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SB-114 Education finance: education omnibus budget trailer bill. (2023-2024)

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Senate Bill No. 114

CHAPTER 48

An act to amend Sections 1240, 2574, 2575.2, 2576, 8202.6, 8281.5, 8483.4, 8901, 8902, 14002, 14041.5, 17199.4, 17199.5, 17375, 32526, 33050, 35186, 39800.1, 41024, 41203.1, 41544, 41850.1, 42238.02, 42238.025, 42238.03, 44042.5, 44235.1, 44235.2, 44258.9, 44415.5, 44415.6, 44417.5, 45500, 46120, 46392, 46393, 47605, 47606.5, 47607.4, 47612.7, 47654, 47655, 48000, 48000.1, 48310, 48646, 49421.5, 49501.5, 51225.31, 51225.7, 52052, 52062, 52064, 52064.1, 52064.5, 52065, 52066, 52068, 52070, 52070.5, 52071, 52071.5, 52073.3, 52074, 52201, 52202, 56195.1, 56836.148, 60642.7, 60900, 60900.5, and 69617 of, to add Sections 2575.5, 42238.024, 44235.12, 44343.4, 48000.15, 48648, 48649, 48650, 49414.8, 52072.1, 52072.6, 52073.5, and 69617.5 to, to add Chapter 15.5 (commencing with Section 53008) to Part 28 of Division 4 of Title 2 of, and to repeal and add Sections 52072 and 52072.5 of, the Education Code, to amend Section 1596.792 of the Health and Safety Code, to amend Sections 858 and 889.2 of the Welfare and Institutions Code, to amend Section 55 of Chapter 13 of the Statutes of 2015, to amend Section 144 of Chapter 44 of the Statutes of 2021, and to amend Sections 121, 123, 124, 129, 132, 133, 134, 136, and 137 of Chapter 52 of the Statutes of 2022, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor July 10, 2023. Filed with Secretary of State July 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 114, Committee on Budget and Fiscal Review. Education finance: education omnibus budget trailer bill.

(1) Existing law establishes a public school financing system that requires state funding for school districts, county offices of education, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires the Superintendent of Public Instruction to annually calculate a county local control funding formula for each county superintendent of schools that includes, among other things, an alternative education grant, as specified. Existing law includes, among other things, a base grant based upon average daily attendance as a component of that alternative education grant.

This bill would revise the alternative education grant by, among other things, increasing the base grant component of the alternative education grant, revising the calculation of average daily attendance for purposes of the alternative education grant, as specified, and establishing add-ons of \$200,000 for each county office of education that operates a juvenile court school and \$200,000 for each county office of education that operates a county community school. The bill would require the Superintendent to allocate \$3,000 per unit of average daily attendance for a Student Support and Enrichment Block Grant, as provided. The bill would make these provisions applicable commencing with the 2023–24 fiscal year.

(2) Existing law, commencing with the 2018–19 fiscal year, requires the Superintendent to add \$200,000 and other specified amounts, that are dependent upon the number and size of school districts under its jurisdiction and that are determined to be in

need of differentiated assistance, to a county superintendent of school's local control funding formula allocation, as specified.

This bill, commencing with the 2023–24 fiscal year, would increase the above-described add-on by \$100,000.

(3) Existing law, commencing with the 2015–16 fiscal year, requires the Superintendent to add \$2,000,000 to the Los Angeles County Office of Education's local control funding formula allocation for the purpose of supporting statewide professional development and leadership training for education professionals related to antibias education and the creation of inclusive and equitable schools.

This bill would, commencing with the 2023–24 fiscal year, increase that add-on for the Los Angeles County Office of Education by \$1,000,000 to instead be \$3,000,000.

(4) The Early Education Act requires the Superintendent to administer the California state preschool program. The act also requires the Superintendent, in consultation with the Director of Social Services and the executive director of the State Board of Education, to convene a statewide interest holder workgroup to provide recommendations on best practices for increasing access to high-quality universal preschool programs for 3- and 4-year-old children offered through a mixed-delivery model that provides equitable learning experiences across a variety of settings. The act requires the Superintendent, in consultation with the director, to provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than January 15, 2023.

This bill would delay the reporting of those recommendations described above to instead be no later than March 31, 2024.

(5) Existing law establishes the California Prekindergarten Planning and Implementation Grant Program as a state early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. Existing law appropriates \$300,000,000 from the General Fund to the State Department of Education in both the 2021–22 fiscal year and the 2022–23 fiscal year for allocation to local educational agencies as base grants, enrollment grants, and supplemental grants, as specified.

The bill would authorize the department to allocate or prorate unexpended funds returned by or collected from a grant recipient for grants to local educational agencies for costs associated with the educational expenses of current and future California state preschool program, transitional kindergarten, and kindergarten professionals that support their attainment of required credentials, permits, or professional development in early childhood instruction or child development, including developing competencies in serving inclusive classrooms and dual language learners, as provided. By authorizing the use of appropriated funds for new purposes, the bill would make an appropriation.

(6) Existing law establishes the After School Education and Safety Program under which participating public schools receive grants to operate before and after school programs serving pupils in kindergarten or any of grades 1 to 9, inclusive. Existing law authorizes specified entities to apply for grants under the After School Education and Safety Program, including local educational agencies and cities, counties, and nonprofit organizations in partnership with, and with the approval of, a local educational agency.

This bill would require a local educational agency that contracts with a third party to operate before and after school programs to require the third party to (A) notify the local educational agency of any health- or safety-related issues, as specified, and (B) to request from parents or guardians pupil health information, as provided.

(7) Existing law, the California School Finance Authority Act, authorizes a participating party, as defined, in connection with securing financing or refinancing of projects, or working capital, as defined, to elect to guarantee or provide for payment of the bonds and related obligations in accordance with specified conditions. Existing law requires participating parties to, among other things, elect to participate by an action of its governing board and provide written notice to the Controller. Existing law authorizes school districts and county offices of education with qualified or negative financial certifications, as provided, to intercept payments only for short-term financings, as provided.

This bill would revise and recast those provisions by, among other things, authorizing participating parties to elect to participate in a local intercept by sending to the county treasurer, or other appropriate county fiscal officer, a request for the county to participate. If the county agrees to participate, the bill would require the county treasurer or other county fiscal officer to make an apportionment or revenue transfer, as provided. This bill would limit the authorization of school districts and county offices of education with qualified or negative financial certifications to intercept payments for indebtedness for which the repayment is determined to be probable, as provided.

(8) Existing law establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program under the administration of the State Allocation Board, to provide one-time grants to school districts to, among other things, construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms, as provided. Existing law appropriates, during specific fiscal years, specified sums of money to the board to provide the grants.

This bill would extend the time that the above described appropriated funds are available for encumbrance or expenditure by the board until specified dates during specified fiscal years, thereby making an appropriation.

(9) Existing law creates the Learning Recovery Emergency Fund in the State Treasury for the purpose of receiving appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. Existing law appropriates \$7,936,000,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. Existing law requires the Superintendent of Public Instruction to allocate these appropriated funds to school districts, county offices of education, and charter schools, as provided. Existing law authorizes allocated funds to be used for learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery, and staff and pupil social and emotional well-being. Existing law requires local educational agencies receiving these allocations to report interim expenditures to the department by December 1, 2024, and December 1, 2027, and to submit a final report no later than December 1, 2029.

This bill would reduce the above-described appropriation from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund by \$1,590,595,000 to instead be \$6,345,405,000, thereby making an appropriation. The bill would require local educational agencies receiving these allocations to instead report interim expenditures to the department by December 15, 2024, and annually thereafter, and to submit a final report on expenditures by December 15, 2029.

(10) Existing law requires a school district to use its uniform complaint process to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment, as provided. Under existing law, the procedure required under the uniform complaint process is intended to address, among other things, a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20% of English learner pupils in the class.

This bill would establish that the procedure required under the uniform complaint process is instead intended to address a complaint related to teacher misassignment that claims that a teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learner pupils in the class. To the extent this imposes new obligations on school districts, the bill would impose a state-mandated local program.

(11) Existing law requires the Controller to create an audit guide that includes, among other things, instructions for procedures for determining, among other things, if there any unspent funds associated with the completion of a Charter School Facilities Program project, a Career Technical Education Facilities Program project, or a project where the local educational agency received hardship funding, as provided.

This bill would delete the requirements that the Controller's audit guide include instructions for procedures for determining if there are any unspent funds associated with the completion of a Charter School Facilities Program project, a Career Technical Education Facilities Program project, and a project where the local educational agency received hardship funding, as provided.

(12) For the 1990–91 fiscal year and each fiscal year thereafter, existing law requires that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the 1992–93 to 2022–23 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2023–24 fiscal year.

(13) Existing law, commencing with the 2022–23 fiscal year, requires a transportation allowance equal to 60% of the home-to-school transportation expenditures reported by the school district or county superintendent of schools as determined by its Function 3600 entry in the Standardized Account Code Structure report for the prior year, excluding capital outlay and nonagency expenditures, and reduced by the amount of a school district's or county superintendent of schools' transportation add-on under the local control funding formula, as adjusted. As a condition of receiving those apportionments, existing law requires a local educational agency to develop a plan describing the transportation services it will offer to its pupils, and how it will prioritize planned transportation services for pupils in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive, and pupils who are low income, among other requirements related to this plan.

Existing law authorizes a school district to convert all of its schools to charter schools if it meets certain specified requirements and its petition is approved by both the Superintendent and the State Board of Education.

This bill would make the above-described transportation funding provisions inapplicable to a school district with an approved districtwide charter petition.

(14) Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of unduplicated pupils, as specified, served by

the county superintendent of schools, school district, or charter school. For purposes of the local control funding formula, existing law defines unduplicated pupil to mean a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as specified.

This bill would, commencing with the 2023–24 fiscal year, annually appropriate \$300,000,000 from the General Fund to the Superintendent of Public Instruction for allocation for the Local Control Funding Formula Equity Multiplier apportionment, which the bill would establish, as provided. The bill would require the funding to be allocated to eligible local educational agencies, as defined, on a per-unit basis of a schoolsite's total prior year adjusted cumulative enrollment, as specified, and would require an eligible schoolsite to receive not less than \$50,000 annually for purposes of this apportionment. The bill would require the State Department of Education to submit an annual report to the relevant policy and fiscal committees of the Legislature, the State Board of Education, and the Department of Finance that includes specified information on pupil outcomes from the apportionment, as provided.

(15) Existing law requires a school employer, as defined, to notify an employee when a wage overpayment has been made to the employee and afford the employee an opportunity to respond before commencing recoupment actions, and requires reimbursement to be made through one of 3 specified methods mutually agreed to by the employee and the employer. Existing law requires installment amounts deducted from payment of salary or wages pursuant to these provisions to not exceed 25% of the employee's net disposable earnings, except as specified. Existing law prohibits an administrative action taken by the employer to recover an overpayment unless the action is initiated within 3 years from the date of overpayment. The bill would provide that if these provisions conflict with a memorandum of understanding, the memorandum of understanding controls without further legislative action, except as provided.

This bill would revise and recast those provisions by, among other things, requiring the school employer to notify the school employee in writing of an overpayment and specified rights, deleting the authorization for a school employer to require full repayment through payroll deductions for overpayments that have occurred for more than one year, revising the limits for installment payments, as specified, and, if a school employee disputes the existence or amount of a school employer's claimed overpayment, requiring the school employer to first initiate a legal action and obtain a court order or a binding arbitration decision validating the claimed overpayment amount, as specified. The bill would instead provide that if these provisions conflict with a memorandum of understanding, and it was in effect on July 31, 2022, the memorandum of understanding controls until its expiration or renewal.

