Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(ii) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child who is identified as a dual language learner shall be enrolled first.

(iii) If there are no children who are identified as dual language learners, the child that has been on the waiting list for the longest time shall be admitted first.

(5) (A) The fifth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213.

(B) Within this priority category, priority shall be given to three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the set aside pursuant to Section 8208.

(C) (i) After the children enrolling pursuant to subparagraph (B) are enrolled, three- and four-year-old children without exceptional needs shall be enrolled in income ranking order, with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, being enrolled first.

(ii) For purposes of clause (i), if two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

(6) After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in paragraphs (1) to (5), inclusive, the contractor may enroll the children in the following order:

(A) The contractor may enroll two-, three-, and four-year-old children from families that meet eligibility criteria pursuant to paragraph (4) of subdivision (d) of Section 8208. Within this priority, contractors shall enroll families in income ranking order, lowest to highest, and within income ranking order, to the extent the contractor has elected to offer services pursuant to Section 8207.1, enroll three- and four-year-old children before two-year-old children.

(B) For California state preschool program sites operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with Section 8217, the contractor may enroll any three- and four-year-old children whose families reside within the attendance boundary of the qualified school without establishing eligibility or a need for services pursuant to paragraph (1) or (3) of subdivision (d) of Section 8208, followed by two-year-old children whose families reside within the attendance boundary of the qualified school without establishing eligibility or a need for services pursuant to paragraph (1) or (3) of subdivision (d) of Section 8208, to the extent the contractor has elected to offer services pursuant to Section 8207.1. These families shall, to the extent possible, be enrolled in income ranking order, by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

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

(c) (1) Children with exceptional needs enrolled in the percent of funded enrollment set aside pursuant to paragraph (1) of subdivision (c) of Section 8208 shall be enrolled without regard to the priorities listed in subdivision (a).

(2) Within this category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(3) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

(d) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 4. Section 8217 of the Education Code is amended to read:

8217. (a) Notwithstanding any other law, a provider operating a state preschool program within the attendance boundary of a public school, except a charter or magnet school, where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals, may enroll two-, three-, and four-year-old children, as defined in Section 8205, in accordance with the enrollment priorities set forth in Sections 8210 and 8211. Any remaining slots may be open to enrollment of any families not otherwise eligible pursuant to Section 8208, subject to both of the following:

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

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

(b) (1) Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (a), the department shall implement subdivision (a) through management bulletins or similar letters of instruction issued on or before December 1, 2023.

(2) The department shall initiate a rulemaking action to implement subdivision (a) on or before December 31, 2024.

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

(d) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 5. Section 8217 is added to the Education Code, to read:

8217. (a) Notwithstanding any other law, a provider operating a state preschool program within the attendance boundary of a public school, except a charter or magnet school, where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals, may enroll three- and four-year-old children, as defined in Section 8205, in accordance with the enrollment priorities set forth in Sections 8210 and 8211. Any remaining slots may be open to enrollment of any families not otherwise eligible pursuant to Section 8208, subject to both of the following:

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

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

(b) (1) Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (a), the department shall implement subdivision (a) through management bulletins or similar letters of instruction issued on or before December 1, 2023.

(2) The department shall initiate a rulemaking action to implement subdivision (a) on or before December 31, 2024.

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

(d) This section shall become operative on July 1, 2027.

SEC. 6. Section 8231 of the Education Code is amended to read:

8231. (a) The Superintendent shall adopt rules and regulations pursuant to this chapter. The rules and regulations shall include, but not be limited to, provisions that do all of the following:

(1) Provide clear guidelines for the selection of agencies when child development contracts are let, including, but not limited to, specification that any agency headquartered in the proposed service area will be given priority for a new contract in that area, unless the department makes a written determination that (A) the agency is not able to deliver the level of services specified in the request for proposal, or (B) the department has notified the agency that it is not in compliance with the terms of its contract.

(2) Provide for a contract monitoring system to ensure that agencies expend funds received pursuant to this chapter in accordance with the provisions of their contracts.

(3) Specify adequate standards of agency performance.

(4) Establish reporting requirements for service reports, including provisions for varying the frequency with which these reports are to be submitted on the basis of agency performance.

(5) Specify standards for withholding payments to agencies that fail to submit required fiscal reports.

(6) Set forth standards for department site visits to contracting agencies, including, but not limited to, specification as to the purpose of the visits, the personnel that will perform these visits, and the frequency of these visits which shall be as frequently as staff and budget resources permit.

(7) Authorize the department to develop a process that may require every contracting agency to recompetes for continued funding no less frequently than every five years.

(b) For purposes of expediting the implementation of state or federal legislation to expand preschool services, the department may do any of the following:

(1) Use an alternative application process in which the department will evaluate the ability and standing of existing contractors in determining allocation methodology and eligibility for funding.

(2) Waive the regulations regarding the point qualifications for, and the process and scoring of, applications of existing contractor applicants pursuant to Section 17723 of Title 5 of the California Code of Regulations.

SEC. 7. Section 8320 of the Education Code is amended to read:

8320. (a) The California Universal Preschool Planning Grant Program is hereby established with the goal of expanding access universally to preschool programs for three- and four-year-old children across the state through a mixed-delivery system.

(b) As used in this section, the following definitions shall apply:

(1) "Children with exceptional needs" has the same meaning as defined in Section 8205.

(2) "Mixed-delivery system" means a system of early childhood education services that is delivered through a variety of providers, programs, and settings, including Head Start agencies or delegate agencies funded under the Head Start Act (42 U.S.C. Sec. 9831, et seq.), public, private, or proprietary agencies, including community-based organizations, public schools, and local educational agencies that offer center-based childcare and preschool programs, tribal childcare and preschool, and family childcare through a family childcare home education network.

(3) "Three- and four-year-old children" has the same meaning as "three-year-old children" and "four-year-old children," as those terms are defined in Section 8205.

(4) "Universal preschool" means those programs that offer part-day or full-day, or both, educational programs for three- and four-year-old children, and may be offered through a mixed-delivery system.

(c) (1) (A) Pursuant to an appropriation in the annual Budget Act, for each of the 2022–23, 2023–24, and 2024–25 fiscal years, the Superintendent shall consult with the Director of Social Services and shall create an application to award grant funds to one designated lead agency within each county, as set forth in this section. Each county shall submit a single planning grant application.

(B) The county grant submission shall contain a signed agreement from the resource and referral agencies in the county and the local planning council.

(2) (A) (i) A local planning council established pursuant to Article 2 (commencing with Section 10485) of Chapter 31 of Part 1.8 of Division 9 of the Welfare and Institutions Code shall have first priority for grant awards from their county's allocation of funds calculated for each county, as described paragraph (1) of subdivision (d).

(ii) A local planning council shall express interest by submitting a letter of intent to the department on a template developed by the Superintendent in consultation with the State Department of Social Services.

(iii) If a local planning council wishes to partner with other counties in their region pursuant to subdivision (j), the local planning council shall indicate this intent in their letter of intent.

(B) (i) In counties where the local planning council does not submit a letter of intent to receive an award, a resource and referral agency established pursuant to Chapter 2 (commencing with Section 10217) of Part 1.8 of Division 9 of the Welfare and Institutions Code that operates in the county may submit a joint letter of intent with the local planning council to the Superintendent, on a template developed by the Superintendent in consultation with the State Department of Social Services, indicating interest in conducting the activities of this grant in their county.

(ii) The joint letter submitted pursuant to clause (i) shall designate a lead fiscal agency and describe the partnership the resource and referral agencies will use to meet the requirements of the grant.

(iii) If a resource and referral agency wishes to partner with other counties in their region pursuant to subdivision (j), the resource and referral agency shall indicate this intent in their letter of intent.

(C) Once letters of intent have been submitted, the Superintendent shall require the designated lead agency from each county to submit an application that includes, but is not limited to, all of the following information:

(i) A description of how it will allocate funds and achieve tasks described in subdivision (f).

(ii) A description of how the applicant will partner with the county office of education and other local educational agencies in the county on the work required pursuant to Section 8281.5, to ensure activities conducted under this grant meet community needs for universal preschool in a mixed-delivery system not already addressed.

(D) All grantees shall be required to coordinate with the county office of education on the work required pursuant to Section 8281.5. In counties where the county office of education operates the resource and referral agency or the local planning council, the staff responsible for those activities at the county office of education shall be included and financially supported to participate in the activities of this grant.

(E) The grantee shall form a single working group that shall include, but not be limited to, representatives from the county offices of education, school districts, charter schools offering transitional kindergarten, resource and referral programs, alternative payment programs operating preschool programs, First 5 county commissions, contracted state preschool programs, including both local educational agency and community-based organization programs, general childcare programs serving preschool-age children, tribal preschool programs, private center-based childcare preschool providers, licensed family childcare providers, educators, exclusive bargaining representatives, Head Start, faculty at local institutions of higher education focusing on child development or early childhood education, and early childhood education teacher preparation programs, including institutions of higher education.

(d) The Superintendent shall develop and administer a grant process and award grant funds to each county that applies for funding for the 2022–23 fiscal year if the application conforms with the requirements of this section. Funds shall be allocated using a methodology for determining the amount of funds in each county that accounts for all of the following:

(1) (A) Base grant funding that reflects the number of three- and four-year-old children in the county or region.

(B) Add-on funding that reflects both of the following:

- (i) The number of three- and four-year-old children in the county or region who are currently eligible for, but not enrolled in, subsidized preschool programs as part of the mixed-delivery system for universal preschool, as determined by the Superintendent.
- (ii) The number of three- and four-year-old children with exceptional needs in the county or region.

(2) To the extent funds are available in the Budget Act of 2023, existing grantees shall be eligible to apply for a renewal grant subject to terms and conditions developed by the Superintendent.

(3) (A) To the extent funds are available in the Budget Act of 2024, the following entities shall be eligible to apply for a grant subject to terms and conditions developed by the Superintendent:

- (i) Existing grantees.
- (ii) Newly formed consortia.
- (iii) Individual counties that participated in a former consortium for this grant, with the first priority for the funds going to the local planning council, pursuant to the process described in subdivision (c), as appropriate.

(B) Notwithstanding subparagraph (A), in a county that previously received funds from this grant, where the previous grantee or consortia of grantees does not intend to reapply for funding pursuant to subparagraph (A), the following entities shall be eligible to apply as part of an existing or newly formed consortia, with the following priority order:

- (i) The local planning council.
- (ii) Resource and referral agencies.
- (iii) First 5 county commissions.

(C) If an entity applies for the grant pursuant to subparagraph (B), the grant submission shall include a signed statement, from all entities within the county with a higher priority and within the same priority, that acknowledges their intent not to apply for the funds.

(D) An entity receiving funds pursuant to this paragraph shall complete all activities of the grant pursuant to subparagraph (D) of paragraph (2) of subdivision (c), subparagraph (E) of paragraph (2) of subdivision (c), and subdivision (f).

(E) The entity applying for funds in each county pursuant to this paragraph shall express interest by submitting a letter of intent to the department on a template developed by the Superintendent, before submitting the request for data.

(F) Each county shall submit a single planning grant application for the relevant fiscal year.

(G) If funds are awarded pursuant to this paragraph to a First 5 county commission, the First 5 county commission shall collaborate with, and subgrant funds, where appropriate, to local planning councils and resource and referral agencies to implement the activities of this section.

(e) Grant funds may be used for costs associated with any of the following:

- (1) Assessing the parental preferences and the need for access to available high-quality universal preschool through a mixed-delivery system for three- and four-year-old children in the county or region by program type.
- (2) Establishing or strengthening partnerships with other providers of early childhood education services and family childcare home education networks within the county or region's mixed-delivery system and with tribal partners, to ensure that high-quality options for universal preschool, including inclusive preschool programs and multilingual programs, are available for three- and four-year-old children.
- (3) Engaging in community-level coordination and planning with agencies participating in the county or region's mixed-delivery system to implement high-quality universal preschool options.
- (4) Coordinating with special education local and regional partners, including regional centers and local educational agencies, to ensure three- and four-year-old children with exceptional needs in the county or region have access to universal preschool through the mixed-delivery system in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(5) Partnering with the regional agency responsible for the system described in Section 8203.1 to fund and support workforce development, coaching, and other quality improvement activities to support the universal preschool mixed-delivery system.

(6) Other costs, as specified by the Superintendent.

(f) Entities receiving grants pursuant to this subdivision shall do all of the following:

(1) Plan for the provision of high-quality universal preschool options for three- and four-year-old children, through a mixed-delivery system that ensures access to high-quality full- and part-day learning experiences, coordinated services, and referrals for families to access health and social-emotional support services. Indicators of quality shall be determined by the Superintendent pursuant to Section 8203.

(2) Plan for increasing inclusion of children with exceptional needs in universal preschool.

(3) Assist existing and aspiring universal preschool site supervisors, teachers, and other support staff in identifying and accessing local workforce pathway programs, including financial support programs, to increase the number of site supervisors, teachers, and other support staff who have required credentials and degrees.

(4) Provide outreach services and enrollment support for families of three- or four-year-old children, to meet family needs and provide those children with high-quality full- and part-day learning experiences.

(5) Partner to plan for, align and coordinate the plans, and conduct the activities described in paragraphs (1) to (4), inclusive, with all local educational agencies in the county or region that received funding pursuant to the California Prekindergarten Planning and Implementation Grant Program (Article 13.2 (commencing with Section 8281.5)).

(6) Partner with tribes to reflect family and tribal community needs, as sovereign nations, in the planning and implementation of the universal preschool mixed-delivery system.

(7) Commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, plan development steps and participants engaged in the grant activities and planning, core needs of critical communities, including tribal communities, and recipient information and participation in overall program evaluation.

(8) Develop a plan for consideration by the county board of education at a public meeting on or before June 30, 2023, for how all four-year-old children and an increased number of at-promise three-year-old children in the county may access full-day learning programs before kindergarten that meet the needs of parents, including through partnerships with the universal preschool programs in the mixed-delivery system and expanded learning offerings.

(g) If the entity receiving the grant in a county is a local planning council, the local planning council shall collaborate with, and subgrant funds where appropriate to, local resource and referral agencies to implement the activities of this section.