(16) Existing law requires the Commission on Teacher Credentialing, among other duties, to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the commission to administer the State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring. Existing law requires the commission and the State Department of Education to enter into a data sharing agreement to provide the commission with employee assignment data necessary to annually identify misassignments and vacant positions at local educational agencies. Existing law authorizes the commission to promulgate regulations that define standards for a local educational agency, including a charter school, that consistently misassigns employees and what sanctions, if any, to impose on that local educational agency. Existing law requires the Superintendent to identify a list of schools for which the county superintendent, or a designee, shall inspect annually and submit an annual report that describes the state of schools in the county, as provided. As part of the development of that list, existing law requires the Superintendent to identify a list of schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential.

This bill would revise and recast those provisions by, among other things, requiring the department to provide the commission with educator assignment data necessary to annually identify educator assignments, including assignments filled by individuals on preliminary or clear credentials, intern credentials, permits or waivers, misassignments, and vacant positions at local educational agencies. The bill would also require the commission to ensure local educational agencies have access to the results of the accountability system's process of assignment monitoring, publish annual certificated educator assignment data that reflects the level of preparation and licensure of educators serving California pupils, and support the department in providing annual updates that provide comprehensive information on teaching assignment outcomes inclusive of all educator classifications at the schoolsite, school district, and county level. The bill would expand the commission's above-described authority to promulgate regulations to apply to local educational agencies that consistently misassign educators, instead of employees, as provided. The bill would require the Superintendent to include on the list of schools where 15% or more of the teachers are holders of a permit, certificate, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential all schools, except for alternative schools, within a local educational agency that fail to meet certain requirements. To the extent that this bill would create new duties for county superintendents of schools and local educational agencies, it would constitute a state-mandated local program.

This bill would require the commission, on or before September 30, 2023, to examine and determine how it can ensure that transcripts will be reviewed for all candidates requiring determinations of basic skills or subject matter competence in order to

complete their credentialing requirements, and, by November 15, 2023, provide recommendations on ways in which efficient transcript review can be provided to all candidates who require determinations to the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or the director's designee, and the Director of Finance.

(17) Existing law establishes the Teacher Credentials Fund, requires all fees levied and collected by the commission to be deposited in the fund, and prohibits those fees from being transferred to any other fund. Existing law also establishes the Test Development and Administration Account in the Teacher Credentials Fund, and requires all fees collected by the commission for tests, examinations, or assessments to be deposited in the account. Existing law requires the Department of Finance to recommend a reduction in credential or other fees if, at the beginning of any fiscal year, the commission has surplus funds, as provided.

This bill would, commencing July 1, 2023, require all fees collected by the commission for tests, examinations, or assessments to instead be deposited in the Teacher Credentials Fund and would exempt these fees from the above-described requirements related to fee reductions when the commission has surplus funds, as provided. The bill would require these funds to be expended for the development, agency support, maintenance, or administration of tests or other assessments established, required, or administered by the commission, unless otherwise authorized by the Legislature. The bill would require the Department of Finance to annually recommend to the Legislature, as part of the budget review process, an appropriate credential fee sufficient to generate revenues necessary to support the operating budget of the commission plus a prudent reserve, as provided.

(18) Existing law establishes that a preliminary teaching credential shall be valid for 5 years, pending completion of the clear credential program.

Existing law requires the commission to grant or deny a completed application for a credential within 7 days of the date that the commission received the application if the applicant supplies the commission with evidence that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and holds a valid teaching credential in another state, district, or territory of the United States.

This bill would require the commission to issue a comparable credential to any United States military service member or their spouse or domestic partner, or a surviving spouse or domestic partner of a service member who died while serving as an active duty member of the Armed Forces of the United States in the previous 12 months, who, among other things, possesses and provides proof of a valid, out-of-state, unexpired, professional-level credential. The bill would limit a comparable credential issued under these provisions to be valid only for the duration of those military orders, except as provided.

Existing law requires, as a minimum requirement for a preliminary multiple subject, single subject, or education specialist teaching credential, the satisfactory completion of a program of professional preparation that includes a teaching performance assessment that meets specified requirements and has been approved by the commission, as provided.

This bill would require the commission to exempt specified preliminary multiple subject credential candidates and preliminary single subject credential candidates from the requirement, and any accompanying regulations, to complete a teaching performance assessment, as provided.

(19) Existing law establishes the Teacher Residency Grant Program and appropriates funds from the General Fund to the commission to make one-time grants to develop new, or expand, strengthen, or improve access to existing, teacher and school counselor residency programs. Existing law requires grants provided for this purpose to be up to \$25,000 per residency candidate. Existing law requires a residency candidate to agree to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate for at least 4 school years, as provided. Existing law requires the commission to conduct evaluations of the grants and to provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2027.

This bill would require a residency candidate to instead agree to serve in any public school in California for at least 4 school years. The bill would increase the amount of the grants to instead be up to \$40,000 per residency candidate. The bill would require grant recipients receiving an award during and after the 2023–24 fiscal year to provide residency candidates with a minimum compensation package of no less than \$20,000. The bill would also extend by 2 years the deadline by which the commission is required to provide the above-described report to December 1, 2029.

(20) Existing law establishes the Expanded Learning Opportunities Program. Existing law authorizes a local educational agency that elects to operate an expanded learning opportunity program to operate a before school component of a program, an after school component of a program, or both, and requires the local educational agency to comply with specified requirements, including the development of a program plan, as specified.

This bill would, among other things, specify licensing requirements for purposes of the program depending on whether the expanded learning opportunity program is operated directly by a local educational agency or by a third party, as provided, and would require the Superintendent, in consultation with the State Department of Social Services, to 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 these provisions and California state preschool program providers to annually submit program access information to the State Department of Education, as specified. The bill would require the State Department of Education to distribute a compiled list to the State Department of Social Services for purposes of Community Care Licensing Division data collection and submission to a local educational agency's applicable resource and referral agency. The bill would require the Superintendent, in consultation with the State Department of Social Services, to submit a report to the relevant fiscal and policy committees of the Legislature relating to these provisions, as specified.

Existing law requires the Superintendent to allocate funding for the program, as specified, and authorizes a charter school or school district, for the 2021–22 fiscal year, to expend the funds from the Superintendent from the 2021–22 and 2022–23 fiscal years, and, for the 2022–23 fiscal year, authorizes those local educational agencies to expend the funds received from the Superintendent from the 2022–23 and 2023–24 fiscal years.

The bill would authorize charter schools and school districts, for the 2021–22 fiscal year, to instead expend or encumber the funds from the Superintendent from the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive, and, for the 2023–24 fiscal year, would authorize those local educational agencies to instead expend or encumber the funds received from the Superintendent from the 2022–23 and 2023–24 fiscal years.

(21) For purposes of state apportionments, if the average daily attendance of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year because of an emergency, existing law requires the Superintendent to estimate the average daily attendance in a manner that credits to the school district, county office of education, or charter school the total average daily attendance that would have been credited had the emergency not occurred. Existing law requires the Superintendent to make specified calculations for purposes of state apportionments to a school district, county office of education, or charter school affected by the state of emergency declared by the Governor in November 2018, as provided. For the 2020–21 fiscal year for school districts, existing law requires the Superintendent to calculate the difference between the school district's certified second principal apportionment local control funding formula entitlement in the 2020–21 fiscal year and the 2019–20 fiscal year and, if there is a difference, to allocate the amount of that difference to the school district, and for the 2021–22 fiscal year, requires the Superintendent to allocate an amount equal to 25% of the difference calculated by the Superintendent for the 2020–21 fiscal year. Existing law continuously appropriates the amounts necessary to provide those apportionments.

This bill would require the Superintendent, for the 2022–23 fiscal year for school districts, to allocate an amount equal to 12.5% of the difference calculated by the Superintendent for the 2020–21 fiscal year, thereby making an appropriation.

(22) Existing law provides for the funding of necessary small schools and high schools, as specified. Existing law requires, among other things, that funding to include various specified amounts per pupil and teacher for different tiers of numbers of pupils and teachers. Existing law extends certain necessary small school funding provisions to school districts where a school eligible for necessary small school funding was destroyed as a result of a state of emergency that was declared by the Governor in August 2021 by authorizing school districts to continue to report the amount of attendance generated by pupils enrolled in another school of the school district that would have otherwise attended the destroyed school, and the number of full-time teachers employed by the school district that would have otherwise provided instructional services at the school, as if the school were operational in the 2021–22 and 2022–23 fiscal years. Existing law requires those schools to be considered a necessary small school for these purposes for the 2022–23 fiscal year.

This bill would extend the applicability of those provisions to the 2023–24 fiscal year, as provided.

(23) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law requires a school district or charter school to, as a condition of receipt of apportionment for pupils in a transitional kindergarten program, commencing with the 2023–24 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms, contingent upon an appropriation of funds. Existing law also requires, as a condition of receipt of apportionment for pupils in a transitional kindergarten program, a school district or charter school to ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, met one of 3 designated criteria establishing qualification for the position. Existing law requires the Superintendent of Public Instruction, commencing with the 2022–23 school year, to withhold a school district's or charter school's entitlements if a school district or charter school fails to comply with certain requirements, including, among others, the above-described qualification requirements, as specified.

This bill would delay the start of the requirement that a school district or charter school maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms at each schoolsite until the 2025–26 school year, and would delete the requirement that this provision be contingent upon an appropriation of funds. The bill would delay until August 1, 2025, the deadline for a credentialed teacher first assigned to a transitional kindergarten classroom after July 1, 2015, to meet one of the designated criteria referenced above, and would make a conforming change to the above-described withholding provision.

Existing law authorizes, in any school year, a school district or charter school to, at any time during a school year, admit a child to a transitional kindergarten program who will have their 5th birthday after the applicable cutoff date but during that same school year, as provided.

This bill, notwithstanding that provision, would authorize a school district or charter school to enroll an early enrollment child, as defined, in a transitional kindergarten program if specified conditions are met, including, among others, that any classroom that includes an early enrollment child maintains an adult-to-pupil ratio of at least one adult to every 10 pupils, and would penalize a school district or charter school that fails to meet at least one of certain requirements, as provided. Under the bill, a pupil admitted to a transitional kindergarten program pursuant to these provisions is prohibited from generating average daily attendance or being included in the enrollment or unduplicated pupil count until the pupil has attained their 5th birthday. The bill, beginning July 1, 2023, and for the 2023–24 and 2024–25 school years, would require a school district or charter school that offers transitional kindergarten to early enrollment children to concurrently offer enrollment in a California state preschool program that is operated by the school district or charter school if it operates a California state preschool program and that program is not fully subscribed, and would authorize the school district or charter school to enroll an early enrollment child in the program, regardless of income, after all other eligible children have been enrolled. The bill would, for the 2023–24 and 2024–25 school years, require school districts and charter schools that serve early enrollment children in transitional kindergarten to report specified information to the State Department of Education, and would require the department to report that information, as specified, to the appropriate fiscal and policy committees of the Legislature by October 1, 2024, and again by October 1, 2025. The bill would make these provisions inoperative on July 1, 2025.

(24) Existing law authorizes the governing board of a school district or a county board of education to request the state board to waive all or part of specified education laws or regulations adopted by the state board, as provided, with exceptions. Existing law establishes provisions relating to transitional kindergarten and kindergarten admission.

This bill would prohibit the state board from waiving all or part of certain laws relating to kindergarten and transitional kindergarten admission.

(25) The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools. Existing law authorizes a charter school to appeal a school district's decision to deny a charter petition to the county board of education and, if the county board of education upholds the decision, to appeal the county board of education's decision to the State Board of Education. Existing law authorizes the state board to reverse those decisions only upon a determination that there was an abuse of discretion.

This bill would instead authorize the state board to reverse those decisions only upon a determination that there was an abuse of discretion by each of the school district and the county board of education.

Existing law authorizes a chartering authority to renew the approval of a charter school petition under specified procedures. Existing law requires all charter schools whose term expires on or between January 1, 2022, and June 30, 2025, inclusive, to have their term extended by 2 years.

This bill would also require all charter schools whose term expires on or between January 1, 2024, and June 30, 2027, inclusive, to have their term extended by one additional year. By imposing new duties on local educational agencies acting as chartering authorities, this bill would impose a state-mandated local program.