(h) If the entity receiving the grant in a county is a resource and referral agency, the resource and referral agency shall collaborate with, and subgrant funds where appropriate to, the local planning council to implement the activities of this section.

(i) (1) Funds that are allocated or awarded pursuant to this section shall be expended on or before June 30, 2026. The department shall then initiate collection proceedings for unexpended funds.

(2) The department shall initiate collection proceedings for grant funds used by grantees in a manner inconsistent with the requirements of this section, including, but not limited to, failing to submit all required data pursuant to subdivision (f).

(j) This section does not prohibit counties from joining together to address regional needs with their funding and developing regional plans.

(k) 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, 2026, on the expenditure of funds and relevant outcome data in order to evaluate the impact of the grants awarded under this section.

(l) For purposes of this section, the State Department of Education may enter into exclusive or nonexclusive contracts with nongovernmental entities on a bid or negotiated basis. A contract entered into or amended pursuant to this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(m) Notwithstanding any other law, a contracted nongovernmental entity described in subdivision (l) may subcontract as necessary in the performance of its duties, subject to approval of the Superintendent.

SEC. 8. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

- (1) Assessing the current status of school crime committed on school campuses and at school-related functions.
- (2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, both of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(L) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.1. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, both of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in

furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) If a comprehensive school safety plan includes procedures to prepare for active shooters or other armed assailants by conducting a drill, a school shall comply with all of the following relating to the drill:

(i) (I) The school shall not conduct a high-intensity drill.

(II) For purposes of this clause, "high-intensity drill" means a drill that includes simulations that mimic an actual school shooter or other armed assailant incident, including, but not limited to, theatrical makeup or other materials to give an image of blood or gunshot wounds, acting by an individual posing to be the assailant, acting by individuals posing as victims, or simulations that instruct pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.

(ii) The school shall not include the use of real weapons, gunfire blanks, or explosions in the conducting of the drill.

(iii) The school shall ensure a trauma-informed approach to the design and execution of any drill, which shall include all of the following:

(I) Age-appropriate and developmentally appropriate drill content and terminology developed with the involvement of school personnel, including school-based mental health professionals.

(II) Notice to all parents and guardians of pupils, teachers, administrators, and school personnel subject to the drills in advance of the drill and of the drill's expected length of time.

(III) The ability for parents or guardians to opt their child or children out of the drills.

(IV) An announcement to pupils and educators immediately before the start of the drills and an announcement to pupils and educators immediately after the drills have concluded.

(V) A notice to all parents and guardians after the drill has concluded.

(VI) The provision of contact information for community-based resources, including local organizations with objectives to reduce gun violence or provide mental health counseling, to parents or guardians, pupils, and staff who are negatively impacted by the drills, and, where available, prioritizing school-based resources.

(L) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(M) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the

handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.2. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, both of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(L) (i) When a comprehensive school safety plan is next reviewed and updated on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds.

(ii) The procedures described in clause (i) are encouraged to integrate evidence-based core elements, including any cardiopulmonary resuscitation training offered and the placement of any automated external defibrillator available on the

schoolsite in accordance with nationally recognized evidence-based emergency cardiac care guidelines, as dictated by the school safety plan.

(M) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.3. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, all of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(III) (ia) Commencing with the 2026–27 fiscal year, establishing a procedure to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notify the operational area having jurisdiction within the school's boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire. Each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, shall coordinate the procedure with the operational area having jurisdiction within the school's boundaries. For those schools under the jurisdiction of a school district or county office of education, the school district or county office of education shall be the entity that coordinates with the operational area having jurisdiction within each of the school's boundaries.

(ib) Commencing with the 2026–27 fiscal year, the development by each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allows enough time to evacuate all pupils and staff. These plans shall clearly identify a decision process to determine whether an evacuation order is appropriate.

(ic) For purposes of this subclause, "operational area" means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area, that serves as a link in the system of communication and coordination between the state's emergency operation centers and the operating centers of the political subdivisions that make up the operational area, as described in subdivision (b) of Section 8559 of the Government Code and Section 8605 of the Government Code.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(L) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.4. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, both of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define “gang-related apparel.” The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, “gang-related apparel” shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) If a comprehensive school safety plan includes procedures to prepare for active shooters or other armed assailants by conducting a drill, a school shall comply with all of the following relating to the drill:

(i) (I) The school shall not conduct a high-intensity drill.

(II) For purposes of this clause, “high-intensity drill” means a drill that includes simulations that mimic an actual school shooter or other armed assailant incident, including, but not limited to, theatrical makeup or other materials to give an image of blood or gunshot wounds, acting by an individual posing to be the assailant, acting by individuals posing as victims, or simulations that instruct pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.

(ii) The school shall not include the use of real weapons, gunfire blanks, or explosions in the conducting of the drill.

(iii) The school shall ensure a trauma-informed approach to the design and execution of any drill, which shall include all of the following:

(I) Age-appropriate and developmentally appropriate drill content and terminology developed with the involvement of school personnel, including school-based mental health professionals.

(II) Notice to all parents and guardians of pupils, teachers, administrators, and school personnel subject to the drills in advance of the drill and of the drill’s expected length of time.

(III) The ability for parents or guardians to opt their child or children out of the drills.

(IV) An announcement to pupils and educators immediately before the start of the drills and an announcement to pupils and educators immediately after the drills have concluded.

(V) A notice to all parents and guardians after the drill has concluded.

(VI) The provision of contact information for community-based resources, including local organizations with objectives to reduce gun violence or provide mental health counseling, to parents or guardians, pupils, and staff who are negatively impacted by the drills, and, where available, prioritizing school-based resources.

(L) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(M) (i) When a comprehensive school safety plan is next reviewed and updated on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds.

(ii) The procedures described in clause (i) are encouraged to integrate evidence-based core elements, including any cardiopulmonary resuscitation training offered and the placement of any automated external defibrillator available on the schoolsite in accordance with nationally recognized evidence-based emergency cardiac care guidelines, as dictated by the school safety plan.

(N) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.5. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, all of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(III) (ia) Commencing with the 2026–27 fiscal year, establishing a procedure to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notify the operational area having jurisdiction within the school's boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire. Each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, shall coordinate the procedure with the operational area having jurisdiction within the school's boundaries. For those schools under the jurisdiction of a school district or county office of education, the school district or county office of education shall be the entity that coordinates with the operational area having jurisdiction within each of the school's boundaries.

(ib) Commencing with the 2026–27 fiscal year, the development by each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allows enough time to evacuate all pupils and staff. These plans shall clearly identify a decision process to determine whether an evacuation order is appropriate.

(ic) For purposes of this subclause, "operational area" means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area, that serves as a link in the system of communication and coordination between the state's emergency operation centers and the operating centers of the political subdivisions that make up the operational area, as described in subdivision (b) of Section 8559 of the Government Code and Section 8605 of the Government Code.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of

subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) If a comprehensive school safety plan includes procedures to prepare for active shooters or other armed assailants by conducting a drill, a school shall comply with all of the following relating to the drill:

(i) (I) The school shall not conduct a high-intensity drill.

(II) For purposes of this clause, "high-intensity drill" means a drill that includes simulations that mimic an actual school shooter or other armed assailant incident, including, but not limited to, theatrical makeup or other materials to give an image of blood or gunshot wounds, acting by an individual posing to be the assailant, acting by individuals posing as victims, or simulations that instruct pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.

(ii) The school shall not include the use of real weapons, gunfire blanks, or explosions in the conducting of the drill.

(iii) The school shall ensure a trauma-informed approach to the design and execution of any drill, which shall include all of the following:

(I) Age-appropriate and developmentally appropriate drill content and terminology developed with the involvement of school personnel, including school-based mental health professionals.

(II) Notice to all parents and guardians of pupils, teachers, administrators, and school personnel subject to the drills in advance of the drill and of the drill's expected length of time.

(III) The ability for parents or guardians to opt their child or children out of the drills.

(IV) An announcement to pupils and educators immediately before the start of the drills and an announcement to pupils and educators immediately after the drills have concluded.

(V) A notice to all parents and guardians after the drill has concluded.

(VI) The provision of contact information for community-based resources, including local organizations with objectives to reduce gun violence or provide mental health counseling, to parents or guardians, pupils, and staff who are negatively impacted by the drills, and, where available, prioritizing school-based resources.

(L) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(M) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.6. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, all of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(III) (ia) Commencing with the 2026–27 fiscal year, establishing a procedure to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notify the operational area having jurisdiction within the school's boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire. Each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public

Resources Code, shall coordinate the procedure with the operational area having jurisdiction within the school's boundaries. For those schools under the jurisdiction of a school district or county office of education, the school district or county office of education shall be the entity that coordinates with the operational area having jurisdiction within each of the school's boundaries.

(ib) Commencing with the 2026–27 fiscal year, the development by each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allows enough time to evacuate all pupils and staff. These plans shall clearly identify a decision process to determine whether an evacuation order is appropriate.

(ic) For purposes of this subclause, "operational area" means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area, that serves as a link in the system of communication and coordination between the state's emergency operation centers and the operating centers of the political subdivisions that make up the operational area, as described in subdivision (b) of Section 8559 of the Government Code and Section 8605 of the Government Code.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing "gang-related apparel," if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define "gang-related apparel." The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, "gang-related apparel" shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(L) (i) When a comprehensive school safety plan is next reviewed and updated on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds.

(ii) The procedures described in clause (i) are encouraged to integrate evidence-based core elements, including any cardiopulmonary resuscitation training offered and the placement of any automated external defibrillator available on the schoolsite in accordance with nationally recognized evidence-based emergency cardiac care guidelines, as dictated by the school safety plan.

(M) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An

updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 8.7. Section 32282 of the Education Code is amended to read:

32282. (a) The comprehensive school safety plan shall include, but not be limited to, all of the following:

(1) Assessing the current status of school crime committed on school campuses and at school-related functions.

(2) Identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, which shall include the development of all of the following:

(A) Child abuse reporting procedures consistent with Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(B) (i) Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster procedures shall also include, but not be limited to, all of the following:

(I) Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom. A school district or county office of education may work with the Office of Emergency Services and the Alfred E. Alquist Seismic Safety Commission to develop and establish the earthquake emergency procedure system. The system shall include, but not be limited to, all of the following:

(ia) A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff. The department shall provide general direction to school districts and county offices of education on what to include in the school building disaster plan.

(ib) A drop procedure whereby each pupil and staff member takes cover under a table or desk, dropping to their knees, with the head protected by the arms, and the back to the windows. A drop procedure practice shall be held at least once a school quarter in elementary schools and at least once a semester in secondary schools.

(ic) Protective measures to be taken before, during, and following an earthquake.

(id) A program to ensure that pupils and both the certificated and classified staff are aware of, and properly trained in, the earthquake emergency procedure system.

(II) Establishing a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The school district or county office of education shall cooperate with the public agency in furnishing and maintaining the services as the school district or county office of education may deem necessary to meet the needs of the community.

(III) (ia) Commencing with the 2026–27 fiscal year, establishing a procedure to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notify the operational area having jurisdiction within the school's boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire. Each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, shall coordinate the procedure with the operational area having jurisdiction within the school's boundaries. For those schools under the jurisdiction of a school district or county office of education, the school

district or county office of education shall be the entity that coordinates with the operational area having jurisdiction within each of the school's boundaries.

(ib) Commencing with the 2026–27 fiscal year, the development by each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code or Section 4204 of the Public Resources Code, of a communication and evacuation plan, to be used in the event of an early notice evacuation warning, that allows enough time to evacuate all pupils and staff. These plans shall clearly identify a decision process to determine whether an evacuation order is appropriate.

(ic) For purposes of this subclause, “operational area” means an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area, that serves as a link in the system of communication and coordination between the state's emergency operation centers and the operating centers of the political subdivisions that make up the operational area, as described in subdivision (b) of Section 8559 of the Government Code and Section 8605 of the Government Code.

(ii) The evaluation of a comprehensive school safety plan pursuant to subdivision (d) and the review of a school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, shall include ensuring that the plan includes appropriate adaptations for pupils with disabilities, as required pursuant to clause (i).

(iii) (I) After the first evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted, and after each annual evaluation or review thereafter, a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves may bring concerns about an individual pupil's ability to access disaster safety procedures described in the comprehensive school safety plan or the school safety plan to the school principal. If the school principal determines there is merit to a concern, the principal shall direct the schoolsite council, school safety planning committee, or charter school, as applicable, to make appropriate modifications to the comprehensive school safety plan or school safety plan, as applicable, during the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable. The school principal may direct the schoolsite council, the school safety planning committee, or the charter school, as applicable, to make such modifications before the evaluation of the comprehensive school safety plan pursuant to subdivision (d) or the review of the school safety plan pursuant to clause (iii) of subparagraph (F) of paragraph (5) of subdivision (c) of Section 47605 or clause (iii) of subparagraph (G) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable.

(II) Subclause (I) does not prohibit a school employee, a pupil's parent, guardian, or educational rights holder, or a pupil themselves from bringing their concerns to the school principal before an evaluation or review, as applicable, for purposes of subdivision (d) and clause (ii) is conducted.

(iv) All deliberations of the schoolsite council, school safety planning committee, or charter school, as applicable, related to individual pupils with disabilities for purposes of the requirements of clauses (i) to (iii), inclusive, shall be subject to applicable state and federal laws regarding the privacy of pupil information.

(C) Policies pursuant to subdivision (d) of Section 48915 for pupils who committed an act listed in subdivision (c) of Section 48915 and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27 of Division 4 of Title 2.

(D) Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

(E) A discrimination and harassment policy consistent with the prohibition against discrimination contained in Chapter 2 (commencing with Section 200) of Part 1.

(F) The provisions of any schoolwide dress code, pursuant to Section 35183, that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code. For those purposes, the comprehensive school safety plan shall define “gang-related apparel.” The definition shall be limited to apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. A schoolwide dress code established pursuant to this section and Section 35183 shall be enforced on the school campus and at any school-sponsored activity by the principal of the school or the person designated by the principal. For purposes of this subparagraph, “gang-related apparel” shall not be considered a protected form of speech pursuant to Section 48950.

(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school.

(H) A safe and orderly environment conducive to learning at the school.

(I) The rules and procedures on school discipline adopted pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions. The procedures to prepare for active shooters or other armed assailants shall be based on the specific needs and context of each school and community.

(K) If a comprehensive school safety plan includes procedures to prepare for active shooters or other armed assailants by conducting a drill, a school shall comply with all of the following relating to the drill:

(i) (I) The school shall not conduct a high-intensity drill.

(II) For purposes of this clause, "high-intensity drill" means a drill that includes simulations that mimic an actual school shooter or other armed assailant incident, including, but not limited to, theatrical makeup or other materials to give an image of blood or gunshot wounds, acting by an individual posing to be the assailant, acting by individuals posing as victims, or simulations that instruct pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.

(ii) The school shall not include the use of real weapons, gunfire blanks, or explosions in the conducting of the drill.

(iii) The school shall ensure a trauma-informed approach to the design and execution of any drill, which shall include all of the following:

(I) Age-appropriate and developmentally appropriate drill content and terminology developed with the involvement of school personnel, including school-based mental health professionals.

(II) Notice to all parents and guardians of pupils, teachers, administrators, and school personnel subject to the drills in advance of the drill and of the drill's expected length of time.

(III) The ability for parents or guardians to opt their child or children out of the drills.

(IV) An announcement to pupils and educators immediately before the start of the drills and an announcement to pupils and educators immediately after the drills have concluded.

(V) A notice to all parents and guardians after the drill has concluded.

(VI) The provision of contact information for community-based resources, including local organizations with objectives to reduce gun violence or provide mental health counseling, to parents or guardians, pupils, and staff who are negatively impacted by the drills, and, where available, prioritizing school-based resources.

(L) Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a schoolbus serving the school.

(M) (i) When a comprehensive school safety plan is next reviewed and updated on or after July 1, 2025, procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds.

(ii) The procedures described in clause (i) are encouraged to integrate evidence-based core elements, including any cardiopulmonary resuscitation training offered and the placement of any automated external defibrillator available on the schoolsite in accordance with nationally recognized evidence-based emergency cardiac care guidelines, as dictated by the school safety plan.

(N) For schools that serve pupils in any of grades 7 to 12, inclusive, a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose.

(3) (A) Beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency pursuant to Section 41422 or subdivision (a) of Section 46392. The plan shall include all the following:

(i) Procedures for pupil engagement, as soon as practicable, and no later than five calendar days following the emergency. Procedures shall be designed to establish two-way communication with pupils and their families and identify and provide supports for pupils' social-emotional, mental health, and academic needs.

(ii) A plan to provide access to in-person instruction or remote instruction pursuant to Sections 51747 and 51749.5, as soon as practicable, but no later than 10 instructional days following the emergency. The plan may include support to

pupils and families to enroll in or be temporarily reassigned to another school district, county office of education, or charter school.

(B) Local educational agencies are encouraged to plan to meet instructional standards that are at least equivalent to those applicable to independent study programs.

(C) (i) For purposes of this paragraph, "temporarily reassigned" means temporarily reassigned to another local educational agency outside of the school district, but within the county or an immediately adjacent county, in which the pupil's parent or guardian resides. Notwithstanding Section 48200 or any other law, a pupil who is temporarily reassigned shall be deemed to have complied with the residency requirements for attendance in the local educational agency that is temporarily serving the pupil pursuant to this section.

(ii) Notwithstanding Section 48200 or any other law, a school district, county office of education, or charter school may continue to enroll a pupil who is temporarily reassigned to another school district, county office of education, or charter school pursuant to this section in order to facilitate the timely reentry of the pupil in their prior school after the emergency event has ended.

(D) This paragraph applies to school districts, county offices of education, and charter schools.

(b) It is the intent of the Legislature that schools develop comprehensive school safety plans using existing resources, including the materials and services of the partnership, pursuant to this chapter. It is also the intent of the Legislature that schools use the handbook developed and distributed in partnership by the department's Safe Schools and Violence Prevention Center and the Attorney General's Crime and Violence Prevention Center entitled "Safe Schools: A Planning Guide for Action" in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department's internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 9. Section 41601 of the Education Code is amended to read:

41601. For purposes of this chapter, the governing board of each school district shall report to the Superintendent during each fiscal year the average daily attendance of the school district for all full school months during (1) the period between July 1 and December 31, inclusive, to be known as the "first period" report for the first principal apportionment, and (2) the period between July 1 and April 15, inclusive, to be known as the "second period" report for the second principal apportionment. Each county superintendent of schools shall report the average daily attendance for the schools and classes maintained by the county superintendent of schools and the average daily attendance for the county school tuition fund. Each report shall be prepared in accordance with instructions on forms prescribed and furnished by the Superintendent. Average daily attendance shall be computed in the following manner:

(a) The average daily attendance in the regular elementary, middle, and high schools, including continuation schools and classes, opportunity schools and classes, and special day classes, maintained by the school districts shall be determined by dividing the total number of days of attendance allowed in all full school months in each period by the number of days the schools are actually taught in all full school months in each period, excluding Saturdays or Sundays, excluding weekend makeup classes pursuant to Section 37223, and excluding attendance generated through an attendance recovery program pursuant to Article 9 (commencing with Section 46210) of Chapter 2 of Part 26 of Division 4.

(b) The attendance for schools and classes maintained by a county superintendent of schools and the county school tuition fund shall be reported in the same manner as reported by school districts. The average daily attendance in special education classes operated by county superintendents of schools shall be determined in the same manner as all other attendance under subdivision (a). The average daily attendance in all other schools and classes maintained by the county superintendents of schools shall be determined by dividing the total number of days of attendance in all full school months in the first period by a divisor of 70, in the second period by 135, and at annual time by 175. For attendance in special classes and centers pursuant to Section 56364 or Section 56364.2, as applicable, the average daily attendance shall be reported by the county superintendents of schools, but credited for local control funding formula purposes to the school district in which the pupil resides.

(c) The days of attendance in classes for adults in correctional facilities shall be reported in the same manner as all other attendance under subdivision (a). The average daily attendance for adults in correctional facilities shall be determined by dividing the total number of days of attendance in all full school months in the first period by a divisor of 85, in the second period by 135, and at annual time by 175.

SEC. 10. Section 42238.01 of the Education Code is amended to read:

42238.01. For purposes of Section 42238.02, the following definitions shall apply:

(a) (1) "Eligible for free or reduced-price meals" means determined to meet federal income eligibility criteria, either through completing an application for the federal National School Lunch Program or through an alternative household income data collection form, or deemed to be categorically eligible for free or reduced-price meals under the federal National School Lunch Program, as described in Part 245 of Title 7 of the Code of Federal Regulations.

(2) (A) A school participating in a special assistance alternative authorized by Section 11(a)(1) of the federal Richard B. Russell National School Lunch Act (Public Law 113-79), including Provision 2, Provision 3, or the Community Eligibility Provision, may establish a base year for purposes of the local control funding formula by doing either of the following:

(i) Determining the pupils at the school who are eligible for free or reduced-price meals and using each pupil's eligibility status in that base year to report eligibility for up to each of the following three school years.

(ii) Carrying forward eligibility for pupils eligible for free or reduced-price meals from the school year in which the school applied to use a federal universal school meal provision, and using each pupil's eligibility status from the application year to report eligibility for up to each of the following three school years.

(B) The school may include between base year eligibility determinations, any current or newly enrolled pupils who are determined to be eligible for free or reduced-price meals.

(3) A school that uses the special assistance alternative shall maintain information on each pupil's eligibility status and annually submit information on that status in the California Longitudinal Pupil Achievement Data System pursuant to paragraph (2) of subdivision (b) of Section 42238.02 or subparagraph (A) of paragraph (3) of subdivision (b) of Section 2574, as applicable.

(4) For a pupil who transfers to a school using a special assistance alternative and who is transferring between schools within the same school district, documentation supporting eligibility for that pupil for purposes of the local control funding formula may be transferred from the pupil's old school to the pupil's new school, as long as the documentation supporting eligibility for that pupil is less than four years old and is updated at least once every four years.

(5) To the extent permitted by federal law, a school may choose to establish a new base year for purposes of the federal National School Lunch Program at the same time the school establishes a new base year for purposes of the local control funding formula. A school may use federal National School Lunch Program application forms to collect household income data as permitted under the federal National School Lunch Program. If the use of federal National School Lunch Program application forms is not permitted, a school shall use alternative household income data collection forms.

(6) An alternative household income data collection form shall be confidential and shall not be shared by the school other than as necessary for purposes of determining funding allocations under the local control funding formula and for assessing the accountability of that funding. An alternative household income data collection form shall contain, at a minimum, all of the following information:

(A) Information sufficient to identify the pupil or pupils.

(B) Information sufficient to determine that the pupil or household meets federal income eligibility criteria sufficient to qualify for either a free or reduced-priced meal under the federal Richard B. Russell National School Lunch Act (Public Law 113-79).

(C) Certification that the information is true and correct by the pupil's adult household member.

(7) Paragraphs (2) and (4) are effective commencing with the 2014–15 fiscal year.

(b) “Foster youth” means any of the following:

(1) A child who is the subject of a petition filed pursuant to Section 300 of the Welfare and Institutions Code, whether or not the child has been removed from the child’s home by the juvenile court pursuant to Section 319 or 361 of the Welfare and Institutions Code.

(2) A child who is the subject of a petition filed pursuant to Section 602 of the Welfare and Institutions Code, has been removed from the child’s home by the juvenile court pursuant to Section 727 of the Welfare and Institutions Code, and is in foster care as defined by subdivision (d) of Section 727.4 of the Welfare and Institutions Code.

(3) A nonminor under the transition jurisdiction of the juvenile court, as described in Section 450 of the Welfare and Institutions Code, who satisfies all of the following criteria:

(A) The nonminor has attained 18 years of age while under an order of foster care placement by the juvenile court, and is not more than 19 years of age on or after January 1, 2012, not more than 20 years of age on or after January 1, 2013, and not more than 21 years of age, on or after January 1, 2014, and as described in Section 10103.5 of the Welfare and Institutions Code.

(B) The nonminor is in foster care under the placement and care responsibility of the county welfare department, county probation department, Indian tribe, consortium of tribes, or tribal organization that entered into an agreement pursuant to Section 10553.1 of the Welfare and Institutions Code.

(C) The nonminor is participating in a transitional independent living case plan pursuant to Section 475(8) of the federal Social Security Act (42 U.S.C. Sec. 675), as contained in the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), as described in Section 11403 of the Welfare and Institutions Code.

(4) 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.

(5) 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.

(c) “Pupils of limited English proficiency” means pupils who do not have the clearly developed English language skills of comprehension, speaking, reading, and writing necessary to receive instruction only in English at a level substantially equivalent to pupils of the same age or grade whose primary language is English. “English learner” shall have the same meaning as provided for in subdivision (a) of Section 306 and as “pupils of limited English proficiency.”

SEC. 11. Section 42252 of the Education Code is amended to read:

42252. (a) Pursuant to Sections 21 and Section 22 of Article XVI of the California Constitution, the following amounts are hereby appropriated from the Public School System Stabilization Account for the support of school districts:

(1) For the 2023-24 fiscal year, five billion two hundred eighty-four million two hundred forty-eight thousand dollars (\$5,284,248,000) to the Superintendent for allocation for the local control funding formula pursuant to Sections 42238.02 and 42238.03.

(2) Thirty-three million eight hundred twenty-one thousand dollars (\$33,821,000) for California Student Assessment System contract costs to be expended consistent with the requirements specified in Item 6100-113-0001 of Section 2.00 of the Budget Act of 2022 (Chs. 43, 45, and 249, Stats. 2022).

(3) Twenty-one million two hundred thirty-four thousand dollars (\$21,234,000) for the After School Education and Safety Program (Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1) to be expended consistent with the requirements specified in Item 6100-149-0001 of Section 2.00 of the Budget Act of 2022.

(4) Forty-seven million nine hundred forty-one thousand dollars (\$47,941,000) for Special Education Programs for Individuals with Exceptional Needs to be expended consistent with the requirements specified in Item 6100-161-0001 of Section 2.00 of the Budget Act of 2022.

(5) Nine million seven hundred thousand dollars (\$9,700,000) for the California Partnership Academies Program (Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4) to be expended consistent with the requirements specified in Item 6100-166-0001 of Section 2.00 of the Budget Act of 2022.

(6) One million nine hundred three thousand dollars (\$1,903,000) for the Agricultural Career Technical Education Incentive Grant Program (Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4) to be expended consistent with the requirements specified in Item 6100-167-0001 of Section 2.00 of the Budget Act of 2022.

(7) Eleven million two hundred nineteen thousand dollars (\$11,219,000) for the California Career Technical Education Incentive Grant Program (Chapter 16.5 (commencing with Section 53070) of Part 28 of Division 4) to be expended consistent with the requirements specified in Item 6100-168-0001 of Section 2.00 of the Budget Act of 2022.

(8) Six million forty-six thousand dollars (\$6,046,000) for the Career Technical Education Initiative to be expended consistent with the requirements specified in Item 6100-170-0001 of Section 2.00 of the Budget Act of 2022.

(9) Six hundred thirty-four million one hundred nine thousand dollars (\$634,109,000) for the California State Preschool Program to be expended consistent with the requirements specified in Item 6100-196-0001 of Section 2.00 of the Budget Act of 2022.

(10) Two hundred three million six hundred twenty thousand dollars (\$203,620,000) for Child Nutrition Programs to be expended consistent with the requirements specified in Item 6100-203-0001 of Section 2.00 of the Budget Act of 2022.

(11) Ninety million dollars (\$90,000,000) for the Classified School Employee Summer Assistance Program pursuant to Section 45500 to be expended consistent with the requirements specified in Item 6100-220-0001 of Section 2.00 of the Budget Act of 2022.

(12) One hundred forty-nine million forty thousand dollars (\$149,040,000) for the Arts, Music, and Instructional Materials Discretionary Block Grant to be expended consistent with the requirements specified in Section 134 of Chapter 52 of the Statutes of 2022.

(13) One billion one hundred thirty-two million five hundred fifty-four thousand dollars (\$1,132,554,000) for the California Community Schools Partnership Program to be expended consistent with the requirements specified in Section 8902, as amended by Section 9 of Chapter 52 of the Statutes of 2022.