Existing law prohibits, from January 1, 2020, to January 1, 2025, inclusive, the approval of a petition for the establishment of a new charter school offering nonclassroom-based instruction, as defined. Existing law authorizes a charter school to receive funding for nonclassroom-based instruction only if the state board makes a specified funding determination.

This bill would extend the prohibition on approving a petition for the establishment of a new charter school offering nonclassroom-based instruction by 1 year to instead be until January 1, 2026. The bill would require, no later than March 1, 2024, the Legislative Analyst's Office and the County Office Fiscal Crisis and Management Assistance Team to report to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the State Department of Education, and the executive director of the state board on the processes used to determine funding for nonclassroom-based charter schools.

Existing law requires the State Department of Education to regard a charter school that is operating under a chartering authority other than the chartering authority that originally granted its charter petition and that meets certain requirements as a continuing charter school, in which case the charter school is not eligible for funding as a new charter school, as specified. Existing law

defines an acquiring charter school as a state charter school site deemed a continuing charter school that has wholly combined with one or more other affected state charter school sites, as provided. Under existing law, on July 1, 2025, a charter school meeting the definition of an acquiring charter school is no longer regarded as a continuing charter school, as provided.

This bill would extend the date at which a charter school meeting the definition of an acquiring charter school would no longer be regarded as a continuing charter school by one year to instead be July 1, 2026, and would make conforming changes to extend related provisions.

(26) Existing law requires county boards of education to provide for the administration and operation of juvenile court schools by the county superintendent of schools or by contract with the respective governing boards of the elementary, high school, or unified school district in which the juvenile court school is located, as provided. Existing law encourages each county superintendent of schools or governing board of a school district, as determined by the county board of education, and the county chief probation officer to enter into a memorandum of understanding or equivalent mutual agreement to support a collaborative process for meeting the needs of wards of the court who are receiving their education in juvenile court schools. Existing law authorizes those agreements to include, among other things, a joint process for performing an intake evaluation for each ward to determine educational needs and ability to participate in all educational settings once the ward enters the local juvenile facility and requires that process to recognize the limitations on academic evaluation and planning that can result from short-term placements, as provided.

If a memorandum of understanding or equivalent mutual agreement is agreed to as described above, the bill would require that memorandum of understanding or equivalent mutual agreement to instead include a joint process for performing an intake evaluation for each ward to determine educational needs and ability to participate in all educational settings within 2 business days, or under extraordinary circumstances up to 5 business days, of the ward entering the local juvenile facility and a transition plan for when the ward reenrolls at a local educational agency postplacement that would be required to be transferred to the postplacement local educational agency within 2 business days of the youth being enrolled in the postplacement local educational agency. The bill would require the department to annually report specified information relating to pupils in juvenile court schools on its internet website. The bill would require the department to enter into a contract for an independent evaluation of county juvenile court schools and county community schools, as provided, and to provide a report on that evaluation to the Legislature, the executive director of the state board or their designee, and the Director of Finance on or before November 1, 2025. The bill would require the Superintendent to convene a workgroup, as specified, on meeting the needs of pupils with disabilities who enroll in juvenile court schools operated by county offices of education, and would require the workgroup to, among other things, examine existing law and current practices regarding the education of pupils with disabilities enrolled in county juvenile court schools and county community schools and make recommendations on improvements, as provided. The bill would require the department, on or before February 25, 2025, to submit a report with the workgroup's findings and recommendations to the relevant policy and budget committees of the Legislature, the state board, and the Department of Finance.

Existing law requires a county probation department to ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall or a juvenile ranch, camp, or forestry camp have access to, and can choose to participate in, public postsecondary academic and career technical courses and programs offered online, and for which they are eligible based on eligibility criteria and course schedules of the public postsecondary education campus providing the course or program. Existing law encourages county probation departments to develop other educational partnerships with local public postsecondary campuses, as is feasible, to provide programs on campus and onsite at the juvenile hall or a juvenile ranch, camp, or forestry camp.

This bill would revise those activities, as specified, and require county probation departments to undertake them in collaboration with a county office of education, and in partnership with the California Community Colleges or the California State University, or in voluntary partnership the University of California, as provided. The bill would also apply these provisions to juveniles who are detained in, or committed to, secure youth treatment facilities, as provided. To the extent the bill imposes additional duties on local agencies, the bill would impose a state-mandated local program.

(27) Existing law authorizes a public or private elementary or secondary school to determine whether or not to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at the school, and to designate one or more volunteers to receive related training to address an opioid overdose, as specified.

Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, this bill would appropriate \$3,500,000 from the General Fund to the State Department of Education for allocation to county offices of education for the purpose of purchasing and maintaining a sufficient stock of emergency opioid antagonists for school districts and charter schools within their jurisdiction to maintain a minimum of two units at each middle school, junior high school, high school, and adult school schoolsite, as provided. The bill would authorize the department to allocate up to \$350,000 of those funds to county offices of education for administrative costs, as provided. The bill would require, as a condition of receipt of these funds, county offices of education to, among other things, coordinate the purchase of and maintain a stock of emergency opioid antagonists, as provided.

(28) Existing law requires a school district or county superintendent of schools maintaining kindergarten or any grades 1 to 12, inclusive, to provide 2 school meals free of charge during each schoolday to each pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, as provided. Existing law requires the department to reimburse local educational agencies that participate in the federal School Breakfast Program and National School Lunch Program for all nonreimbursed expenses accrued in providing United States Department of Agriculture reimbursable meals to pupils, as provided.

This bill would instead require the State Department of Education to provide state meal reimbursement to school districts, county offices of education, and charter schools that participate in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils, as provided.

(29) Existing law requires a local educational agency to exempt an individual with exceptional needs from all coursework and other requirements who satisfies specified eligibility criteria, as provided.

This bill would, among other things, instead specify that the exemption applies to an individual with exceptional needs who entered the 9th grade in the 2022–23 school year or later and would revise the eligibility criteria for an alternative diploma pathway, as provided.

(30) Existing law requires the Student Aid Commission and the department to facilitate the completion of the Free Application for Federal Student Aid and the form used for purposes of the California Dream Act, in a specified manner.

This bill would require the commission to provide the California College Guidance Initiative with the discrete data necessary to inform the educator reports available through a specified internet website so that educators can ensure that each individual pupil has successfully completed and submitted their Free Application for Federal Student Aid or California Dream Act Application.

(31) Existing law requires the state board to, on or before March 31, 2014, adopt a template for a local control and accountability plan (LCAP) and an annual update to the LCAP for use by school districts, county boards of education, and charter schools. Existing law, on or before January 31, 2022, requires the template adopted by the state board to require the inclusion of certain information, including, among other things, a summary of the stakeholder engagement process, as provided.

This bill would revise and recast the information required to be included to, among other things, require a summary of the stakeholder engagement process, including stakeholders at schools generating Local Control Funding Formula Equity Multiplier funding, as specified.

Existing law requires the state board to include instructions for school districts, county offices of education, and charter schools to complete the LCAP and annual update to the LCAP, as specified.

This bill would revise and recast provisions involving the contents of these instructions to, among other things, require these instructions to specify that school districts, county offices of education, and charter schools are required, commencing with 2024–25 local control and accountability plans to include certain actions in the LCAP when a school or pupil group within a local educational agency, or a pupil group within a school, received the lowest performance level on one or more state indicators on the California School Dashboard, as provided, and, for local educational agencies receiving Local Control Funding Formula Equity Multiplier funding, specific goals for each school generating that funding, as provided. By creating new requirements involving the template used by local educational agencies, the bill would impose a state-mandated local program.

(32) Existing law requires each school district, county office of education, and charter school, on or before July 1, 2019, and each year thereafter, to develop a summary document known as the local control funding formula budget overview for parents.

This bill would, for county offices of education, require the local control funding formula budget overview for parents to additionally and separately address county office of education add-on funding provided for purposes of juvenile court schools, funding provided for county community schools, and for the Student Support and Enrichment Block Grant, as specified. By imposing additional duties on county office of education officials, the bill would impose a state-mandated local program.

Existing law, on or before July 1, 2015, and each year thereafter, requires the governing body of a charter school to hold a public hearing to adopt an LCAP using a template adopted by the state board. Existing law requires the governing body of a charter school to update the goals and annual actions to achieve those goals identified in the charter petition, as provided, using the template for the LCAP and annual update to the LCAP adopted by the state board, as provided.

This bill would require a charter school to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school, as provided.

Existing law requires, before a governing board of a school district or a county board of education considers the adoption of an LCAP or an annual update to the plan, certain things to occur, including that the superintendent of the school district or the county superintendent of schools present the LCAP or annual update to the LCAP to the parent advisory committee for review and comment, as provided.

This bill would additionally require the superintendent of a school district or the county superintendent of schools, before a governing board of a school district or a county board of education considers the adoption of an LCAP or an annual update to the plan, to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district or the county board of education, as specified. The bill would require the superintendent of the school district or the county superintendent of schools present the LCAP or annual update to the LCAP instead to any applicable advisory committee, including the parent advisory and English learner parent advisory committee, for review and comment, as provided.

By requiring local educational agencies and officials to present this new report on or before February 28 of each year and to any applicable advisory committee, the bill would impose a state-mandated local program.

(33) Existing law requires the single multiple measures public school accountability system authorized by the provisions requiring the state board to adopt evaluation rubrics to measure the overall performance of numerically significant pupil subgroups in schools, including charter schools, school districts, and county offices of education, as provided. Existing law includes within these numerically significant pupil subgroups, among others, English learners.

This bill would include English learners and, separately, long-term English learners for this purpose. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(34) Existing law requires the state board to, on or before October 1, 2016, adopt evaluation rubrics for certain purposes, including, among others, to assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement. Existing law requires the State Department of Education, in collaboration with, and subject to the approval of, the executive director of the state board, to develop and maintain the California School Dashboard, a web-based system for publicly reporting performance data on the state and local indicators included in the evaluation rubrics.

This bill would require the public reporting of performance data on state and local indicators via the web-based system to be completed on or before certain dates for the prior school year and would require timelines associated with the collection of data through the California Longitudinal Pupil Achievement Data System to be adjusted to support these public reporting dates, as specified. To the extent this would create new duties for local educational agencies, the bill would constitute a state-mandated local program.

(35) Existing law requires the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the governing board of the school district, as specified.

This bill would require the superintendent of a school district to prominently post on the homepage of the school district's internet website any LCAP approved by the governing board of the school district and the county superintendent of schools, as specified. By creating new duties for superintendents of school districts, the bill would impose a state-mandated local program.

Existing law requires a county superintendent of schools to prominently post on the homepage of the county office of education's internet website any LCAP approved by the county board of education, as specified.

This bill would require a county superintendent of schools to prominently post on the homepage of the county office of education's internet website any LCAP approved by the county board of education and the Superintendent of Public Instruction, as specified. By creating new duties for county superintendents, the bill would impose a state-mandated local program.

(36) Existing law, beginning with the 2018–19 fiscal year and in each fiscal year thereafter, requires a county superintendent of schools to prepare a summary of how the county superintendent plans to support school districts and schools within the county in implementing LCAPs and to present the summary to the county board of education. Existing law, commencing with the 2019–20 fiscal year, and in each fiscal year thereafter, requires the county superintendent of schools to submit the summary with its LCAP. Under existing law, the above-mentioned requirements do not apply to a county superintendent of schools with jurisdiction over a single school district.

This bill would instead apply those provisions to a county superintendent of schools with jurisdiction over a single school district. By creating new requirements for a county superintendent of schools with jurisdiction over a single school district, the bill would impose a state-mandated local program.

(37) Existing law requires the county superintendent of schools to approve an LCAP or annual update to an LCAP adopted by the governing board of a school district, and requires the Superintendent of Public Instruction to approve an LCAP or annual update to an LCAP adopted by the county board of education, if specified determinations are made, including, among other things, that the plan or annual update adheres to and follows any instructions or directions for completing the template adopted by the state board.