(b) (1) Notwithstanding any other law, the following amounts from the following Controller reference items, which would otherwise be in satisfaction of subdivision (b) of Section 8 of Article XVI of the California Constitution for the 2022–23 fiscal year, that were unallocated, unexpended, or not liquidated as of June 30, 2023, shall be deferred to the 2023–24 fiscal year:

(1) 6100-113-0001	\$33,821,000
(2) 6100-149-0001	\$21,234,000
(3) 6100-161-0001	\$47,941,000
(4) 6100-166-0001	\$9,700,000
(5) 6100-167-0001	\$1,903,000
(6) 6100-168-0001	\$11,219,000
(7) 6100-170-0001	\$6,046,000
(8) 6100-196-0001	\$634,109,000
(9) 6100-203-0001	\$203,620,000
(10) 6100-220-0001	\$90,000,000
(11) Section 134 of Chapter 52 of the Statutes of 2022	\$149,040,000
(12) Section 9 of Chapter 52 of the Statutes of 2022	\$1,132,554,000

(2) It is the intent of the Legislature that the amounts deferred pursuant to this subdivision be supported by appropriations reflected in paragraphs (2) to (13), inclusive, of subdivision (a).

(c) The Controller shall transfer the amounts appropriated pursuant to paragraphs (1) and (4) of subdivision (a) to Section A of the State School Fund for those purposes.

SEC. 12. Section 46010 of the Education Code is amended to read:

46010. The total days of attendance of a pupil in the schools and classes maintained by a school district, or schools or classes maintained by the county superintendent of schools, during the fiscal year shall be the number of days school was actually taught

for not less than the minimum schooldays during the fiscal year less the sum of the pupil's absences.

SEC. 13. 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 (B) of paragraph (1) of subdivision (d), local educational agencies 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 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 180-instructional-day offering as described in Section 46208 for school districts and the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations for charter schools, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no fewer than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

(B) (i) For at least 30 nonschooldays, inclusive of extended school year days provided pursuant to paragraph (3) of subdivision (b) of Section 56345, no fewer than nine hours of in-person expanded learning opportunities per day.

(ii) Extended school year days may include in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are not fewer than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

(C) For expanded learning opportunity programs located in a frontier designated geographical location, program requirements are no fewer than eight hours of combined instructional time, recess, meals, and in-person before or after school expanded learning opportunities per instructional day, and no fewer than eight hours of in-person expanded learning opportunities on at least 30 nonschooldays.

(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) For a local educational agency that is temporarily prevented from operating its expanded learning opportunity program because of a school or program site closure due to emergency conditions listed in Section 41422 or subdivision (d) of Section 8482.8, and is not able to meet all of the requirements pursuant to paragraph (1), which is in fact shown by a resolution adopted by the governing board or body of the local educational agency, in addition to documentation substantiating the need for closure, the local educational agency shall not be subject to the penalty required pursuant to paragraphs (1) to (3), inclusive, of subdivision (c) as a result of the emergency.

(10) (A) 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.

(B) Notwithstanding any other law, an expanded learning opportunity program operating pursuant to this section may operate without obtaining a child daycare facility license or special permit pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code. An expanded learning opportunity program shall not receive any additional funding pursuant to this subparagraph.

(C) Notwithstanding subparagraph (B), an expanded learning opportunity program operated by a third party that holds a child daycare facility license or special permit pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code, as of June 1, 2023, shall maintain that license or permit capacity as a requirement of contracting pursuant to this section until June 30, 2025. An expanded learning opportunity program shall not receive any additional funding pursuant to this subparagraph.

(D) Nothing in this section exempts an expanded learning opportunity program operating pursuant to this section from complying with the child daycare facility license requirements set forth in Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code when serving children who do not participate in the After School Education and Safety Program (Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1), 21st Century Community Learning Centers (Article 22.6 (commencing with Section 8484.7) of Chapter 2 of Part 6 of Division 1 of Title 1), or the Expanded Learning Opportunities Program pursuant to this section. If multiple funding sources are used to serve pupils in an expanded learning opportunity program, a conflict in program requirements shall be resolved in favor of the funding source with the stricter requirements.

(c) (1) Commencing with the 2023–24 fiscal 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 fiscal 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 fiscal 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), as adjusted pursuant to paragraph (2), 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 fiscal 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 of funds pursuant to subdivision (d), as adjusted pursuant to paragraph (2), 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 (h), 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 (h), if applicable, after the amount allocated pursuant to subparagraph (A) or (B), 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) (A) 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.

(B) Funds provided to a local educational agency pursuant to paragraph (1) may also be used to support attendance recovery pursuant to Article 9 (commencing with Section 46210) when attendance recovery is operated by a local educational agency in conjunction with, and on the same school site as, its expanded learning opportunities program. A local educational agency that elects to use expanded learning opportunity program funds to support attendance recovery shall comply with the supervision requirements described in subdivision (f) of Section 46211.

(4) A local educational agency receiving funding pursuant to subparagraph (B) of paragraph (1) shall be provided at least three years of funding pursuant to that subparagraph upon becoming eligible to receive funding pursuant to that subparagraph. A local educational agency that does not meet the requirements of subparagraph (B) of paragraph (1) for four consecutive years shall be ineligible to receive funding pursuant to that subparagraph.

(5) 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.

(6) (A) For the 2021–22 fiscal year, a school district or charter school may expend or encumber the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive. For the 2022–23 fiscal year, a school district or charter school may expend or encumber the funds received pursuant to this subdivision from the 2022–23 and 2023–24 fiscal years. Any encumbered funds pursuant to this paragraph that are not expended by the school district or charter school by September 30, 2024, shall be returned to the state.

(B) On or before October 31, 2024, each local educational agency that received an allocation pursuant to subparagraph (A), (B), or (C) of paragraph (1) for the 2021–22 fiscal year or the 2022–23 fiscal year shall report final expenditures to the department, which shall initiate collection of any unexpended funds. A local educational agency that does not submit the final expenditure report shall forfeit all funds allocated for the 2021–22 and 2022–23 fiscal years pursuant to subparagraphs (A), (B), and (C) of paragraph (1).

(C) (i) For the 2024–25 fiscal year, funds returned pursuant to subparagraph (A) shall be added to the amount of funds remaining from the appropriations in the calculation of the rate pursuant to subparagraph (C) of paragraph (1), and be expended consistent with paragraphs (9) and (10), up to the amount sufficient to provide the amount of two thousand dollars (\$2,000) 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.

(ii) If there is insufficient funding to provide the full amount described in clause (i), the Superintendent may prorate that amount per unit.

(7) (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.

(8) (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.

(9) (A) Commencing with the 2023–24 fiscal year, any funds allocated pursuant to subparagraphs (B) and (C) of paragraph (1) shall be expended by June 30 of the fiscal year following the fiscal year in which the appropriation is made. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state. On or before September 30 of the second fiscal year following the fiscal year in which the appropriation is made, each local educational agency receiving an allocation pursuant to subparagraph (B) or (C) of paragraph (1) shall report final expenditures to the department, which shall initiate collection of any unexpended funds. A local educational agency that does not submit the final expenditure report shall forfeit all funds allocated for the fiscal year pursuant to subparagraph (B) or (C) of paragraph (1).

(B) If a charter school receiving an allocation pursuant to subparagraph (B) or (C) of paragraph (1) ceases to operate, a final expenditure report, using a template developed by the department, shall be due to the department within 60 days of the effective date of closure. The department shall collect any unspent amounts from funds allocated to the charter school in that fiscal year and the immediately preceding fiscal year.

(10) (A) Commencing with the 2025–26 fiscal year and annually thereafter, local educational agencies shall annually declare their operational intent to the department to run an expanded learning opportunity program pursuant to this section in accordance with instructions and forms prescribed and furnished by the Superintendent.

(B) To the extent possible, any funds made available by a local educational agency's decision not to operate an expanded learning opportunity program may be reallocated pursuant to subparagraph (C) of paragraph (1).

(e) Commencing with the 2023–24 school year, the Superintendent, in consultation with the State Department of Social Services, shall establish a process and a timeline for local educational agencies that contract with third-party providers to operate expanded learning opportunity programs at a location other than a local educational agency's school campus pursuant to this section, and California state preschool program providers pursuant to Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1, to annually submit program access information to the department, which shall distribute a compiled list to the State Department of Social Services for purposes of Community Care Licensing Division data collection and submission to the local educational agency's applicable resource and referral agency. Information required to be submitted under this subdivision shall include, but not be limited to, all of the following:

- (1) The name, address, and telephone number of each third party.
- (2) The number of pupils being served by each third party, as well as the grade levels of those pupils.
- (3) The State Department of Social Services child daycare facility license number of each third party, if applicable.
- (4) A single point of contact for each local educational agency regarding expanded learning opportunity programs.

(f) By February 1, 2024, the Superintendent, in consultation with the State Department of Social Services, shall submit a report to the relevant fiscal and policy committees of the Legislature that includes all of the following:

- (1) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during the fiscal year, and how many pupils are provided access to these programs.
- (2) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during nonschooldays, and how many pupils are provided access to these programs.
- (3) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site in the 2023–24 and 2024–25 fiscal years who are also licensed by the State Department of Social Services for purposes of community care licensing, the type of programs that are licensed by the State Department of Social Services for purposes of community care licensing, and how many pupils are provided access to their programs.
- (4) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during the fiscal year, how many contractors they work with, and the number of pupils provided access to these programs, by grade.
- (5) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during nonschooldays, how many contractors they work with, and the number of pupils provided access to these programs, by grade.

(g) 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 fewer 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) "Nonschooldays" means days not identified pursuant to subparagraph (A) of paragraph (1) of subdivision (b), inclusive of Saturdays, as described in Section 37223.

(5) "Offer access" means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels.

(6) "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.

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

(h) 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.

(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (h) 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. 14. Section 46211 of the Education Code is amended to read:

46211. (a) Beginning July 1, 2025, to address the educational and fiscal impacts of pupil absences, a local educational agency may implement attendance recovery programs for pupils to make up lost instructional time and offset absences, including reducing chronic absenteeism.

(b) (1) An attendance recovery program implemented pursuant to this article may be operated before or after school, on weekends, or during intersessional periods. Local educational agencies that operate attendance recovery programs shall offer access to attendance recovery programs throughout the school year, including, at least once during each term, such as each trimester or quarter. Average daily attendance generated through an attendance recovery program shall be credited to the school year in which the attendance recovery program is operated and the local educational agency in which the pupil is enrolled.

(2) Instructional time included for the purposes of generating average daily attendance pursuant to this section shall not be included within the instructional time used to meet the annual day and minute requirements pursuant to Sections 46207, 46208, 47612, and 47612.5 of this code, and Section 11960 of Title 5 of the California Code of Regulations, as applicable.

(c) Participation in an attendance recovery program shall not be compulsory or punitive for pupils. Pupils concurrently participating in both an attendance recovery program and an expanded learning opportunities program pursuant to Section 46120 shall retain their ability to participate in the entirety of an expanded learning opportunities program's offerings pursuant to Section 46120 for the duration of the school year.

(d) (1) For participation in an attendance recovery program, a pupil shall not be credited with more than the lesser of the equivalent of 10 days of attendance in a school year, or the number of absences the pupil accrued in that school year. For purposes of meeting all of the requirements of this section, an individual pupil shall not be credited with more than one day of attendance for any calendar day of participation in an attendance recovery program.

(2) A pupil shall not be credited with more than five days of attendance per school week for school districts or county offices of education, or more than one day of attendance in a calendar day when school is actually taught pursuant to Section 47612 of

this code and Section 11960 of Title 5 of the California Code of Regulations for charter schools.

(3) Attendance accrued through participation in an attendance recovery program shall be tracked and reported to the department by local educational agencies separately from average daily attendance generated during the schoolday in classroom-based programs.

(4) When reporting attendance accrued through participation in an attendance recovery program to the department pursuant to Sections 60900 and 60901, consistent with paragraph (3), the attendance shall be reported separately from those days of attendance not accrued through participation in an attendance recovery program. The department shall also separately report days accrued through attendance recovery programs on its internet website.

(e) (1) Notwithstanding Sections 46112, 46113, 46114, 46117, 46141, 46142, 46146, 46148, 46146.5, 46170, 46180, 48645.3, and 48663, pupils participating in an attendance recovery program operating pursuant to this section may generate average daily attendance. Average daily attendance generated through a pupil's participation in an attendance recovery program may be accumulated in increments of one hour, as documented by the teacher of each attendance recovery classroom described in subdivision (g) and maintained by the local educational agency. A pupil shall only be credited with not less than a full day of attendance in an attendance recovery program, and only once the amount of time that a pupil participates in an attendance recovery program meets the applicable minimum daily minutes requirements pursuant to Article 2 (commencing with Section 46110) and Article 3 (commencing with Section 46140), including the minimum schoolday for a pupil with an individualized education program pursuant to Section 46307, up to the limits established in subdivision (d).

(2) (A) For the purposes of computing average daily attendance for purposes of this article, the minimum daily instructional minute requirements pursuant to Article 2 (commencing with Section 46110) and Article 3 (commencing with Section 46140) apply to all local educational agencies, including charter schools.

(B) Charter schools shall comply with the minimum daily instructional minute requirements for the applicable grade span pursuant to Sections 46112, 46113, 46114, 46117, 46141, and 46142.

(f) As a condition of generating average daily attendance, an attendance recovery program shall be composed of pupils engaged in educational activities and content aligned to grade level standards that are substantially equivalent to the pupils' regular instructional program, which may include one-on-one or small group tutoring, and shall be under the immediate supervision and control of a certificated teacher who is also an employee of the local educational agency and who possesses a valid certification document, registered as required by law, pursuant to Sections 46300 and 47612.5. An attendance recovery program shall not exceed a pupil-to-certificated teacher ratio of 10 to 1 for transitional kindergarten and kindergarten or 20 to 1 for grades 1 to 12, inclusive. A local educational agency shall maintain documentation demonstrating how the attendance recovery program met the applicable ratios required pursuant to this subdivision.

(g) (1) An attendance recovery program shall be provided only as a limited-term option for a classroom-based, regular educational program for pupils in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive. Pupils otherwise enrolled in a nonclassroom-based program, including pupils served by a nonclassroom-based charter school pursuant to Section 47612.5, shall not participate in an attendance recovery program and a local educational agency shall not generate apportionment through an attendance recovery program for pupils enrolled in a nonclassroom-based program.

(2) (A) For school districts, a pupil is enrolled in a nonclassroom-based program for purposes of this subdivision if the pupil meets the minimum day requirements for independent study and is continually enrolled in independent study for more than 15 schooldays in a school year.

(B) For charter schools, a pupil is enrolled in a nonclassroom-based program for purposes of this subdivision if the pupil is continually enrolled in independent study for more than 15 schooldays on any of the days on which school is taught for the purpose of meeting the requirement to offer 175 instructional days, as described in Section 11960 of Title 5 of the California Code of Regulations.

(3) A charter school that serves pupils pursuant to Section 47612.1 shall not participate in an attendance recovery program operated pursuant to this section.

(h) On or before June 30, 2025, the department shall develop and maintain on its internet website guidance to support local educational agencies in creating and implementing high-quality attendance recovery programs.

(i) (1) In consultation with the executive director of the state board, the department shall research local pupil information systems to identify opportunities for local educational agencies to collect and report to the state more nuanced data about the reasons for pupil absences.

(2) At a minimum, the department shall investigate opportunities to use and improve existing pupil information systems to more accurately track pupil absences and their reasons, including, but not limited to, those absences caused by each of the following:

(A) School closures due to emergencies pursuant to Section 41422.

(B) Schooldays of materially decreased attendance due to emergencies pursuant to Section 46392.

(C) Pupil absences due to emergencies pursuant to Section 46392, or any other personal or large-scale emergencies.

(3) The department shall use the research collected pursuant to this subdivision to develop recommendations to amend existing laws, regulations, guidance, and processes to collect, aggregate, and disaggregate absenteeism data from local educational agencies to provide additional clarity on the causes of pupil absenteeism across the state, including by pupil subgroup. These recommendations shall include steps to calculate an adjusted chronic absenteeism rate that does not include absences due to emergencies pursuant to Section 46392.

(4) On or before January 1, 2026, the department shall submit a report of its findings and recommendations to the chairs of the budget committees of both houses of the Legislature, the Superintendent, the executive director of the state board, and the Director of Finance.

(j) Commencing with the 2025–26 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 subdivisions (d) to (g), inclusive, including loss of apportionment for an attendance recovery program pursuant to this article for local educational agencies found to be noncompliant.

(k) For purposes of this article, the following terms have the following meanings:

(1) “Local educational agency” means a school district, county office of education, or charter school.

(2) “School year” has the same meaning as described in Section 37200.

SEC. 15. Section 46393 of the Education Code is amended to read:

46393. (a) (1) The Legislature finds and declares that, given the effects of public health emergencies and the significant and growing number of natural disasters that the state has faced in recent years, there is an increased need for local educational agencies to provide instructional continuity for pupils when conditions make in-person instruction infeasible for all or some pupils, and that maintaining access to instruction during a natural disaster or emergency is crucial in mitigating the negative impacts of lost learning time and supporting pupil mental health.

(2) It is the intent of the Legislature that all local educational agencies have plans in place to keep pupils learning in the event of school closures or absences, especially by being prepared to shift to online or other remote learning options, if necessary. While the first priority will always be to get pupils back to in-person instruction as quickly as possible following a natural disaster or other emergency event, schools should have the infrastructure in place to move instruction online, or otherwise deliver curriculum remotely, and ensure that pupils can access that instruction at short notice. Best practices like including independent study program agreements in back-to-school paperwork provided pursuant to Section 48980 for parents to sign ahead of time, posting assignments and pupil academic resources online, assigning laptops to all pupils, developing emergency partnerships with neighboring local educational agencies, and maintaining an online instructional platform can help local educational agencies be better prepared to shift to remote learning options if the need arises.

(b) For affidavits submitted to the Superintendent for events occurring after September 1, 2021, but on or before June 30, 2026, that resulted in a school closure or material decrease in attendance, a school district, county office of education, or charter school that provides an affidavit to the Superintendent, pursuant to Section 41422 or 46392, shall certify that it has a plan for which independent study will be offered to pupils, pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 of Division 4. The plan shall comply with all of the following:

(1) Independent study is offered to any pupil impacted by any of the conditions listed in Section 46392 within 10 instructional days of the first day of a school closure or material decrease in attendance. Pupils who are individuals with exceptional needs shall receive the services identified in their individualized education programs pursuant to paragraph (9) of subdivision (a) of Section 56345 and may participate in an independent study program.

(2) Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.

(3) Notwithstanding subdivision (c) of Section 51745 or subparagraph (F) of paragraph (9) of subdivision (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.

(c) Notwithstanding subdivision (b), the plan is not required to comply with subdivision (d), (e), or (f) of Section 51747 for school closures or a material decrease in attendance for 15 days or less for affected pupils.

(d) A copy of the plan and, if applicable, the state or local public health or public safety order that required school closure shall accompany the affidavit provided to the Superintendent described in subdivision (b).

(e) (1) For affidavits submitted to the Superintendent for events occurring on or after July 1, 2026, that result in a school closure or material decrease in attendance, a school district, county office of education, or charter school that provides an affidavit to the Superintendent, pursuant to Section 41422 or 46392, shall certify all of the following:

(A) It has a local governing board- or body-adopted comprehensive school safety plan in place meeting the requirements of Section 32282, including the requirements of paragraph (3) of subdivision (a) of Section 32282.

(B) Either of the following:

(i) It has offered pupil engagement and instruction consistent with paragraph (3) of subdivision (a) of Section 32282.

(ii) Due to extenuating circumstances, it has not provided pupil engagement and instruction consistent with paragraph (3) of subdivision (a) of Section 32282. A school district, county office of education, or charter school that certifies pursuant to this clause shall describe the circumstances that prevented it from providing pupil engagement and instruction and shall describe what pupil engagement, services, and instruction it did provide to support its pupils during or immediately after the period of closure or material decrease in attendance.

(2) If applicable, a copy of the state or local public health or public safety order that required school closure shall accompany the affidavit provided to the Superintendent described in paragraph (1).

SEC. 16. Section 48648 of the Education Code is amended to read:

48648. (a) Commencing with the 2024–25 fiscal year, the department shall annually report all of the following on its internet website:

(1) The number and percentage of pupils who leave juvenile court schools or county community schools at any point in a given academic year, who did not earn a high school diploma or a high school equivalency by the end of that academic year, and who enroll back into a school district or charter school the following academic year.

(2) The number and percentage of pupils who leave juvenile court schools or county community schools at any point in a given academic year, who do not earn a high school diploma or a high school equivalency by the end of that academic year, and who do not enroll back into a school district or charter school the following academic year.

(3) Juvenile court school or county community school pupil access to A–G approved courses, high school equivalency tests, accredited college coursework, and the number and percentage of pupils who satisfy the A–G course requirements needed to be eligible for admission to the University of California or the California State University.

(4) A statewide summary of outcomes aligned with the California School Dashboard indicators for pupils served by county office of education alternative schools, with the ability to display information by all juvenile court schools, or by all county community schools.

(b) The information reported by the department pursuant to paragraphs (1) to (3), inclusive, of subdivision (a) shall be available at the statewide, county, and school levels.

SEC. 17. 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) (i) 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.

(ii) For purposes of this section, pupil work products may include the daily time value spent by a pupil engaged in asynchronous instruction, including work completed on an online or computer-based instructional activity, regardless of whether pupil work products are produced, if the computer program documents pupil participation. The local educational agency shall maintain documentation of hours or fraction of an hour of both pupil work products and the time that the pupil engaged in asynchronous instruction.

(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, or documentation that the pupil participated in an instructional period either visually or verbally, 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). If the sum of subparagraphs (A) and (B) meets the applicable minimum schoolday requirements for each schoolday, and all other requirements in this section have been met, each schoolday shall be credited as up to one schoolday of attendance.

(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. 18. 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) Subparagraph (C) of paragraph (4) of, subparagraph (C) of paragraph (8) of, and paragraph (9) of, subdivision (a) shall not apply to pupils that participate in an independent study program for fewer than 16 schooldays in a school year or to 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.

(c) 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 schoolday 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.

(d) For purposes of this section, "equivalent total instructional minutes" means the same number of minutes as required for an equivalent classroom-based course.

(e) 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.

(f) (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.

(g) (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 (f), 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.

(h) 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. 19. Section 66026.5 of the Education Code is amended to read:

66026.5. (a) The Legislative Analyst's Office shall conduct an assessment, on or before January 1, 2031, evaluating the efficacy of existing programs in nursing jointly offered between campuses of the California Community Colleges, the California State University, and the University of California.

(b) The results of the assessment shall be reported, in writing, to the Legislature and the Governor on or before January 1, 2031. The assessment shall include, but not be limited to, all of the following:

(1) The total number of joint programs currently implemented, including information identifying the number of programs, applicants, admissions, enrollments, and degree recipients.

(2) The extent to which existing programs fulfill identified workforce shortages, including statewide supply and demand data that considers capacity at the California Community Colleges, the California State University, the University of California, and California's independent colleges and universities.

(3) Information on the job placement of graduates.

(4) Joint nursing program costs and the funding sources that were used to finance these programs.

(5) Time-to-degree rates and completion rates for students in joint nursing programs.

(6) Recommendations on whether and how joint, intersegmental nursing programs can or should be extended and expanded.

(c) The report submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.

(d) This section shall remain in effect only until January 1, 2032, and as of that date is repealed.

SEC. 20. Section 69617 of the Education Code is amended to read:

69617. (a) (1) (A) 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, to June 30, 2024, inclusive, 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 or a California preschool program for four years within the eight years following the date the student completes the professional preparation program.

(B) For applications received under the program on July 1, 2024, to June 30, 2025, inclusive, the commission shall provide reduced one-time grant funds of up to ten thousand dollars (\$10,000) to each student eligible for a grant pursuant to subparagraph (A), except intern credential program participants, if the student commits to working at a priority school or a California preschool program for two years within the four years following the date the student completes the professional preparation program.

(2) (A) Under the program, the commission shall provide one-time grant funds of up to ten thousand dollars (\$10,000) to each California resident student enrolled, or who has applied for enrollment, on or after January 1, 2020, to June 30, 2024, inclusive, in a professional preparation program leading to a preliminary teaching credential or pupil personnel services credential at a qualified institution, as determined by the commission pursuant to Section 69617.5, if the student commits to working at a priority school or a California preschool program for four years within the eight years following the date the student completes the professional preparation program. Of the funds appropriated in support of the program, no more than 8 percent of the total funding may be allocated for the purpose of awards provided pursuant to this paragraph.

(B) For applications received on July 1, 2024, to June 30, 2025, inclusive, under the program, the commission shall provide reduced one-time grant funds of up to five thousand dollars (\$5,000) to each student eligible for a grant pursuant to subparagraph (A), except intern credential program participants, if the student commits to working at a priority school or a California preschool program for two years within the four years following the date the student completes the professional preparation program.

(3) (A) 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.

(B) For applications submitted to the commission in the 2023–24 fiscal year, the commission shall issue no more than fifty million dollars (\$50,000,000) in grants pursuant to this section.

(4) 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 the applicable amount specified in this section.

(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) Commencing July 1, 2024, the commission shall prioritize awards to eligible applicants with the lowest income and asset levels at the time of application. Income and asset levels shall be calculated using the same methodology set forth for the Student Aid Index.

(d) (1) A grant recipient shall agree to serve at a priority school or a California preschool program for two or four years, as applicable, and shall have four or eight years, as applicable, 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 50 or 25 percent, as applicable, 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, complete a baccalaureate degree program from a regionally accredited institution of higher education.

(D) Complete the required teaching service or clinical practice following completion of the recipient's professional preparation program.

(E) Complete their teacher preparation program and earn a preliminary credential within six years after the first distribution of grant funds.

(2) Nonperformance of the commitment to serve at a priority school or a California preschool program for the applicable two or 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 applicable service requirement at a priority school or a California preschool program 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 or preschool program year, as applicable.

(B) The employer deems the grant recipient to have fulfilled the grant recipient's contractual requirements for the school year or preschool program year, as applicable, for 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.

(e) The commission may use up to 1.5 percent of funding appropriated for purposes of this section for outreach and administration.

(f) 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.

(g) (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.

(3) For purposes of satisfying the service requirement, a grant recipient may use service at a school listed on the most recent list of priority schools published by the commission that is available when the grant recipient seeks employment at a priority school. Further service at that school shall continue to satisfy the applicable service requirement, even if the school is no longer included on future priority school lists.

(h) (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).

(i) 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 and California preschool programs. 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 and California preschool programs, 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.

(j) (1) 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.

(2) Commencing July 1, 2024, the commission shall establish up to three application periods each year, consistent with subdivision (a).

(k) 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 the applicable amount specified in this section.

(l) As used in this section, "California preschool program" means a state-funded or federally funded preschool program in the state, including California state preschool programs, tribal preschool programs, and Head Start programs.

SEC. 20.5. Section 69617 of the Education Code is amended to read:

69617. (a) (1) (A) 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, to June 30, 2024, inclusive, 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 or a California preschool program for four years within the eight years following the date the student completes the professional preparation program.

(B) For applications received under the program on July 1, 2024, to June 30, 2025, inclusive, the commission shall provide reduced one-time grant funds of up to ten thousand dollars (\$10,000) to each student eligible for a grant pursuant to subparagraph (A), except intern credential program participants, if the student commits to working at a priority school or a California preschool program for two years within the four years following the date the student completes the professional preparation program.

(2) (A) Under the program, the commission shall provide one-time grant funds of up to ten thousand dollars (\$10,000) to each California resident student enrolled, or who has applied for enrollment, on or after January 1, 2020, to June 30, 2024, inclusive, in a professional preparation program leading to a preliminary teaching credential or pupil personnel services credential at a qualified institution, as determined by the commission pursuant to Section 69617.5, if the student commits to working at a priority school or a California preschool program for four years within the eight years following the date the student completes the professional preparation program. Of the funds appropriated in support of the program, no more than 8 percent of the total funding may be allocated for the purpose of awards provided pursuant to this paragraph.