This bill would, among other things, require school districts and county offices of education that meet specified criteria to include in the LCAP or annual update to an LCAP the actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to the school district or county office of education to meet the specified criteria. To the extent the bill would impose additional duties on school districts and county offices of education, the bill would impose a state-mandated local program.

(38) Existing law requires a county superintendent of schools, if the governing board of a school district requests technical assistance, if the county superintendent of schools does not approve an LCAP or annual update to the LCAP approved by a governing board of a school district, or for any school district for which one or more specified pupil subgroups meets certain performance criteria, to provide technical assistance, as provided.

This bill would require the county superintendent of schools, for any school district for which one or more specified pupil subgroups meets the certain performance criteria, to instead provide technical assistance for a minimum of 2 years, as provided. The bill would require the county superintendent of schools to additionally provide technical assistance for any school district that fails to submit specified data to the department, as provided. The bill would require, for any school district that meets the certain performance criteria for 3 or more consecutive years, the school district's geographic lead agency, in collaboration with the county superintendent of schools, to provide technical assistance to the school district, as provided. By creating new duties for county superintendents of schools, the bill would impose a state-mandated local program.

(39) Existing law requires the Superintendent of Public Instruction, if the Superintendent does not approve an LCAP or annual update to the LCAP approved by a county board of education, if the county board of education requests technical assistance, or for any county office of education for which one or more of specified pupil subgroups meets certain performance criteria, to provide technical assistance, as provided.

This bill would require the Superintendent, for any county office of education for which one or more specified pupil subgroups meets the certain performance criteria, to instead provide technical assistance for a minimum of 2 years, as provided. The bill would require the Superintendent to additionally provide technical assistance for any county office of education that fails to submit specified data to the department, as provided.

(40) Existing law establishes the California Collaborative for Educational Excellence for the purpose of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in an LCAP.

The bill would require, by March 1, 2024, the California Collaborative for Educational Excellence and the department to select, subject to approval by the executive director of the state board and as a result of a competitive process, local educational agencies, or a consortium of local educational agencies, to serve as Equity Leads within the system of support, as provided. The bill would prescribe the competitive process for selecting Equity Leads and would require the Equity Leads selected to demonstrate a willingness and capacity to, among other things, develop and disseminate resources on effective practices for analyzing programs, identifying barriers and opportunities, and implementing actions and services to meet the identified needs of all pupils, including by addressing racial disparities. The bill would require Equity Leads to have certain responsibilities, including, among others, to support the work of local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding, as specified, in developing and implementing programs and supports that address racial disparities in opportunities and academic outcomes. The bill would, commencing with the 2023–24 fiscal year, appropriate an unspecified sum each fiscal year from the General Fund to the department to be awarded to local educational agencies serving as Equity Leads, as specified.

(41) Existing law requires a school district, county office of education, or charter school that requests the advice and assistance of the California Collaborative for Educational Excellence to reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

This bill would instead provide that only a school district, county office of education, or charter school that is eligible for certain technical assistance may request the advice and assistance of the California Collaborative for Educational Excellence, as provided. The bill would additionally authorize the County Office Fiscal Crisis and Management Assistance Team to request the advice or assistance of the California Collaborative for Educational Excellence and would require the County Office Fiscal Crisis and Management Assistance Team to reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act, as provided.

(42) Existing law authorizes the Superintendent of Public Instruction, subject to the approval of the state board, to identify county offices of education and school districts in need of intervention if the county office of education or school district, in 3 out of 4 consecutive school years, meets specified criteria, as applicable, and the California Collaborative for Educational Excellence has provided advice and assistance to the county office of education or school district, as provided. Existing law authorizes the Superintendent, in those cases where a county office of education or school district has been identified as needing intervention to, among other things, make changes to the LCAP and develop and impose a budget revision.

This bill would revise and recast those provisions by creating 2 separate intervention processes, as provided. The bill would first require the California Collaborative for Educational Excellence, in consultation with certain providers of technical assistance and the school district or the county office of education, as applicable, to determine if assistance from the California Collaborative for Educational Excellence is necessary, as provided. The bill would then authorize the Superintendent, subject to the approval of the state board, to identify county offices of education and school districts in need of intervention if the California Collaborative for Educational Excellence determines that the county office of education or school district, as applicable, has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or that the inadequate performance of the county office of education or school district, based upon a specified rubric, as applicable, is either so persistent or acute as to require intervention by the Superintendent. By creating new duties for school districts and county offices of education in relation to their collaboration with the California Collaborative for Educational Excellence regarding assistance for these purposes, the bill would impose a state-mandated local program.

(43) Existing law establishes the Community Engagement Initiative Expansion and, for the 2022–23 fiscal year, appropriates \$100,000,000 from the General Fund to the Superintendent of Public Instruction for allocation to the collaborative to expand and strengthen the Community Engagement Initiative, as provided. For the 2022–23 fiscal year to the 2026–27 fiscal year, inclusive, existing law requires the collaborative and a selected lead agency to convene 30 community engagement professional learning networks, as provided, and requires these teams to be willing to, among other things, partner with other communities and school districts on improving community engagement.

This bill would require a partnership pursuant to those provisions to include providing fiscal support to partner organizations to support their capacity for meaningful collaboration and implementation of the Community Engagement Initiative.

(44) Existing law establishes the Bilingual Teacher Professional Development Program, administered by the department in consultation with the Commission on Teacher Credentialing, for teachers seeking to provide instruction in bilingual and multilingual settings. Existing law provides that the purpose of the grant program is to ensure that California can meet the demand for bilingual teachers necessary for the implementation of dual language and other bilingual education programs, as authorized by the California Education for a Global Economy Initiative, and to ensure California is able to meet the demand in preparing bilingual education teachers. Existing law requires the department to issue a minimum of 5 grants to applicants through a competitive process and to allocate grant funding to eligible local educational agencies for purposes of providing professional development services to teachers or paraprofessionals. Existing law requires grant recipients to provide a final report on specified information related to the program to the department by January 1, 2022.

This bill would provide that it is also the purpose of the grant program to increase bilingual teachers in multiple languages to staff bilingual classrooms, such as Spanish, Vietnamese, Mandarin, Cantonese, Tagalog, and Arabic classrooms, and other languages, as represented in instructional programs. The bill would, among other things, require the department to meet quarterly with grant recipients to share promising practices and resources, and to resolve issues of implementation. The bill would, for the 2023–24 fiscal year, appropriate \$20,000,000 from the General Fund to the Superintendent for purposes of the program, to be available for grants totaling \$4,000,000 each fiscal year, from the 2023–24 fiscal year to the 2027–28 fiscal year, inclusive, and would require grant recipients of those funds to provide, by July 1, 2026, a preliminary report, and, by January 1, 2029, a final report, of specified information to the department, as provided.

(45) Existing law requires the Superintendent to develop program guidelines for dyslexia to be used to assist regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, as provided.

This bill would require the state board to appoint an independent panel of experts on or before January 31, 2024, to create an approved list of screening instruments for assessing pupils in kindergarten and grades 1 and 2 for risk of reading difficulties, as provided. The bill would require the panel to approve the list of screening instruments on or before December 31, 2024, and would require the governing board or body of a local educational agency serving pupils in kindergarten or grades 1 or 2 to adopt one or more screening instruments from the list on or before June 30, 2025. The bill would require a local educational agency serving pupils in kindergarten or grades 1 or 2, commencing no later than the 2025–26 school year, and annually thereafter, assess each pupil in those grades using the adopted screening instrument, except as provided. If a pupil is identified as being at risk of having reading difficulties after being screened pursuant to these provisions, the bill would require the local educational agency to provide the pupil with supports and services, as provided. By imposing additional requirements on local educational

agencies, this bill would create a state-mandated local program. The bill would appropriate \$1,000,000 to the Superintendent for the state board to appoint the panel for the purpose of creating an approved list of screening instruments.

(46) Existing law requires each special education local plan area to administer local plans, as provided. Existing law prohibits the governing board of a school district, from July 1, 2020, to July 1, 2024, inclusive, from electing to submit a local plan for the education of all individuals with exceptional needs residing in the district for the purpose of creating a single district special education local plan area, as provided.

This bill would extend that prohibition by 2 years until July 1, 2026. The bill would require the Superintendent to post all local plans submitted by each special education local plan area on the department's internet website.

Existing law requires, commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent to determine the base grant funding for each special education local plan area, as provided.

This bill would require, for the 2023–24 fiscal year, each special education local plan area to, at minimum, allocate special education funding to all of its member local educational agencies equal to the total sum of base grant funding allocated to all of its member local educational agencies in the 2022–23 fiscal year multiplied by the sum of one plus a certain inflation factor for the 2023–24 fiscal year, and then multiplied by the sum of one plus the percent change in funded average daily attendance of its member local educational agencies from the 2022–23 fiscal year to the 2023–24 fiscal year, as provided. To the extent this imposes additional duties on a special education local plan area, this bill would impose a state-mandated local program.

(47) Existing law states the intent of the Legislature to provide a system of assessments of pupils that has the primary purposes of (A) assisting teachers, administrators, and pupils and their parents, (B) improving teaching and learning, and (C) promoting high-quality teaching and learning using a variety of assessment approaches and item types. Existing law requires the department to acquire, and offer at no cost to local educational agencies, certain interim assessment tools for pupils in kindergarten and any of grades 1 to 12, inclusive, and requires those interim assessments to be designed to provide timely feedback to teachers to improve instruction, for communication with pupils' parents or guardians, and for identifying teachers' professional development goals. Existing law prohibits the results of these interim assessments from being used for any high-stakes purpose, including, among other specified uses, school staff evaluations or pupil grade promotion or retention.

This bill would apply those purposes and that prohibition instead to any interim assessments offered by the department to local educational agencies.

(48) Existing law establishes the California Longitudinal Pupil Achievement Data System (CalPADS), which is maintained by the department and consists of pupil data from elementary and secondary schools, as specified, relating to, among other things, demographic, program participation, enrollment, and statewide assessments. Existing law requires the system to be used to accomplish specified goals and requires local educational agencies, in order to comply with federal law, to retain individual pupil records for each test taker, as provided.

This bill would require local educational agencies, in order to accomplish those specified goals and to comply with the requirement to retain individual pupil records for each test taker, to submit data according to the processes and timelines established by the department, as provided. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program.

(49) Existing law authorizes the California College Guidance Initiative (CCGI) to provide its services to all California school districts. Existing law requires the department to ensure that the notifications provided by local educational agencies, as required by the federal Family Educational Rights and Privacy Act of 1974, include appropriate content related to how CalPADS and CCGI data will be used, as provided.

This bill would revise and recast those provisions by, among other things, authorizing CCGI to provide its services to all local educational agencies and requiring the department to instead notify local educational agencies of the additional use of CalPADS data and advise local educational agencies to include in their annual parent notifications, as required by the federal Family Educational Rights and Privacy Act of 1974, information about CalPADS and CCGI data, as provided.

(50) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission to award grants to students enrolled in professional preparation programs leading to a preliminary teaching credential or a pupil personnel services credential who commit to work for 4 years at a priority school, as provided. Existing law requires, except as provided, that a grant recipient agree to repay received grant funds if they do not complete their preparation program and earn a preliminary credential within 3 years after the first distribution of grant funds. Existing law requires the commission, in coordination with the State Department of Education, to publish a list of priority schools by April 15 of each year.

This bill would expand the program to award grants to students who commit to work for 4 years at California preschool programs, as defined. The bill would require a grant recipient to agree to repay received grant funds if they do not complete their teacher

preparation program and earn a preliminary credential within 6 years after the first distribution of grant funds. For purposes of satisfying the service requirement, the bill would authorize a grant recipient to use service at a school listed on the most recently published priority school list that is available when the grant recipient seeks employment at a priority school, and would require further service at that school to continue to satisfy the 4-year service requirement, even if the school is no longer included on future priority school lists.