(B) For applications received on July 1, 2024, to June 30, 2025, inclusive, under the program, the commission shall provide reduced one-time grant funds of up to five thousand dollars (\$5,000) to each student eligible for a grant pursuant to subparagraph (A), except intern credential program participants, if the student commits to working at a priority school or a California preschool program for two years within the four years following the date the student completes the professional preparation program.

(3) (A) 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.

(B) For applications submitted to the commission in the 2023–24 fiscal year, the commission shall issue no more than fifty million dollars (\$50,000,000) in grants pursuant to this section.

(4) 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 the applicable amount specified in this section.

(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) Commencing July 1, 2024, the commission shall prioritize awards to eligible applicants with the lowest income and asset levels at the time of application. Income and asset levels shall be calculated using the same methodology set forth for the Student Aid Index.

(d) (1) A grant recipient shall agree to serve at a priority school or a California preschool program for two or four years, as applicable, and shall have four or eight years, as applicable, 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 50 or 25 percent, as applicable, 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, complete a baccalaureate degree program from a regionally accredited institution of higher education.

(D) Complete the required teaching service or clinical practice following completion of the recipient's professional preparation program.

(E) Complete their teacher preparation program and earn a preliminary credential within six years after the first distribution of grant funds.

(2) Nonperformance of the commitment to serve at a priority school or a California preschool program for the applicable two or 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 applicable service requirement at a priority school or a California preschool program 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 or preschool program year, as applicable.

(B) The employer deems the grant recipient to have fulfilled the grant recipient's contractual requirements for the school year or preschool program year, as applicable, for 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.

(e) The commission may use up to 1.5 percent of funding appropriated for purposes of this section for outreach and administration.

(f) 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.

(g) (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.

(3) For purposes of satisfying the service requirement, a grant recipient may use service at a school listed on the most recent list of priority schools published by the commission that is available when the grant recipient seeks employment at a priority school. Further service at that school shall continue to satisfy the applicable service requirement, even if the school is no longer included on future priority school lists.

(h) (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).

(i) (1) 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 and California preschool programs. 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 and California preschool programs, 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.

(2) (A) The commission shall annually collect demographic data on grant recipients.

(B) To the extent feasible, it is the intent of the Legislature that, upon the implementation of the California Cradle-to-Career Data System, the data collected pursuant to subparagraph (A) should be integrated within the California Cradle-to-Career Data System.

(j) (1) 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.

(2) Commencing July 1, 2024, the commission shall establish up to three application periods each year, consistent with subdivision (a).

(k) 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 the applicable amount specified in this section.

(l) As used in this section, "California preschool program" means a state-funded or federally funded preschool program in the state, including California state preschool programs, tribal preschool programs, and Head Start programs.

SEC. 21. Section 71096 of the Education Code is repealed.

SEC. 22. Section 78071 of the Education Code is amended to read:

78071. (a) The office of the Chancellor of the California Community Colleges may establish a program to enter into agreements with up to 65 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students. This program shall be known as the Rising Scholars Network, and shall expand the number of justice-involved students participating and succeeding in the community colleges and shall not displace other students.

(b) A community college district that wishes to participate in the Rising Scholars Network shall apply to the board of governors for funding pursuant to this article. The application of each participating community college district shall identify the Rising Scholars college or colleges in the district, and shall include, but not be limited to, the number of justice-involved students who will be served. The application shall also describe the extent of cooperation between the college and local criminal justice stakeholders including, as applicable, wardens, county sheriffs, juvenile facilities, and probation departments. Beginning in the 2025–26 fiscal year, the board of governors may prioritize funding provided in the annual Budget Act for applications submitted pursuant to this article that demonstrate positive student outcomes consistent with the goals and guidance described in Section 78072.

(c) To the maximum extent feasible, funds received by a community college under this article shall be used for, but not be limited to, any of the following supports and services:

(1) Providing any of the following for programs serving all justice-involved students, whether on campus or in custody:

(A) Academic counseling or advising that provides clear pathways.

(B) Academic tutoring.

(C) Financial aid information and application assistance.

(D) Frequent in-person contact.

(E) Professional development for faculty and staff.

(2) Providing any of the following for programs serving formerly incarcerated students on campus:

(A) Peer-to-peer support or mentoring.

(B) Assistance with accessing campus resources, including admissions, financial aid, and student services.

(C) Career counseling and, as feasible, placement services.

(D) Assistance with accessing community resources, including record clearance, housing assistance, mental health support, and social services.

(3) Providing either of the following for programs serving currently incarcerated or detained students:

(A) Transitional materials and services to support students in enrollment and persistence in higher education upon release.

(B) Parity of academic supports and services as provided on campus.

SEC. 23. Section 78221 of the Education Code is amended to read:

78221. The Chancellor of the California Community Colleges shall allocate funds provided for purposes of successfully implementing the activities and goals specified in the student equity plans adopted pursuant to Section 78220, consistent with all of the following:

(a) The chancellor shall ensure a community college district has submitted a student equity plan that is consistent with Section 78220. For purposes of allocating funding appropriated in the 2014–15 Budget Act, a community college district that has not submitted a student equity plan shall provide the chancellor with an outline for the community college district's completion of the student equity plan on or before January 1, 2015.

(b) The chancellor shall ensure that community college districts that serve greater populations of students who are high-need students or disadvantaged students receive greater resources to provide services to students, consistent with the goals and activities specified in their student equity plans.

(c) The chancellor shall establish criteria for calculating the number of high-need and disadvantaged students in a community college district. For purposes of this article, "high-need students" mean students who have an expected family contribution, as defined in subdivision (g) of Section 69432.7, at any time during those students' matriculation at the institution, that would qualify those students to receive federal Pell Grants and students from ZIP Codes in the bottom two quintiles of college attainment. The calculation of a student's expected family contribution shall be based on the Free Application for Federal Student Aid (FAFSA) application or an application determined by the California Student Aid Commission to be equivalent to the FAFSA application

submitted by that student. For purposes of this article, the determination of who are “disadvantaged” students shall take into account the college participation rate of the college-aged population of, and the socioeconomic status of, a community college district population.

(d) The chancellor shall establish a standard methodology, including guidelines, for measurement of student equity and disproportionate impact for disaggregated subgroups of the student population of the California Community Colleges. The chancellor shall establish the methodology for use in the student equity plans of community college districts.

(e) (1) The chancellor shall, consistent with the goal of eliminating any achievement disparities that are identified pursuant to the requirements of Section 78220, provide guidance to community college districts regarding expenditures and activities to ensure that funding is used to support evidence-based practices to implement student equity plan goals and coordinate services for the targeted student populations through evidence-based practices.

(2) (A) On or before March 15, 2016, and, except as provided in subparagraph (B), March 15 annually thereafter, the chancellor shall submit a report to the Department of Finance, the Legislative Analyst’s Office, and the appropriate policy and fiscal committees of the Legislature, on the expenditure of funds for purposes of this article during the previous fiscal year.

(B) Beginning in the 2025–26 fiscal year, the chancellor may submit the report described in subparagraph (A) annually, on or before March 1, to the Department of Finance, the Legislative Analyst’s Office, and the appropriate policy and fiscal committees of the Legislature.

SEC. 24. Section 78222 of the Education Code is amended to read:

78222. (a) (1) The Student Equity and Achievement Program is hereby established.

(2) It is the intent of the Legislature that funds for the Student Equity and Achievement Program support the California Community Colleges in advancing the systemwide goal to boost achievement for all students with an emphasis on eliminating achievement gaps for students from traditionally underrepresented groups by doing all of the following:

(A) Implementing activities and practices pursuant to the California Community College Guided Pathways Grant Program.

(B) Ensuring students complete their educational goals and a defined course of study.

(C) Providing quality curriculum, instruction, and support services to students who enter college deficient in English and mathematics to ensure these students complete a course of study in a timely manner.

(b) As a condition of the receipt of funds for purposes of this section, a district shall comply with all of the following:

(1) Maintain a student equity plan pursuant to Section 78220 to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances.

(2) Provide student matriculation services pursuant to Section 78212, including implementation of orientation, counseling and advising, referral to specialized student support services, and other education planning services needed to assist a student in making informed decisions about the student’s educational goal and course of study and in developing an education plan. The office of the Chancellor of the California Community Colleges shall establish guidelines on student matriculation services, including, but not limited to, the development of an education plan leading to a course of study. Notwithstanding any other law, students who are exempted from matriculation services pursuant to Section 78215 are not subject to the requirements of this paragraph.

(3) Adopt and implement placement and enrollment policies consistent with the requirements of Section 78213.

(4) Provide all students with an education plan that identifies courses, a sequence of courses, key progress milestones, and other requirements the student must complete to earn an associate degree, career technical education certificate, other community college certificate, or meet transfer requirements. Notwithstanding any other law, students who are exempted from having an education plan under Section 78215 are not subject to the requirement of this paragraph.

(5) Provide support to, or establish, on-campus food pantries or regular food distributions.

(6) Provide a report to the chancellor’s office by January 1 of each year detailing how funding pursuant to this section was expended in the prior fiscal year and for what specific purposes. A district report shall also include an assessment of the progress in advancing the goals identified in paragraph (2) of subdivision (a).

(c) (1) If the total amount of funds appropriated for purposes of this section is equal to or greater than the amount of funds appropriated in the 2017–18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student

equity plans pursuant to Section 78221, and the Student Success for Basic Skills program pursuant to Section 88815, the chancellor shall allocate to each district an amount equal to or greater than the amount allocated in the 2017–18 fiscal year.

(2) If the total amount of funds appropriated for purposes of this section is less than the amount of funds appropriated in the 2017–18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student equity plans pursuant to Section 78221, and the Student Success for Basic Skills program pursuant to Section 88815, the chancellor shall allocate to each district the pro rata share of the amount appropriated based on the amount allocated to each district in the 2017–18 fiscal year.

(3) The board of governors may require districts or colleges to provide a local fund match for funding appropriated for purposes of this section.

(4) The chancellor shall provide guidance to districts regarding eligible expenditures and activities and integrated planning to ensure funding for the Student Equity and Achievement Program is used to support the goal of eliminating disparities pursuant to paragraph (2) of subdivision (a). It is the intent of the Legislature that colleges prioritize funding for high-need and disadvantaged students, as those terms are defined in subdivision (c) of Section 78221.

(5) (A) The chancellor may allocate up to 5 percent of the total funds appropriated for the purposes of this program for state administrative operations to carry out the intent of this section.

(B) Of the amount allocated pursuant to subparagraph (A), the chancellor shall allocate to a community college district no less than the amount that was provided to a district in the 2017–18 fiscal year pursuant to paragraph (1) of subdivision (b) of Section 88815 to carry out faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of foundational skills and English as a second language program.

(6) (A) By April 1 of each year, except as provided in subparagraph (B), the chancellor's office shall submit a systemwide report to the Legislature and Department of Finance that provides a summary of the district reports referenced in paragraph (6) of subdivision (b).

(B) Beginning in the 2025–26 fiscal year, the chancellor's office shall submit the report described in subparagraph (A) annually, on or before March 1, to the Legislature and Department of Finance.

(C) A report to the Legislature pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(d) (1) All districts receiving an allocation of funds pursuant to subdivision (c) shall comply with the requirements of Section 78214. In meeting this requirement, the Student Success and Support Program referenced in Section 78214 means the Student Equity and Achievement Program.

(2) For purposes of Section 87482.3, the Student Success and Support Program means the Student Equity and Achievement Program.

SEC. 25. Section 78261 of the Education Code is amended to read:

78261. (a) The Legislature finds and declares both of the following:

(1) The Legislature intends to facilitate both the expansion of associate degree nursing programs and the improvement in completion rates in those programs.

(2) The Legislature also intends that community colleges employ nationally recognized diagnostic assessment tools that are aligned with national nursing licensure requirements. Both students and the state benefit when diagnostic assessments are supplemented with educational opportunities to assist students in meeting skill levels.

(b) It is the intent of the Legislature to create a Nursing Enrollment Growth and Retention program in the office of the Chancellor of the California Community Colleges. The purpose of this program shall be to provide grants to community college associate degree of nursing programs that meet either of the following conditions:

(1) The nursing program has low or moderate program attrition levels.

(2) The nursing program provides a comprehensive program of diagnostic assessment, prenursing preparation, and program-based support to students.

(c) (1) It is the intent of the Legislature that this program shall be funded, beginning in the 2006–07 fiscal year, by a redirection of the ten million dollars (\$10,000,000) provided annually pursuant to the Budget Act of 2005, along with an additional investment of two million eight hundred eighty-six thousand dollars (\$2,886,000) annually, for a total program budget of twelve million eight

hundred eighty-six thousand dollars (\$12,886,000) annually. Unencumbered funds that were appropriated in the Budget Act of 2005 may be used for capacity building and equipment in the 2006–07 fiscal year.

(2) Up to 3 percent of the funds appropriated for this program may be used for statewide administration, program development, program evaluation, and program accountability. As used in this paragraph, “program development” includes, but is not limited to, activities related to partnerships or collaborations between community colleges and institutions of higher education offering baccalaureate degrees in order to increase the number of students completing bachelor of the science of nursing (BSN), master of the science of nursing (MSN), and master’s entry programs in nursing (MEPN) courses of study.

(d) The Board of Governors of the California Community Colleges may award grants to community college districts with associate degree nursing programs to expand enrollment, reduce program attrition, or both. Funds shall be used only for purposes of expanding enrollment, providing diagnostic assessments, and offering preentry coursework to prospective nursing students and diagnostic assessments and supportive services to enrolled nursing students. For purposes of this section, supportive services include, but are not limited to, tutoring, case management, mentoring, and counseling services. Funds may also be used to develop alternative delivery models such as part-time, evening, weekend, and summer program offerings. In order to qualify for these funds, a community college associate degree nursing program shall do either of the following:

(1) Have a program attrition rate, as determined by the Board of Registered Nursing’s Annual School Report or the Information Program Data System of the chancellor’s office, of 15 percent or less for the year before application for funding.

(2) Commit to implement a comprehensive program of diagnostic assessment, prenursing enrollment preparation, and program-based support to enrolled students, as defined in this article.