Existing law requires, for purposes of the Golden State Teacher Grant Program, the student to be enrolled in an approved teacher preparation program that has a main campus location or administrative entity that resides in the state, or to be enrolled in an approved teacher credential program at a California private or independent postsecondary educational institution, a nonprofit institution headquartered and operating in California, or a California public postsecondary educational institution. Existing law requires the Student Aid Commission to provide one-time grant funds of up to \$20,000 to each enrolled student under the program, as specified.

This bill would authorize the Commission on Teacher Credentialing to determine that a private postsecondary educational institution that offers a professional preparation program approved by the Commission on Teacher Credentialing qualifies for the program if the institution meets certain criteria, including that the institution was originally chartered and is currently operating as a nonprofit entity that offers services exclusively online to California residents. The bill would require the Student Aid Commission to provide one-time grant funds of up to \$10,000 to each enrolled student in a private postsecondary educational institution qualified for the program under these provisions, as specified.

(51) Existing law appropriates \$15,000,000 from the General Fund to the Superintendent for the department and the California Collaborative for Educational Excellence, with approval from the executive director of the state board, to designate a county office of education to identify and curate a repository of high-quality open educational resources for use by local educational agencies. Existing law makes these funds available for encumbrance until June 30, 2024.

This bill would extend the encumbrance period for that appropriation to June 30, 2025, thereby making an appropriation.

(52) Existing law, for the 2022–23 fiscal year, appropriates \$1,125,000,000 from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies, as specified, and \$375,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement those vehicle investments, as specified. Existing law, commencing with the 2023–24 fiscal year, requires the State Air Resources Board to award grants totaling \$225,000,000, and requires the commission to award grants totaling \$75,000,000, in each fiscal year to local educational agencies, as specified.

This bill would delete the above-described appropriations and instead appropriate, for the 2023–24 fiscal year only, \$375,000,000 from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund grants to local educational agencies, as defined, for zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies, as specified, and \$125,000,000 from the General Fund to the State Energy Resources Conservation and Development Commission to fund grants to local educational agencies for zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement those vehicle investments, as specified.

(53) Existing law appropriates \$413,000,000 from the General Fund to the Superintendent for apportionment to certain charter schools in the 2022–23 fiscal year.

This bill would reduce the appropriation for that purpose by \$122,977,000 to instead be \$290,023,000.

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

This bill would, for the 2023–24 fiscal year, appropriate \$1,960,500,000 from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998, as provided. The bill would authorize the Department of General Services to charge against either of those appropriations, the administrative costs, not to exceed \$15,000,000, incurred to implement the appropriation. By expanding the authorized uses of the \$1,300,000,000 appropriation referenced above, the bill would make an appropriation.

(55) Existing law appropriates \$600,000,000 from the General Fund to the State Department of Education for allocation to certain school districts, county offices of education, and charter schools to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, as defined, including for freshly prepared

onsite meals, as defined, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets, as specified.

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

This bill would revise the list of specified school best practices, as provided, that local educational agencies are authorized to expend those funds on, thereby making an appropriation, and would make a corresponding change to the eligibility criteria that the State Department of Education, in consultation with the Department of Food and Agriculture, is required to develop.

The bill would revise the definition of freshly prepared onsite meals, as specified, for purposes of both of the above-described provisions and would authorize the department, in the reasonable exercise of its discretion, to interpret this definition and provide guidance to local educational agencies to support the implementation of those programs, consistent with the intent of those programs.

(56) Existing law appropriates \$3,560,885,000 from the General Fund to the State Department of Education for the 2022–23 fiscal year to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, as specified.

This bill would reduce the above-described appropriation by \$200,000,000 to instead be \$3,360,885,000, thereby making an appropriation.

(57) Existing law appropriates \$250,000,000 from the General Fund to the Superintendent for allocation to local educational agencies meeting certain criteria for the Literacy Coaches and Reading Specialists Grant Program in order to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support, as provided. Existing law requires recipient local educational agencies to submit a report on how it used grant funds to the State Department of Education on or before June 30, 2027. Existing law also requires the Superintendent to provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature on the data submitted by local educational agencies.

This bill would revise and recast the reporting provisions by, among other things, requiring the recipient local educational agencies and the Superintendent to submit interim reports before the final reports, as provided. The bill would also require the Superintendent to submit the interim and final reports submitted by recipient local educational agencies to a certain selected entity to conduct an independent evaluation, as provided. The bill would prohibit the above-described funds from being used to support the salaries of existing literacy coaches and reading specialists.

This bill would appropriate \$250,000,000 from the General Fund to the Superintendent to augment the Literacy Coaches and Reading Specialists Grant Program to allocate moneys to eligible schoolsites, as defined, that did not receive moneys under the initial program to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support.

(58) The Budget Act of 2023 appropriates \$118,810,000 to the department from the Federal Trust Fund, for purposes of the federal Stronger Connections Grant Program, in order to support local educational agencies to implement Multi-Tiered Systems of Support activities, as specified.

This bill would require the Superintendent to award, subject to approval by the executive director of the state board, grants on a competitive basis to eligible local educational agencies pursuant to the requirements of the federal program, as provided. The bill would require grant funds to be used to establish safe, healthy, and supportive learning opportunities and environments in schools, as specified to include, among other things, implementation of high quality integrated academic, behavioral, and social emotional learning practices or services aligned to the Multi-Tiered System of Support.

(59) This bill would require the Legislative Analyst's Office, by no later than March 15, 2024, to provide recommendations to the Department of Finance, the State Board of Education, and the relevant fiscal and policy committees of the Legislature for changes to the local control and accountability plan for county offices of education or, to the extent feasible, recommendations for alternative reporting requirements outside of the local control and accountability plan, as provided.

(60) This bill would require the Superintendent of Public Instruction to allocate certain funding to the Commission on Teacher Credentialing to establish the Diverse Education Leaders Pipeline Initiative program for the purpose of providing grants to local

educational agencies to train, place, and retain diverse and culturally responsive administrators in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to improve pupil outcomes and meet the needs of California's education workforce, as provided. The bill would require the commission to award grants to local educational agencies of up to \$30,000 per administrator candidate. The bill would require an administrator candidate for whom a grant is awarded to agree in writing to serve in a public school in California for a period of at least 2 school years. The bill would require the commission to submit a report on the program to the Department of Finance and the appropriate policy and fiscal committees of both houses of the Legislature on or before June 30, 2027.

(61) This bill would, on or before June 30, 2024, appropriate an amount to be determined by the Director of Finance from the General Fund to the Superintendent in augmentation of a certain item in the Budget Act of 2023. The bill would make these funds available only to the extent that revenues distributed to local educational agencies for special education programs from successor agencies are less than the estimated amount determined by the Director of Finance. The bill would require, on or before June 30, 2024, the Director of Finance to determine if the revenues distributed to local educational agencies for special education programs from successor agencies exceed the estimated amount reflected in the Budget Act of 2023 and, if so, would require the Director of Finance to reduce the specified appropriation in the Budget Act of 2023 by the amount of that excess.

(62) This bill would appropriate \$1,000,000 from the General Fund to the department to create, in consultation with the executive director of the state board, a Literacy Roadmap to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity, as provided.

(63) This bill would appropriate \$100,000 for the 2023–24 fiscal year to the Superintendent for allocation to the Sacramento County Office of Education to, in consultation with the executive director of the state board and the department, update distance learning curriculum and instructional guidance for mathematics in alignment with the state-adopted mathematics framework.

(64) Existing law requires the department, on or before June 1, 2024, to develop evidence-based best practices for restorative justice practice implementation on a school campus and to make these best practices available on the department's internet website for use by local educational agencies.

This bill would appropriate \$7,000,000 from the General Fund to the Superintendent to be made available to support local educational agencies electing to implement the restorative justice best practices, as specified.

(65) This bill would, for the 2023–24 fiscal year, appropriate \$100,000 from the General Fund to the department to contract with a specified independent evaluator to extend the evaluation of certain technical assistance, including by examining and analyzing California School Dashboard data, as provided.

(66) This bill would, for the 2023–24 fiscal year, appropriate \$1,000,000 from the General Fund to the Superintendent to, in consultation with the executive director of the state board, award \$1,000,000 as a grant to the community-based organization Beyond Differences to support local educational agencies with the implementation of high-quality integrated academic, behavioral, and social-emotional learning practices.

(67) This bill also would delete obsolete provisions, make conforming changes, and make technical changes.

(68) This bill would provide that its provisions are severable.

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

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

(70) Certain funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

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

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 1240 of the Education Code is amended to read:

1240. The county superintendent of schools shall do all of the following:

(a) Superintend the schools of that county.

(b) Maintain responsibility for the fiscal oversight of each school district in that county pursuant to the authority granted by this code.

(c) (1) Visit and examine each school in the county at reasonable intervals to observe its operation and to learn of its problems. The county superintendent of schools annually may present a report of the state of the schools in the county, and of the county office of education, including, but not limited to, observations from visiting the schools, to the board of education and the board of supervisors of the county.

(2) (A) (i) Commencing with the 2021–22 fiscal year, the Superintendent shall identify a list of schools, which shall include charter schools, for which the county superintendent, or a designee, shall inspect annually, and about which the county superintendent, or a designee, shall submit an annual report, at a regularly scheduled November board meeting, to the governing board of each school district under the jurisdiction of the county superintendent, the county board of education of that county, and the board of supervisors of that county, that describes the state of the schools in the county. The list established in the 2021–22 fiscal year shall also be used as the list established in the 2022–23 and 2023–24 fiscal years. The list of schools established pursuant to this section shall be reestablished in the 2024–25 fiscal year and again every three fiscal years thereafter. Each list shall be established in accordance with clause (ii), and shall be used for inspections beginning the following fiscal year.

(ii) The list of schools pursuant to clause (i) shall be compiled as follows:

(I) The Superintendent shall include on the list all schools that were most recently identified for comprehensive support and improvement and additional targeted support and improvement pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal Elementary and Secondary Education Act of 1965 (Public Law 89-10), or any subsequent amendments to that act. For the list established in the 2021–22, 2022–23, and 2023–24 fiscal years, the Superintendent shall use the list of schools identified in the 2019–20 fiscal year for comprehensive support and improvement and for additional targeted support and improvement.

(II) The Superintendent shall include on the list all schools where 15 percent or more of the teachers are holders of a permit or certificate, such as a temporary or short-term permit, a substitute permit, a waiver, an intern credential, or any other authorization that is a lesser certification than a preliminary or clear California teaching credential. With the exception of alternative schools, all schools within a local educational agency that fail to meet the requirements of Sections 44258.9 and 60900 shall be included on the list for the applicable reporting cycle.

(III) The list of schools compiled pursuant to clause (i) shall exclude alternative schools within the meaning of subdivision (d) of Section 52052 and other schools accepted for participation in the Dashboard Alternative School Status program by the department.

(iii) The annual report shall include the determinations for each school made by the county superintendent, or the county superintendent's designee, regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, and the county superintendent, or the county superintendent's designee, shall use a standardized template to report the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9, unless the current annual report being used by the county superintendent, or the county superintendent's designee, already includes those details with the same level of specificity that is otherwise required by this subdivision.

(B) The county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco shall contract with another county office of education or an independent auditor to conduct the required visits and make all reports required by this paragraph.

(C) On a quarterly basis, the county superintendent, or the county superintendent's designee, shall report the results of the visits and reviews conducted that quarter to the governing board of the school district at a regularly scheduled meeting held in accordance with public notification requirements. The results of the visits and reviews shall include the determinations of the county superintendent, or the county superintendent's designee, for each school regarding the status of all of the circumstances listed in subparagraph (E) and teacher misassignments and teacher vacancies, as described in Section 44258.9. If the county superintendent, or the county superintendent's designee, conducts no visits or reviews in a quarter, the quarterly report shall report that fact.

(D) The visits made pursuant to this paragraph shall be conducted at least annually and shall meet the following criteria:

(i) Minimize disruption to the operation of the school.

(ii) Be performed by individuals who meet the requirements of Section 45125.1.

(iii) Consist of not less than 25 percent unannounced visits in each county. During unannounced visits in each county, the county superintendent shall not demand access to documents or specific school personnel. Unannounced visits shall only be used to observe the condition of school repair and maintenance, and the sufficiency of instructional materials, as defined by Section 60119.

(E) The priority objective of the visits made pursuant to this paragraph shall be to determine the status of all of the following circumstances:

(i) Sufficient textbooks, as defined in Section 60119 and as specified in subdivision (i).

(ii) The condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff, as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72.

(iii) The accuracy of data reported on the school accountability report card with respect to the availability of sufficient textbooks and instructional materials, as defined by Section 60119, and the safety, cleanliness, and adequacy of school facilities, including good repair, as required by Sections 17014, 17032.5, 17070.75, and 17089.

(F) The county superintendent may make the status determinations described in subparagraph (E) during a single visit or multiple visits. In determining whether to make a single visit or multiple visits for this purpose, the county superintendent shall take into consideration factors such as cost-effectiveness, disruption to the schoolsite, deadlines, and the availability of qualified reviewers.

(G) If the county superintendent determines that the condition of a facility poses an emergency or urgent threat to the health or safety of pupils or staff as described in school district policy or paragraph (1) of subdivision (c) of Section 17592.72, or is not in good repair, as specified in subdivision (d) of Section 17002 and required by Sections 17014, 17032.5, 17070.75, and 17089, the county superintendent, among other things, may do any of the following:

(i) Return to the school to verify repairs.

(ii) Prepare a report that specifically identifies and documents the areas or instances of noncompliance if the school district has not provided evidence of successful repairs within 30 days of the visit of the county superintendent or, for major projects, has not provided evidence that the repairs will be conducted in a timely manner. The report may be provided to the governing board of the school district. If the report is provided to the school district, it shall be presented at a regularly scheduled meeting held in accordance with public notification requirements. The county superintendent shall post the report on the internet website of the county superintendent. The report shall be removed from the internet website when the county superintendent verifies the repairs have been completed.

(d) Distribute all laws, reports, circulars, instructions, and blanks that the county superintendent may receive for the use of the school officers.

(e) Annually, on or before September 15, present a report to the governing board of the school district and the Superintendent regarding the fiscal solvency of a school district with a disapproved budget, qualified interim certification, or a negative interim certification, or that is determined to be in a position of fiscal uncertainty pursuant to Section 42127.6.

(f) Keep in the office of the county superintendent the reports of the Superintendent.

(g) Keep a record of the official acts of the county superintendent and of all the proceedings of the county board of education, including a record of the standing, in each study, of all applicants for certificates who have been examined, which shall be open to the inspection of an applicant or an authorized agent of the applicant.

(h) Enforce the course of study.

(i) (1) Enforce the use of state textbooks and instructional materials and of high school textbooks and instructional materials regularly adopted by the proper authority in accordance with Section 51050.

(2) For purposes of this subdivision, sufficient textbooks or instructional materials has the same meaning as in subdivision (c) of Section 60119.

(3) (A) Commencing with the 2022–23 school year, if a school is identified as specified in subparagraph (A) of paragraph (2) of subdivision (c), the county superintendent specifically shall review that school at least annually as a priority school. A review conducted for purposes of this paragraph shall be completed by the fourth week of the school year.

(B) In order to facilitate the review of instructional materials before the fourth week of the school year, the county superintendent in a county with 200 or more schools that are identified as specified in subparagraph (A) of paragraph (2) of subdivision (c) may use a combination of visits and written surveys of teachers for the purpose of determining sufficiency of

textbooks and instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined in subdivision (c) of Section 60119. If a county superintendent elects to conduct written surveys of teachers, the county superintendent shall visit the schools surveyed within the same academic year to verify the accuracy of the information reported on the surveys. If a county superintendent surveys teachers at a school in which the county superintendent has found sufficient textbooks and instructional materials for the previous two consecutive years and determines that the school does not have sufficient textbooks or instructional materials, the county superintendent shall, within 10 business days, provide a copy of the insufficiency report to the school district as set forth in paragraph (4).

(C) For purposes of this paragraph, "written surveys" may include paper and electronic or online surveys.

(4) If the county superintendent of schools determines that a school does not have sufficient textbooks or instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, the county superintendent shall do all of the following:

(A) Prepare a report that specifically identifies and documents the areas or instances of noncompliance.

(B) Provide within five business days of the review, a copy of the report to the school district, as provided in subdivision (c), or, if applicable, provide a copy of the report to the school district within 10 business days pursuant to subparagraph (B) of paragraph (3).

(C) Provide the school district with the opportunity to remedy the deficiency. The county superintendent shall ensure that the deficiency is remedied no later than the second month of the school term.

(D) If the deficiency is not remedied as required pursuant to subparagraph (C), the county superintendent shall request the department to purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement of this subdivision. If the department purchases textbooks or instructional materials for the school district, the department shall issue a public statement at the first regularly scheduled meeting of the state board occurring immediately after the department receives the request of the county superintendent and that meets the applicable public notice requirements, indicating that the district superintendent and the governing board of the school district failed to provide pupils with sufficient textbooks or instructional materials as required by this subdivision. Before purchasing the textbooks or instructional materials, the department shall consult with the school district to determine which textbooks or instructional materials to purchase. The amount of funds necessary for the purchase of the textbooks and materials is a loan to the school district receiving the textbooks or instructional materials. Unless the school district repays the amount owed based upon an agreed-upon repayment schedule with the Superintendent, the Superintendent shall notify the Controller and the Controller shall deduct an amount equal to the total amount used to purchase the textbooks and materials from the next principal apportionment of the school district or from another apportionment of state funds.

(j) Preserve carefully all reports of school officers and teachers.

(k) Deliver to county superintendent's successor, at the close of the county superintendent's official term, all records, books, documents, and papers belonging to the office, taking a receipt for them, which shall be filed with the department.

(l) (1) Submit two reports during the fiscal year to the county board of education in accordance with the following:

(A) The first report shall cover the financial and budgetary status of the county office of education for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be reviewed by the county board of education and approved by the county superintendent no later than 45 days after the close of the period being reported.

(B) As part of each report, the county superintendent shall certify in writing whether or not the county office of education is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for two subsequent fiscal years. The certifications shall be classified as positive, qualified, or negative, pursuant to standards prescribed by the Superintendent, for purposes of determining subsequent state agency actions pursuant to Section 1240.1. For purposes of this subdivision, a negative certification shall be assigned to a county office of education that, based upon current projections, will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year. A qualified certification shall be assigned to a county office of education that may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to a county office of education that will meet its financial obligations for the current fiscal year and subsequent two fiscal years. In accordance with those standards, the Superintendent may reclassify a certification. If a county office of education receives a negative certification, the Superintendent, or the Superintendent's designee, may exercise the authority set forth in subdivision (d) of Section 1630. Copies of each certification, and of the report containing that certification, shall be sent to the Superintendent at the time the certification is submitted to the county board of education. Copies of each qualified or negative certification and the

report containing that certification shall be sent to the Controller at the time the certification is submitted to the county board of education.

(2) All reports and certifications required under this subdivision shall be in a format or on forms prescribed by the Superintendent, and shall be based on standards and criteria for fiscal stability adopted by the state board pursuant to Section 33127. The reports and supporting data shall be made available by the county superintendent to an interested party upon request.

(3) This subdivision does not preclude the submission of additional budgetary or financial reports by the county superintendent to the county board of education or to the Superintendent.

(4) The county superintendent is not responsible for the fiscal oversight of the community colleges in the county, however, the county superintendent may perform financial services on behalf of those community colleges.

(5) A county office of education having a negative or qualified certification, or classified as qualified or negative by the Superintendent, shall continue to be classified as qualified or negative until the next report required under this subdivision is filed.

(m) If requested, act as agent for the purchase of supplies for the city and high school districts of that county.

(n) For purposes of Section 44421.5, report to the Commission on Teacher Credentialing the identity of a certificated person who knowingly and willingly reports false fiscal expenditure data relative to the conduct of an educational program. This requirement applies only if, in the course of normal duties, the county superintendent discovers information that gives the county superintendent reasonable cause to believe that false fiscal expenditure data relative to the conduct of an educational program has been reported.

(o) If any activities authorized pursuant to this section are found to be a state reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution, funding provided for school districts and county offices of education pursuant to Sections 2574, 2575, 42238.02, and 42238.03 shall be used to directly offset any mandated costs.

SEC. 2. Section 2574 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

(4) For the 2014–15 fiscal year and each fiscal year thereafter, adjust each of the rates provided in the prior year pursuant to paragraphs (1), (2), and (3) by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of

the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) (A) (i) For the 2013–14 fiscal year to the 2022–23 fiscal year, inclusive, a base grant equal to the 2012–13 per pupil undeficitated statewide average juvenile court school base revenue limit calculated pursuant to Article 3 (commencing with Section 2550) of Chapter 12, as that article read on January 1, 2013, and as adjusted each fiscal year pursuant to subparagraph (B). For purposes of this subparagraph, the 2012–13 statewide average juvenile court school base revenue limit shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(ii) For the 2023–24 fiscal year, a base grant equal to the grade span-adjusted base grant for average daily attendance in grades 9 to 12, inclusive, calculated pursuant to subdivision (d) of Section 42238.02, for the 2022–23 fiscal year, multiplied by 1.33, and then adjusted pursuant to subparagraph (B) for the 2023–24 fiscal year.

(iii) Commencing with the 2024–25 fiscal year, and each fiscal year thereafter, a base grant equal to the amount calculated pursuant to clause (ii) and as adjusted each year pursuant to subparagraph (B).

(B) Commencing with the 2013–14 fiscal year, the per pupil base grant shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

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

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

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

(ii) Zero.

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

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

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

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

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

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

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

(5) Notwithstanding any other law, commencing with the 2023–24 fiscal year, and for purposes of this subdivision, average daily attendance shall be the sum of both of the following:

(A) The average daily attendance reported by the county superintendent of schools for the annual reporting period for the current fiscal year, or the prior fiscal year if the prior year total is greater, or the average of the three most recent prior fiscal years if the average total is greater than both the current year and the prior year.

(B) If applicable, the average daily attendance reported by a charter school in the county established pursuant to Section 47605.5 for the annual reporting period for the current fiscal year.

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

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

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

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

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

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

(3) Commencing with the 2023–24 fiscal year, two hundred thousand dollars (\$200,000) for each county office of education operating at least one juvenile court school pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2, including a county office of education that authorized a charter school for that purpose pursuant to Section 47605.5.

(4) Commencing with the 2023–24 fiscal year, two hundred thousand dollars (\$200,000) for each county office of education operating at least one county community school pursuant to Chapter 6.5 (commencing with Section 1980), including a county office of education that authorized a charter school for that purpose pursuant to Section 47605.5.

(f) It is the intent of the Legislature that the funds allocated pursuant to paragraphs (3) and (4) of subdivision (e) be included in the local control and accountability plan template pursuant to Section 52064.

SEC. 3. Section 2575.2 of the Education Code is amended to read:

2575.2. (a) (1) For the 2018–19 fiscal year to the 2022–23 fiscal year, inclusive, the Superintendent shall add to the amount to be apportioned pursuant to Section 2575, the sum of two hundred thousand dollars (\$200,000) and the following:

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

(B) For the 2019–20 fiscal year to the 2022–23 fiscal year, inclusive, the allowance calculated pursuant to subdivision (b) for the current year local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) for the prior two years' local control funding formula assistance status reports, divided by three.

(2) Commencing with the 2023–24 fiscal year, the Superintendent shall add to the amount to be apportioned pursuant to Section 2575, the sum of three hundred thousand dollars (\$300,000) and the allowance calculated pursuant to subdivision (b) for the current year local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) for the prior two years' local control funding formula assistance status reports, divided by three.