(e) Notwithstanding Section 78213 or any other law, before awarding any funds to be used for reducing program attrition, the chancellor’s office shall do all of the following:

(1) Identify, in collaboration with community college associate degree nursing programs, nationally recognized diagnostic assessment tools that determine the likelihood of academic success in community college registered nursing education programs.

(2) Establish, in collaboration with community college associate degree nursing programs, the systemwide proficiency level necessary for academic success for each diagnostic assessment tool.

(3) Define the kinds of educational and support services that qualify for funding under this program.

(f) As a condition of receiving grants under paragraph (2) of subdivision (d), a community college district shall, at a minimum, do all of the following:

(1) Use diagnostic assessment tools before enrollment to determine readiness for community college associate degree nursing programs.

(2) Offer, or identify, educational preentry coursework, including, but not limited to, tutorials, instructional resources, or noncredit instruction, aligned to the entry level nursing standards and curriculum for students who fail to demonstrate readiness based upon the diagnostic assessment tools.

(3) Provide access to prenursing coursework for all students who do not demonstrate readiness based upon the diagnostic assessment tools.

(4) Require that students demonstrate readiness through the diagnostic assessment or successful completion of the prenursing coursework specified above before commencing the registered nursing program.

(5) Ensure that students that participate in educational preentry coursework in order to demonstrate readiness based upon the diagnostic assessment tools are not disadvantaged in the program enrollment process.

(g) As a condition of receiving grant funds pursuant to paragraph (2) of subdivision (d), each recipient community college district shall report to the chancellor’s office the following data for the academic year on or before a date determined by the chancellor’s office:

(1) The number of students enrolled in the nursing program.

(2) The number of students taking diagnostic assessments.

(3) The number of students failing to meet proficiency levels as determined by diagnostic assessment tools.

(4) The number of students failing to meet proficiency levels that undertake preentry preparation classes.

(5) The number of students who successfully complete preentry preparation coursework.

(6) The average number of months between initial diagnostic assessment, demonstration of readiness, and enrollment in the nursing program for students failing to meet proficiency standards on the initial diagnostic assessment.

(7) The average number of months between diagnostic assessment and program enrollment for students meeting proficiency standards on the initial diagnostic assessment.

(8) The number of students who completed the associate degree nursing program and the number of students who pass the National Council Licensure Examination (NCLEX).

(h) (1) Data reported to the chancellor under this article shall be disaggregated by age, gender, ethnicity, and language spoken at home.

(2) The chancellor's office shall compile and provide this information to the Legislature and the Governor by July 1 of each year, except as provided in paragraph (3).

(3) Beginning in the 2025–26 fiscal year, the chancellor's office shall submit the report described in paragraph (2) biennially, on or before March 1, to the Legislature and the Governor, and may submit this report with the report required by subdivision (a) of Section 88826.5.

(i) It is the intent of the Legislature that, pursuant to funding to be provided in the annual Budget Act, in the 2009–10 academic year, the California Community Colleges should increase the statewide enrollment of full-time equivalent registered nursing students by 450 and, beginning in the 2010–11 academic year and continuing each academic year thereafter, add 900 new full-time equivalent registered nursing students.

SEC. 26. Section 84917 of the Education Code is amended to read:

84917. (a) To inform actions taken by the Governor and the Legislature related to adult education, the chancellor and the Superintendent shall report to the Director of Finance, the Statewide Director of Immigrant Integration, the state board, and, in compliance with Section 9795 of the Government Code, the Legislature about the use of the funds described in paragraph (5) of subdivision (b) of Section 84906 and outcomes for adults statewide and in each adult education region. The chancellor and the Superintendent shall provide a report on or before February 1 of each fiscal year for which funds are appropriated for the program. Each report submitted pursuant to this subdivision shall be based on all data available at the time of its submission, and shall include at least all of the following:

(1) A summary of the adult education plan operative for each consortium.

(2) The distribution schedule for each consortium.

(3) The types and levels of services provided by each consortium.

(4) The effectiveness of each consortium in meeting the educational needs of adults in its respective region.

(5) Any recommendations related to delivery of education, immigrant integration, and workforce services for adults, including recommendations related to improved alignment of state programs.

(b) (1) The chancellor and the Superintendent may require a consortium, as a condition of receipt of an apportionment, to submit any reports or data necessary to produce the report described in subdivision (a).

(2) The chancellor and the Superintendent shall align the data used to produce the report described in subdivision (a) with data reported by local educational agencies for other purposes, such as data used for purposes of the federal Workforce Innovation and Opportunity Act (Public Law 113-128).

(3) The Employment Development Department and the California Workforce Investment Board shall provide any assistance needed to align delivery of services across state and regional workforce, education, and job service programs.

SEC. 27. Section 87482 of the Education Code is amended to read:

87482. (a) (1) Notwithstanding Section 87480, the governing board of a community college district may employ a qualified individual as a temporary faculty member for a complete academic year, but not less than a complete semester or quarter during an academic year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year, or because a faculty member has been granted leave for a semester, quarter, or

academic year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board of the community college district.

(2) Employment of a person under this subdivision may be pursuant to a contract fixing a salary for the entire semester or quarter.

(b) A person, other than a person serving as clinical nursing faculty and exempted from this subdivision pursuant to paragraph (1) of subdivision (c), shall not be employed by a single community college district under this section for more than two semesters or three quarters within any period of three consecutive academic years.

(c) (1) Notwithstanding subdivision (b), a person serving as full-time clinical nursing faculty or as part-time clinical nursing faculty teaching the hours per week described in Section 87482.5 may be employed by a single community college district under this section for up to four semesters or six quarters within any period of three consecutive academic years.

(2) A community college district that employs faculty pursuant to this subdivision shall provide data to the chancellor's office as to the number of faculty members hired under this subdivision, and what the ratio of full-time to part-time faculty was for each of the three academic years before the hiring of faculty under this subdivision and for each academic year for which faculty is hired under this subdivision. This data shall be submitted, in writing, to the chancellor's office on or before June 30 of each year.

(3) (A) The chancellor shall report, in writing, to the Legislature and the Governor on or before September 30 of each year, except as provided in subparagraph (B), and in accordance with data received pursuant to paragraph (2), the number of community college districts that hired faculty under this subdivision, the number of faculty members hired under this subdivision, and what the ratio of full-time to part-time faculty was for these community college districts in each of the three academic years before the operation of this subdivision and for each academic year for which faculty is hired under this subdivision.

(B) Beginning in the 2025–26 fiscal year, the chancellor shall submit biennially, on or before March 1, the report described in subparagraph (A) to the Legislature and the Governor, and may submit this report with the report required by subdivision (a) of Section 88826.5.

(4) A community college district may not employ a person pursuant to this subdivision if the hiring of that person results in an increase in the ratio of part-time to full-time nursing faculty in that district.

SEC. 28. Section 88650 of the Education Code is amended to read:

88650. (a) The chancellor shall implement performance accountability outcome measures for the economic and workforce development program that provide the Governor, Legislature, and general public with information that quantifies employer and student outcomes for those participating in the program. These performance accountability measures should, to the extent possible, align with the performance accountability measures of the federal Workforce Innovation and Opportunity Act (Public Law 113-128).

(b) The chancellor shall submit a report to the Governor and Legislature on or about March 1 of each year. However, beginning in the 2025–26 fiscal year, the chancellor shall submit this report biennially, on or before March 1, and may submit this report with the report required by paragraph (2) of subdivision (d) of Section 88826. A report submitted pursuant to this subdivision shall include, but not be limited to, both of the following:

(1) Sufficient information to ensure the understanding of the magnitude of expenditures, by type of expenditure, including those specified in Section 88625, disaggregated by industry sector or cluster, region, and type of grant.

(2) Data summarizing outcome accountability performance measures required by this section.

SEC. 29. Section 88826 of the Education Code, as amended by Section 2 of Chapter 145 of the Statutes of 2024, is amended to read:

88826. (a) This section applies to the Community College component only.

(b) The chancellor's office shall post on its internet website, for ease of access, all regional plans and their subsequent progress plans, and solicit feedback from each consortium on recommendations they have for overall program improvement.

(c) The chancellor's office shall implement performance accountability outcome measures for the Community College component of the program that provide the Governor, the Legislature, and the general public with information that quantifies employer and student outcomes for those participating in the program. These performance accountability measures shall, to the extent possible, align with the performance accountability measures of the federal Workforce Innovation and Opportunity Act (Public Law 113-

128). Outcome measures shall include demographic data, disaggregated by race and gender, to allow policymakers and the general public to evaluate progress in closing equity gaps in program access and completion, and earnings of underserved demographic groups.

(d) (1) Commencing in 2018, the chancellor's office shall submit a report on the Community College component of the program to the Governor and the Legislature on or before the January 1, except as provided in paragraph (2), immediately subsequent to the fiscal year which the report addresses.

(2) Beginning in the 2025–26 fiscal year, the chancellor's office shall submit the report described in paragraph (1) annually, on or before March 1, to the Governor and the Legislature, and may submit this report with the report required by subdivision (b) of Section 88650.

(3) A report submitted pursuant to this subdivision shall include, but is not limited to, all of the following:

(A) Data summarizing outcome accountability performance measures collected by the chancellor's office pursuant to subdivision (c), disaggregated by race and gender.

(B) A summary of recommendations for program improvement collected by the chancellor's office pursuant to subdivision (b).

(C) Recommendations for future allocations to consortiums based upon program outcomes, including, at a minimum, the number of certificates granted to, and wage increases of, students who have completed a career technical education program.

(4) A report submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 30. Section 88826.5 of the Education Code is amended to read:

88826.5. (a) (1) Beginning in July 1, 2019, and in each year thereafter, except as provided in paragraph (2), for each community college program that offers certificates or degrees related to allied health professionals, the chancellor shall provide a report to the Legislature, with comparative clinical placement delineated by program and occupation. The report shall include both of the following:

(A) The number of students participating at each clinical training site. This shall include information about proficiency in languages other than English.

(B) The license number of each clinical training site. If the license number is not available, the report shall include the employer identification number of the clinical training site.

(2) Beginning in the 2025–26 fiscal year, the chancellor shall provide the report described in paragraph (1) to the Legislature biennially, on or before March 1, and may submit the report with the report required by paragraph (2) of subdivision (h) of Section 78261.

(b) The collection and reporting of findings pursuant to subdivision (a) shall be implemented over multiple years, and collected by the chancellor's office as follows:

(1) Beginning in the 2019–20 academic year, the chancellor's office shall collect from colleges, and report on, the following allied healthcare professional degrees and certificates:

(A) Licensed Vocational Nurse.

(B) Medical Assistant.

(C) Occupational Therapy Aide.

(D) Radiologic Technologist.

(E) Respiratory Care Therapist.

(F) Pharmacy Technician and Technologist.

(G) Surgical Technician and Technologist.

(2) Beginning in the 2020–21 academic year, the chancellor's office shall collect from colleges, and report on, the following allied healthcare professional degrees and certificates:

- (A) Cardiovascular Technologist.
- (B) Certified Nurse Assistant.
- (C) Dialysis Technician.
- (D) Diagnostic Medical Sonographer.
- (E) Medical Lab Technician.
- (F) Orthopedic Assistant.
- (G) Physical Therapy Aide and Assistant.
- (H) Psychiatric Technologist.
- (I) Radiologic Therapist.
- (J) Speech Language Pathology Aide.

(3) Beginning in the 2021–22 academic year, and in each academic year thereafter, the chancellor's office shall collect from colleges, and report on, all certificates or degrees related to allied health professionals that require clinical training.

(c) Any disclosure under this section shall be in compliance with state and federal privacy laws.

(d) For the purposes of this section, "allied health professional" has the same meaning as in Section 295p of Title 42 of the United States Code.

SEC. 31. Section 1596.809 of the Health and Safety Code is amended to read:

1596.809. (a) A prospective applicant for licensure shall be notified at the time of the initial request for information regarding application for licensure that, prior to obtaining licensure, the facility shall secure and maintain a fire clearance approval from the local fire enforcing agency, as defined in Section 13244, or the State Fire Marshal, whichever has primary fire protection jurisdiction. The prospective applicant shall be notified of the provisions of Section 13235, relating to the fire safety clearance application. The prospective applicant for licensure shall be notified that the fire clearance shall be in accordance with state and local fire safety regulations.

(b) (1) Until January 1, 2027, the State Fire Marshal and local fire enforcing agencies assigning occupancy and use or change of use classifications and issuing fire clearance approvals to day care centers as defined in Section 1596.76, shall apply the provisions of Chapter 3 of Title 24 of the California Building Code as the provisions existed on December 31, 2022.

(2) This subdivision applies to applicants for licensure as a day care center as defined in Section 1596.76, and licensed day care centers seeking an updated fire clearance due to changes that require a new fire clearance to be obtained, for a fire clearance inspection that occurs on or after January 1, 2023.

(c) This section shall remain operative only until January 1, 2027, or until the promulgation of regulations described in subdivision

(d) of Section 13235, whichever occurs first, and as of January 1, 2027, is repealed.

SEC. 32. Section 1596.809 is added to the Health and Safety Code, to read:

1596.809. (a) A prospective applicant for licensure shall be notified at the time of the initial request for information regarding application for licensure that, prior to obtaining licensure, the facility shall secure and maintain a fire clearance approval from the local fire enforcing agency, as defined in Section 13244, or the State Fire Marshal, whichever has primary fire protection jurisdiction. The prospective applicant shall be notified of the provisions of Section 13235, relating to the fire safety clearance application. The prospective applicant for licensure shall be notified that the fire clearance shall be in accordance with state and local fire safety regulations.

(b) This section shall become operative on January 1, 2027, or upon the promulgation of regulations described in subdivision (d) of Section 13235, whichever occurs first.

SEC. 33. Section 13235 of the Health and Safety Code is amended to read:

13235. (a) Upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential care facility for the elderly, as defined in Section 1569.2, or of a child day care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or State Fire Marshal, whichever has primary jurisdiction, shall

conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall provide consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations that shall be enforced in order to obtain fire clearance approval. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

(b) The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential care facility for the elderly, or child day care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final preclearance inspection by the State Department of Social Services, whichever is later.