(b) The allowance for each fiscal year shall be equal to the sum of the following: one hundred thousand dollars (\$100,000) multiplied by the number of small school districts; two hundred thousand dollars (\$200,000) multiplied by the number of medium school districts; and three hundred thousand dollars (\$300,000) multiplied by the number of large school districts for which the

county superintendent of schools has jurisdiction pursuant to Sections 1240 and 1253 that are also determined to be in need of differentiated assistance pursuant to subdivision (c) of Section 52071.

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

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

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

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

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

SEC. 4. Section 2575.5 is added to the Education Code, to read:

2575.5. (a) It is the intent of the Legislature that the funds allocated pursuant to subdivision (b) be included in the local control and accountability plan template pursuant to Section 52064.

(b) Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, the Superintendent shall allocate a Student Support and Enrichment Block Grant for each county office of education, in the amount of three thousand dollars (\$3,000) per unit of alternative education grant average daily attendance, determined pursuant to paragraph (5) of subdivision (c) of Section 2574, to be used for the following student support and enrichment opportunity purposes:

- (1) Expanding access to A–G courses.
- (2) Dual enrollment partnerships.
- (3) Elective and world language courses.
- (4) Vocational and career technical education.
- (5) Preparation for and application for admission into institutions of higher education.
- (6) College and career counseling.
- (7) Transition counseling.
- (8) Mental health support services.
- (9) Certificated or classified employees who provide services to achieve the objectives of this paragraph.
- (10) High school completion, including access to high school equivalency examinations.
- (11) For purposes of implementing Sections 858 and 889.2 of the Welfare and Institutions Code.

SEC. 5. Section 2576 of the Education Code is amended to read:

2576. (a) If a county superintendent of schools enrolls in a school operated by the county superintendent of schools a pupil not funded pursuant to clause (i), (ii), or (iii) of subparagraph (A) of paragraph (4) of subdivision (c) of Section 2574, or Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2, any attendance generated by that pupil shall be credited to the school district of residence. Notwithstanding Section 42238.05, funding generated by this average daily attendance shall be allocated based on average daily attendance reported in the current year in accordance with Section 41601. Enrollment of these pupils shall be transferred to the school district of residence for purposes of calculating the percentage of unduplicated pupils pursuant to Section 42238.02.

(b) For purposes of this section, the school district of residence for a homeless child or youth, as defined in Section 11434a(2) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), enrolled in a school operated by a county superintendent of schools shall be deemed to be the school district that last provided educational services to the homeless child or youth or, if it is not possible to determine that school district, the nonbasic aid school district with the largest average daily attendance in the county that serves the grade level in which the homeless child or youth would be enrolled.

(c) If a county superintendent of schools grants permission to a pupil to attend school in an adjoining state pursuant to Section 2000, attendance generated by that pupil shall be credited to the school district of residence.

(d) Commencing with the 2019–20 fiscal year, the Superintendent shall transfer to the county, wherein a pupil is enrolled, the amount calculated for the school district of residence pursuant to subdivisions (d) to (f), inclusive, of Section 42238.02 for each unit of average daily attendance credited to the school district of residence pursuant to this section. The Superintendent may transfer an alternative amount for each unit of average daily attendance credited to the school district of residence pursuant to this section, if the school district of residence and the county superintendent of schools agree to the alternative amount and report it to the Superintendent under procedures and timeframes established by the Superintendent.

SEC. 6. Section 8202.6 of the Education Code is amended to read:

8202.6. (a) (1) The Superintendent, in consultation with the Director of Social Services and the executive director of the State Board of Education, shall convene a statewide interest holder workgroup. The workgroup shall include representatives from county offices of education, contracted state preschool programs, including those operated by school districts and by community-based organizations, transitional kindergarten programs, tribal preschool programs, educators, the Commission on Teacher Credentialing, First 5, resource and referral programs, alternative payment programs, contracted general childcare programs serving preschool-age children, Head Start, private center-based preschool providers, licensed family childcare providers, researchers, and child development experts.

(2) The workgroup shall provide recommendations on best practices for increasing access to high-quality universal preschool programs for three- and four-year-old children offered through a mixed-delivery model that provides equitable learning experiences across a variety of settings. The workgroup shall also provide recommendations to update preschool standards pursuant to Section 8203 to support equitable access to high-quality preschool and transitional kindergarten programs through the mixed-delivery model and across all appropriate settings and funding sources.

(3) The workgroup recommendations shall be in alignment with the work of the Master Plan for Early Learning and Care, without recommending new system changes that create increased state or local costs to offer preschool across the mixed-delivery system.

(b) The workgroup pursuant to subdivision (a) shall be established no later than December 1, 2022.

(c) The Superintendent shall, in consultation with the Director of Social Services, provide a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance with the recommendations of the workgroup no later than March 31, 2024.

(d) 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) The department may allocate or prorate any returned or collected funds pursuant to this subdivision for the purposes provided in subdivision (e).

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

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

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

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

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

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

(i) Sixty percent shall be available as enrollment grants. These grants shall be allocated based on the local educational agency's proportional share of total California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment for the 2021–22 fiscal year, as applied to the total amount of program funds available for the enrollment grant. For purposes of this clause, the total statewide kindergarten enrollment shall be calculated using the California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2020–21 fiscal year for each local educational agency.

(ii) Forty percent shall be available as supplemental grants. These grants shall be allocated based on the local educational agency's California Longitudinal Pupil Achievement Data System Fall 1 kindergarten enrollment minus the transitional kindergarten program enrollment for the 2020–21 fiscal year, multiplied by the local educational agency's unduplicated pupil percentage, as calculated pursuant to subdivision (b) of Section 42238.02 or subdivision (b) of Section 2574, as applicable, and certified as of the second principal apportionment. Funds for this purpose shall be distributed percent-to-total from funds available for the supplemental grant.

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

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

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

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

(B) If the local educational agency did not develop the plan required pursuant to subparagraph (B) of paragraph (3) of subdivision (c), develop a plan for consideration by the governing board or body at a public meeting on or before March 30, 2023, for how all children in the attendance area of the local educational agency will have access to full-day learning programs the year before kindergarten that meet the needs of parents, including through partnerships with the local educational agency's expanding learning offerings, the After School Education and Safety Program, the California state preschool program, Head Start programs, and other community-based early learning and care programs. A plan developed pursuant to this subparagraph satisfies the requirements of subparagraph (B) of paragraph (3) of subdivision (c).

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

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

(E) Offer transitional kindergarten to all eligible pupils interested in transitional kindergarten within their attendance area by the 2025–26 school year.

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

(B) The department may allocate or prorate any returned or collected funds pursuant to this subdivision for the purposes provided in subdivision (e).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (d) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in

subdivision (c) of Section 41202, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 8. Section 8483.4 of the Education Code is amended to read:

8483.4. (a) The administrator of every program established pursuant to this article shall establish minimum qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise pupils meet the minimum qualifications for an instructional aide, pursuant to the policies of the school district. Selection of the program site supervisors shall be subject to the approval of the schoolsite principal. The administrator shall also ensure that the program maintains a pupil-to-staff member ratio of no more than 20 to 1. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in current law and district policy for school personnel and volunteers in the school district.

(b) When a local educational agency contracts with a third party to operate a program pursuant to this article, the local educational agency shall require the third party to notify the local educational agency by the next working day following, and to submit a written report within seven days of, the occurrence of any health- or safety-related issues, including, but not limited to, issues involving criminal background clearances for employees, building safety, and any event specified in subdivision (c).

(c) For purposes of this section, an “event” includes any of the following:

- (1) Death of a child from any cause.
- (2) Any injury to a child that requires medical treatment.
- (3) Any unusual incident or child absence that threatens the physical or emotional health or safety of a child.
- (4) Any suspected child abuse or neglect, as defined in Section 11165.6 of the Penal Code.
- (5) Epidemic outbreaks.
- (6) Poisonings.
- (7) Fires or explosions that occur in or on the premises.
- (8) Exposure to toxic substances.
- (9) An arrest of an employee of the third party.
- (10) Any other event as specified by the local educational agency.

(d) When a local educational agency contracts with a third party, the local educational agency shall require the third party to request from parents or guardians pupil health information, such as whether a pupil has allergies or asthma, before pupil enrollment. Parents or guardians may provide this information at their discretion and are not required to provide pupil health information in order for the pupil to receive services pursuant to this article.

SEC. 9. Section 8901 of the Education Code is amended to read:

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

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

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

- (1) Integrated supports services, including the coordination of trauma-informed health, mental health, and social services that ensure coordination and support with county and local educational agency resources and nongovernmental organizations, and early screening and intervention for learning and other needs.
- (2) Family, pupil, schoolsite staff, and community engagement, which may include home visits, home-school collaboration, culturally responsive community partnerships to strengthen family well-being and stability, and school climate surveys.
- (3) Collaborative leadership and practices for educators and administrators, including professional development to transform school culture and climate, that centers on pupil learning and supports mental and behavioral health, trauma-informed care,

social-emotional learning, restorative justice, and other key areas relating to pupil learning and whole child and family development.

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

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

(1) Two or more local educational agencies.

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

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

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

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

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

(e) "Dream Resource Center" means a public high school initiative to provide pupils, including undocumented pupils, in grades 9 to 12, inclusive, with resources that include, but are not limited to, all of the following:

(1) Postsecondary financial aid support, such as assistance with the completion of the California Dream Act Application.

(2) Social services support.

(3) State-funded immigration legal services.

(4) Academic advising and referrals to academic support and enrichment opportunities.

(5) Parent and family workshops.

(f) "Lead agency" means the department.

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

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

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

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

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

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

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

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

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

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

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

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

- (A) Immunizations.
- (B) Vision and hearing testing and services.
- (C) Dental services.
- (D) Physical examinations and diagnostic and referral services.
- (E) Prenatal care.

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

- (A) Primary prevention.
- (B) Crisis intervention.
- (C) Assessments and referrals.

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

- (A) Training for teachers, early educators, and school personnel in the detection of mental health problems, the impact of trauma and toxic stress, trauma-informed care and education, building resiliency, and helping pupils and families heal.
- (B) Outreach, risk assessment, and education for pupils and families.
- (C) Youth-focused substance use disorder prevention and treatment programs that are culturally and gender competent, trauma informed, and evidence based.

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

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

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

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

(8) Nutrition services to reduce food insecurity.

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

(10) Case management services.

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

(l) "Technical assistance" means a structure to deliver training and technical assistance to grantees using regional collaboratives and state, regional, and local technical assistance providers that have expertise in pupil and family engagement, school-community collaboration of service delivery and financing, the coordination and integration of support services, and multiindicator data collection and evaluation.

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

SEC. 10. Section 8902 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) On or before November 15, 2021, the Superintendent, with the approval of the state board, shall update as necessary, the application process and administration plan for the selection of grant recipients under the program, which may include

prioritization for awards. After November 15, 2021, the Superintendent shall update the state board on an annual basis regarding the administration of this chapter and present to the state board any proposed changes to the application process and administration plan.

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

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

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

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

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

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

(A) Direct costs.

(B) Indirect costs.

(C) Costs to other agencies.

(D) Cost savings.

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

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

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

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

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

(5) For qualifying entities that serve elementary school pupils, or for schools where there is a demonstrated need for childcare, including, but not limited to, programs for pregnant and parenting teens, commit to providing early care and education services for children from birth to five years of age, inclusive, through one or more local educational agencies or community-based organizations.

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

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

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

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

(A) Staffing costs for a community school coordinator.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A local educational agency grantee may retain up to the lesser of five hundred thousand dollars (\$500,000) or 10 percent of the total funds awarded pursuant to this subdivision for its sites each year. These funds shall be used to administer implementation grants locally, manage professional learning and networking, and coordinate services and funding streams for

community schools under the local educational agency grantee. Funds retained by the local educational agency grantee to provide direct services to pupils may be retained separately from this administrative set-aside.

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

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

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

(i) It is the intent of the Legislature that qualifying entities that serve high school pupils with significant populations of undocumented pupils in grades 9 to 12, inclusive, implement a Dream Resource Center as part of their community school model.