(c) For a fire clearance inspection of an applicant for licensure as a day care center as defined in Section 1596.76, subdivision (b) of Section 1596.809 shall apply when the inspection occurs between January 1, 2023, and December 31, 2026.

(d) The Office of the State Fire Marshal shall promulgate updated regulations pertaining to occupancy standards for the facility types in subdivision (b) of Section 1596.809 to the California Building Standards Commission during the next code cycle, but not later than January 1, 2027. The Office of the State Fire Marshal shall consult with the State Department of Social Services on the development of these regulations.

(e) The Office of the State Fire Marshal shall work with the State Department of Social Services to provide information to the local fire enforcing agency to ensure consistent application of applicable regulations between the State Department of Social Services and the Office of the State Fire Marshal and local fire enforcing agencies.

(f) This section shall remain operative only until January 1, 2027, or until the promulgation of regulations described in subdivision (d), whichever occurs first, and as of January 1, 2027, is repealed.

SEC. 34. Section 13235 is added to the Health and Safety Code, to read:

13235. (a) Upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential care facility for the elderly, as defined in Section 1569.2, or of a child day care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or State Fire Marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall provide consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations that shall be enforced in order to obtain fire clearance approval. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee equal to, but not exceeding, the actual cost of the preinspection services may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

(b) The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential care facility for the elderly, or child day care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final preclearance inspection by the State Department of Social Services, whichever is later.

(c) The Office of the State Fire Marshal shall promulgate updated regulations, pertaining to occupancy standards for applicants for licensure as a day care center as defined in Section 1596.76 and licensed day care centers seeking an updated fire clearance due to changes that require a new fire clearance to be obtained, to the California Building Standards Commission during the next code cycle, but not later than January 1, 2027. The Office of the State Fire Marshal shall consult with the State Department of Social Services on the development of these regulations.

(d) The Office of the State Fire Marshal shall work with the State Department of Social Services to provide information to the local fire enforcing agency to ensure consistent application of applicable regulations between the State Department of Social Services and the Office of the State Fire Marshal and local fire enforcing agencies.

(e) This section shall become operative on January 1, 2027, or upon the promulgation of regulations described in subdivision (c), whichever occurs first.

SEC. 35. Section 20662 of the Public Contract Code, as amended by Section 46 of Chapter 54 of the Statutes of 2022, is amended to read:

20662. (a) The Chancellor of the California Community Colleges may enter into a contract or other agreement with the governing board of any community college district whereby the district performs services or acts as a fiscal agent on behalf of the California Community Colleges, without advertising for or inviting bids for contracts or other agreements that are no more than twenty

million dollars (\$20,000,000). For existing contracts or other agreements that the Chancellor of the California Community Colleges has entered into with the governing board of any community college district pursuant to this section, the contract or other agreement may be renewed without advertising for or inviting bids, regardless of the amount. This section shall apply only when the funds for the contract or agreement are in satisfaction of the state obligation to provide funding pursuant to Section 8 of Article XVI of the California Constitution.

(b) This section shall become inoperative on July 1, 2027, and, as of January 1, 2028, is repealed.

SEC. 36. Section 20662 of the Public Contract Code, as amended by Section 47 of Chapter 54 of the Statutes of 2022, is amended to read:

20662. (a) The Chancellor of the California Community Colleges may enter into a contract or other agreement with the governing board of any community college district whereby the district performs services or acts as a fiscal agent on behalf of the California Community Colleges. This section shall apply only when the funds for the contract or agreement are in satisfaction of the state obligation to provide funding pursuant to Section 8 of Article XVI of the California Constitution.

(b) This section shall become operative on July 1, 2027.

SEC. 37. Section 10227.6 of the Welfare and Institutions Code is amended to read:

10227.6. (a) It is the intent of the Legislature to use an alternative methodology, as defined in subdivision (ak) of Section 10213.5, to inform the setting of reimbursement rates for subsidized childcare.

(b) Reimbursement rates are subject to agreement and codification by the Legislature.

(c) The department, in collaboration with the State Department of Education, shall develop and conduct an alternative methodology. The department shall begin the process of data collection and analysis pursuant to developing an alternative methodology by July 1, 2023, and consult with the State Department of Education on data collection, analysis, and methodology for preschool programs. The alternative methodology shall build on the recommendations of the working group established pursuant to Section 10280.2 and shall be aligned with the recommendations of the Joint Labor Management Committee established pursuant to subdivision (a) of Section 10280.2.

(d) No later than February 15, 2024, the department, in collaboration with the State Department of Education and the Joint Labor Management Committee established pursuant to subdivision (a) of Section 10280.2, using information from the cost estimation model, shall define elements of the base rate and any enhanced rates to inform the state's proposed single rate structure and rates. These elements shall be subject to the mandated public engagement state plan process and legislative review. The department shall report to the Senate Health and Human Services budget subcommittees, Assembly and Senate Education budget subcommittees, and the Legislative Analyst's Office on progress made to conduct an alternative methodology and cost estimate model.

(e) No later than May 15, 2024, the department shall report on the status of the draft Child Care and Development Fund state plan to the Senate Health and Human Services budget subcommittees, Assembly and Senate Education budget subcommittees, and the Legislative Analyst's Office on the state's proposed single rate structure to be submitted to the United States Department of Health and Human Services, Administration for Children and Families.

(f) No later than July 1, 2024, the department shall submit necessary information to support use of a single rate structure using the alternative methodology to the United States Department of Health and Human Services, Administration for Children and Families in the Child Care and Development Fund state plan or an amendment to the state plan. The department shall provide a copy of the Child Care and Development Fund state plan or amendment to the state plan submitted to the United States Department of Health and Human Services, Administration for Children and Families to the Senate Health and Human Services budget subcommittees, Assembly and Senate Education budget subcommittees, and the Legislative Analyst's Office no later than July 10, 2024.

(g) (1) Within 60 days of federal approval of the single rate structure utilizing the alternative methodology in the state plan, the department, in collaboration with the State Department of Education, shall provide the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the Legislative Analyst's Office with a report that outlines the implementation components for the approved single rate structure. For a period of 30 days, the Legislature shall have the opportunity to review and provide feedback regarding draft guidance for implementation of policies. The report shall include all of the following:

(A) The department's plan to set new reimbursement rates under the alternative methodology by no later than July 1, 2025.

(B) The estimated costs and estimated timelines associated with the implementation components of the approved single rate structure, including, but not limited to, state operations resources, technology and infrastructure changes, and any regulatory or statutory changes necessary to implement the approved single rate structure.

(2) The department shall, from October 1, 2024, to January 1, 2026, inclusive, provide the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the Legislative Analyst's Office with quarterly updates on the implementation of the new reimbursement rates set under the alternative methodology. The quarterly updates shall include any changes to the information provided in the report described in paragraph (1).

(h) The Governor and the Legislature shall, by no later than July 1, 2025, establish reimbursement rates based on the alternative methodology. Provider reimbursement rates shall not be reduced from the reimbursement rates that were in effect on June 30, 2024, pursuant to Sections 10280 and 10374.5 of this code and Section 8242 of the Education Code, inclusive of the cost of care plus rates established pursuant to subdivision (b) of Section 10277.1 and subdivision (b) of Section 10277.2.

(i) (1) If the new reimbursement rates established pursuant to subdivision (h) do not take effect on July 1, 2025, the department shall provide the Legislature with a timeline for transitioning from the rates that are in effect on July 1, 2025, to the new rates established pursuant to subdivision (h).

(2) Any temporary reimbursement rates established as part of the transition timeline required by paragraph (1) shall be, at minimum, equivalent to the reimbursement rates established pursuant to Sections 10280 and 10374.5 of this code and Section 8242 of the Education Code, inclusive of the cost of care plus rates established pursuant to subdivision (b) of Section 10277.1 and subdivision (b) of Section 10277.2.

(j) The single rate structure shall apply to all programs funded by the State Department of Social Services under Chapter 3 (commencing with Section 10225), Chapter 6 (commencing with Section 10235), Chapter 7 (commencing with Section 10240), Chapter 8 (commencing with Section 10250), Chapter 9 (commencing with Section 10260), Chapter 21 (commencing with Section 10370), and Chapter 2 (commencing with Section 11461.6) of Part 2, and the State Department of Education under Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of the Education Code.

(k) If the United States Department of Health and Human Services, Administration for Children and Families does not approve the alternative methodology developed pursuant to this section, the department shall develop and conduct a survey of the market rates for childcare services.

(l) If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Section 10426, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

SEC. 38. Section 110 of Chapter 38 of the Statutes of 2024 is amended to read:

Sec. 110. (a) (1) Notwithstanding any other law, the funds appropriated pursuant to Items 6100-158-0001 and 6100-161-0001 of Section 2.00 of the Budget Act of 2021 (Chs. 21, 69, and 240, Stats. 2021) shall be available for liquidation until July 31, 2024. This one-month extension of liquidation authority is provided due to the effect of the deferral of the June 2024 principal apportionment on the budget items specified in this section.

(2) It is the intent of the Legislature that, by extending the liquidation authority for the funds identified in this section to July 31, 2024, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2021.

(b) (1) Notwithstanding any other law, the funds appropriated pursuant to Items 6100-158-0001 and 6100-161-0001 of Section 2.00 of the Budget Act of 2022 (Chs. 43, 45, and 249, Stats. 2022) shall be available for liquidation until July 31, 2025. This one-month extension of liquidation authority is provided due to the effect of the deferral of the June 2025 principal apportionment on the budget items specified in this section.

(2) It is the intent of the Legislature that, by extending the liquidation authority for the funds identified in this section to July 31, 2025, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2022.

SEC. 39. It is the intent of the Legislature that the Board of Governors of the California Community Colleges's capital outlay project funding priorities for the 2025–26 fiscal year reflect, as the top priority, community college projects that specifically address campus facility safety concerns regarding the use of concrete "lift slab" construction, as identified by the Division of the State Architect on June 20, 2022.

SEC. 40. The provisions of this act are severable. If any provision of this act 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. 41. (a) (1) Section 8.1 of this bill incorporates amendments to Section 32282 of the Education Code proposed by both this bill and Assembly Bill 1858. That section of this bill shall only become operative if (A) both bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 2887 and Assembly Bill 2968 are not enacted or as enacted do not amend that section, and (D) this bill is enacted after Assembly Bill 1858, in which case Sections 8.2, 8.3, 8.4, 8.5, 8.6, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.1 of this bill shall become operative.

(2) Section 8.2 of this bill incorporates amendments to Section 32282 of the Education Code proposed by both this bill and Assembly Bill 2887. That section of this bill shall only become operative if (A) both bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 1858 and Assembly Bill 2968 are not enacted or as enacted do not amend that section, and (D) this bill is enacted after Assembly Bill 2887, in which case Sections 8.1, 8.3, 8.4, 8.5, 8.6, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.2 of this bill shall become operative.

(3) Section 8.3 of this bill incorporates amendments to Section 32282 of the Education Code proposed by both this bill and Assembly Bill 2968. That section of this bill shall only become operative if (A) both bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 1858 and Assembly Bill 2887 are not enacted or as enacted do not amend that section, and (D) this bill is enacted after Assembly Bill 2968, in which case Sections 8.1, 8.2, 8.4, 8.5, 8.6, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.3 of this bill shall become operative.

(4) Section 8.4 of this bill incorporates amendments to Section 32282 of the Education Code proposed by this bill, Assembly Bill 1858, and Assembly Bill 2887. That section of this bill shall only become operative if (A) each of those bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 2968 is not enacted or as enacted does not amend that section, and (D) this bill is enacted last of the bills amending Section 32282 of the Education Code, in which case Sections 8.1, 8.2, 8.3, 8.5, 8.6, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.4 of this bill shall become operative.

(5) Section 8.5 of this bill incorporates amendments to Section 32282 of the Education Code proposed by this bill, Assembly Bill 1858, and Assembly Bill 2968. That section of this bill shall only become operative if (A) each of those bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 2887 is not enacted or as enacted does not amend that section, and (D) this bill is enacted last of the bills amending Section 32282 of the Education Code, in which case Sections 8.1, 8.2, 8.3, 8.4, 8.6, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.5 of this bill shall become operative.

(6) Section 8.6 of this bill incorporates amendments to Section 32282 of the Education Code proposed by this bill, Assembly Bill 2887, and Assembly Bill 2968. That section of this bill shall only become operative if (A) each of those bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, (C) Assembly Bill 1858 is not enacted or as enacted does not amend that section, and (D) this bill is enacted last of the bills amending Section 32282 of the Education Code, in which case Sections 8.1, 8.2, 8.3, 8.4, 8.5, and 8.7 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.6 of this bill shall become operative.

(7) Section 8.7 of this bill incorporates amendments to Section 32282 of the Education Code proposed by this bill, Assembly Bill 1858, Assembly Bill 2887, and Assembly Bill 2968. That section of this bill shall only become operative if (A) each of those bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (B) each bill amends Section 32282 of the Education Code, and (C) this bill is enacted last of those bills, in which case Sections 8.1, 8.2, 8.3, 8.4, 8.5, and 8.6 of this bill shall not become operative and Section 32282 of the Education Code, as amended by Section 8 of this bill shall remain operative only until January 1, 2025, at which time Section 8.7 of this bill shall become operative.

(b) Section 20.5 of this bill incorporates amendments to Section 69617 of the Education Code proposed by both this bill and Senate Bill 1391. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2025, but this bill becomes operative first, (2) each bill amends Section 69617 of the Education Code, and (3) this bill is enacted after Senate Bill 1391, in which case Section 69617 of the Education Code, as amended by Section 20 of this bill shall remain operative only until the operative date of Senate Bill 1391, at which time Section 20.5 of this bill shall become operative.

SEC. 42. (a) For the 2024–25 fiscal year, the sum of one million five hundred thousand dollars (\$1,500,000) is hereby appropriated from the General Fund to the State Allocation Board to be available for allocation to the Trinity Alps Unified School District. The Trinity Alps Unified School District shall use these moneys to support the construction of an all-weather track at Trinity High School.

(b) For purposes of subdivision (a), 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 the Trinity Alps Unified School District to construct an all-weather track at Trinity High School.

SEC. 43. 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.