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

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

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

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

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

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

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

(1) Conducting a comprehensive school and community needs and asset assessment.

(2) Improving authentic family and community engagement in the languages spoken in the community.

(3) Creating community partnerships.

(4) Developing sustainable funding sources.

(5) Coordinating services across child-serving agencies and schools.

(6) Accessing and combining funding for services from multiple revenue sources.

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11. Section 14002 of the Education Code is amended to read:

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

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

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

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

(2) Section 41544.

(3) Section 41850.1.

(4) Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3 of Title 2, except Section 42238.024.

(5) Section 47663.

(6) Article 7 (commencing with Section 48300) of Chapter 2 of Part 27 of Division 4 of Title 2.

(7) Article 10 (commencing with Section 48350) of Chapter 2 of Part 27 of Division 4 of Title 2.

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

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

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

(i) Subdivision (b) of Section 8265.

(ii) Subdivision (c) of Section 49536.

(iii) Subdivision (b) of Section 56836.142.

(iv) Subdivision (d) of Section 17581.6 of the Government Code.

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

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

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

SEC. 12. Section 14041.5 of the Education Code is amended to read:

14041.5. (a) Notwithstanding subdivision (a) of Section 14041, for the 2002–03 fiscal year to the 2013–14 fiscal year, inclusive, and for the 2019–20 to the 2020–21 fiscal year, inclusive, warrants for the principal apportionments for the month of June instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41335.

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

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

school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2003–04 fiscal year.

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

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

(f) (1) (A) For the 2019–20 fiscal year, the amount of apportionments made pursuant to Section 14041 that are deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 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 shall be one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000). Any amount in excess of one billion eight hundred fifty million three hundred seventy-seven thousand dollars (\$1,850,377,000) that is apportioned in July 2020 is deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 2019–20 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2019–20 fiscal year.

(B) For the 2020–21 fiscal year, the amount of apportionments made pursuant to Section 14041 that are deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year shall be two billion three hundred seventy-five million three hundred eight thousand dollars (\$2,375,308,000). Any amount in excess of two billion three hundred seventy-five million three hundred eight thousand dollars (\$2,375,308,000) that is apportioned in July 2021 is deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 2020–21 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

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

(g) (1) For the 2022–23 fiscal year, eighty-eight million four hundred seventy-one thousand dollars (\$88,471,000) of the amount of apportionments made pursuant to Section 14041 shall be deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

(2) For the 2023–24 fiscal year, one billion five hundred sixty-eight million two hundred sixty-three thousand dollars (\$1,568,263,000) of the amount of apportionments made pursuant to Section 14041 shall be deemed "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 for the 2021–22 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B" as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 13. Section 17199.4 of the Education Code is amended to read:

17199.4. (a) Notwithstanding any other law, any participating party, in connection with securing financing or refinancing of projects, or working capital pursuant to this chapter, may, in accordance with this section, elect to provide for funding, in whole or in part, one or more of the following:

- (1) Payments on authority bonds.
- (2) Payments under credit enhancement or liquidity support agreements in connection with authority bonds.
- (3) Amounts pledged or assigned under one or more pledges or assignments to pay authority bonds or obligations under these credit enhancement or liquidity support agreements.
- (4) Payments to fund reserves available to pay any of the payments described in paragraphs (1), (2), and (3), exclusively until paid.
- (5) Fees and charges contemplated by the instruments of the authority, trustees, tender agents, remarketing agents, credit enhancement and liquidity support providers, and service providers.
- (6) Any other costs necessary or incidental to any financing or refinancing conducted under this chapter.

(b) The payments made pursuant to subdivision (a) may be in connection with a financing or refinancing benefiting the participating party itself, one or more other participating parties, or any combination of participating parties.

(c) To participate under this section, the participating party shall do all of the following:

(1) Elect to participate in a state intercept or local intercept, or both, by an action of its governing board taken in compliance with the rules of that board. For a local intercept, the participating party shall send to the county treasurer, or other appropriate county fiscal officer, a request for the county to participate. A county is not required to participate. A county may agree to participate as evidenced by an agreement among the participating party or parties, the county, and the authority.

(2) Provide written notice to the Controller, with respect to a state intercept, or to the county treasurer or other appropriate county fiscal officer, with respect to a local intercept, no later than the date of the issuance of the bonds or 60 days before the next payment, whichever is later, of all of the following:

(A) Its election to participate.

(B) A schedule of the payments subject to that election.

(C) The payee or payees of those payments, or the trustee or agent on their behalf to receive those payments.

(D) (i) Payment delivery instructions, which may be by wire transfer or other method approved by the Controller or county treasurer or other appropriate county fiscal officer, as applicable.

(ii) If the method of payment delivery is wire transfer, the participating party shall complete and submit the appropriate authorization form as prescribed by the Controller or the county treasurer or other appropriate county fiscal officer, as applicable.

(d) The participating party may amend, supplement, or restate the notice required pursuant to paragraph (2) of subdivision (c) for any reason, including, but not necessarily limited to, providing for new or increased payments. The participating party shall certify in the notice and in any amendment, supplement, or restatement of the notice that each and every payment reflected in the schedule is a payment described in subdivision (a) and the amounts scheduled do not exceed the actual or reasonably estimated payment obligations to be funded pursuant to this section. The participating party shall also represent in the notice that it is not submitting the notice for the purpose of accelerating a participating party's receipt of its apportionments. This section does not prohibit transfer by the recipient of an apportionment under this section to the participating party submitting the notice of the excess apportionment above the amount needed to fund actual payments where the excess resulted from erroneous estimation of scheduled payments or otherwise.

(e) Upon receipt of the notice required by paragraph (2) of subdivision (c), the Controller shall make an apportionment to the indicated recipient on the date, or during the period, shown in the schedule in accordance with all of the following:

- (1) If the participating party requests transfers in full as scheduled, in the amount of the scheduled transfer or whatever lesser amount is available from the sources described in subdivision (f).

(2) If the participating party does not request transfers in full as scheduled, in the amount of the anticipated deficiency for the purpose of making the required payment indicated in a written request of the participating party to the Controller and in the amount of the actual shortfall in payment indicated in a written request of the recipient or the participating party to the Controller or whatever lesser amount is available from the sources described in subdivision (f).

(3) To the extent funds available for an apportionment are insufficient to pay the amount set forth in a schedule in any period, the Controller shall, if and as requested in the notice, reschedule the payment of all or a portion of the deficiency to a subsequent period.

(4) In making apportionments under this section, the Controller may rely conclusively and without liability on any notice or request delivered under this section, including any notice of request delivered before January 1, 2015. The Controller may make, but is not obligated to make, apportionments not reflected on a notice or on an amended, supplemented, or restated notice delivered under this section that the Controller receives less than 20 days before when the apportionment would otherwise be required.

(f) The Controller shall make an apportionment under this section only from moneys designated for apportionment to the participating party delivering the notice, and only from one or more of the following:

(1) Any funding apportioned by the state for purposes of the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, or state categorical or grant programs, to a school district or county office of education without regard to the specific funding source of the apportionment.

(2) Any funding apportioned by the state for purposes of the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, or state categorical or grant programs, to a charter school without regard to the specific funding source of the apportionment.

(3) Any funding apportioned by the state for purposes of community college apportionments pursuant to Sections 84750.4 and 84750.5, or state categorical or grant programs, to a community college district without regard to the specific funding source of the apportionment.

(g) Upon receipt of the notice required by paragraph (2) of subdivision (c), a county treasurer or other appropriate county fiscal officer shall make an apportionment or revenue transfer to the indicated recipient on the date, or during the period, shown in the schedule in accordance with all of the following:

(1) If the participating party requests transfers in full as scheduled, in the amount of the scheduled transfer or whatever lesser amount is available from the sources described in subdivision (h).

(2) If the participating party does not request transfers in full as scheduled, in the amount of the anticipated deficiency for the purpose of making the required payment indicated in a written request of the participating party to the county treasurer or other appropriate county fiscal officer and in the amount of the actual shortfall in payment indicated in a written request of the recipient or the participating party to the county treasurer or other appropriate county fiscal officer or whatever lesser amount is available from the sources described in subdivision (h).

(3) To the extent funds available for an apportionment or revenue transfer are insufficient to pay the amount set forth in a schedule in any period, the county treasurer or other appropriate county fiscal officer shall, if and as requested in the notice, reschedule the payment of all or a portion of the deficiency to a subsequent period.

(4) In making apportionments under this section, the county treasurer or other appropriate county fiscal officer may rely conclusively and without liability on any notice or request delivered under this section. The county treasurer or other appropriate county fiscal officer may make, but is not obligated to make, apportionments or revenue transfers not reflected on a notice or on an amended, supplemented, or restated notice delivered under this section that the county treasurer or other appropriate county fiscal officer receives less than 20 days before when the apportionment would otherwise be required.

(h) The county treasurer or other appropriate county fiscal officer shall make an apportionment or revenue transfer under this section only from moneys designated for apportionment to the participating party delivering the notice, and only from one or more of the following:

(1) Any funding apportioned or administered by a county for purposes of the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, to a school district or county office of education without regard to the specific funding source of the apportionment.

(2) Any funding apportioned or administered by a county for purposes of the local control funding formula pursuant to Section 42238.02, as implemented by Section 42238.03, to a charter school without regard to the specific funding source of the apportionment.

(3) Any funding apportioned or administered by a county for purposes of community college apportionments pursuant to Sections 84750.4 and 84750.5 to a community college district without regard to the specific funding source of the apportionment.

(i) (1) The amount apportioned for a participating party pursuant to this section shall be deemed to be an allocation to the participating party, and shall be included in the computation of allocation, limit, entitlement, or apportionment for the participating party.

(2) The participating party and its creditors do not have a claim to funds apportioned or anticipated to be apportioned by the Controller or the county treasurer or appropriate county fiscal officer, as applicable, pursuant to this section.

(j) (1) The authority may require participation under this section under the terms of any financing or refinancing under this chapter to provide for one or more of the payments described in paragraphs (1) to (4), inclusive, of subdivision (a). The authority may impose limits on new participation under this section. The authority may require participating parties to apply to the authority for participation. If the authority limits participation under this section, the authority shall consider each of the following priorities in making participation available:

(A) First priority shall be given to participating parties that apply for funding for instructional classroom space under this chapter.

(B) Second priority shall be given to participating parties that apply for funding of modernization of instructional classroom space under this chapter.

(C) Third priority shall be given to participating parties that apply for funding under this chapter for any other eligible costs, as defined in Section 17173.

(2) The authority shall prioritize applications at appropriate intervals.

(3) A school district electing to participate under this section that has applied for revenue bond moneys for purposes of joint venture school facilities construction projects, pursuant to Article 5 (commencing with Section 17060) of Chapter 12, shall not be subject to the priorities set forth in paragraph (1).

(k) This section does not make the State of California liable for any payments within the meaning of Section 1 of Article XVI of the California Constitution.

(l) A school district that has a qualified or negative certification pursuant to Section 42131, or a county office of education that has a qualified or negative certification pursuant to Section 1240, may only participate under this section to intercept payments for indebtedness for which the repayment is determined to be probable pursuant to Section 42133.

(m) This section does not obligate the State of California to make available the sources of apportionment under subdivision (f) or a county to make available the sources of apportionment under subdivision (h) in any amount or at any time or, except as provided in this section, to fund any payment described in this section. This subdivision is intended solely to clarify existing law.

SEC. 14. Section 17199.5 of the Education Code is amended to read:

17199.5. Notwithstanding Section 17199.4, if the bonds were subject to a credit enhancement agreement provided by a public credit provider pursuant to Section 17193.5 for which a payment for principal or interest, or both, has been made by the public credit provider, the Controller, or the county treasurer or other appropriate county fiscal officer, as applicable, shall allocate to the public credit provider, rather than the trustee, the percentage of the apportionment to be made pursuant to this paragraph equal to the percentage of the outstanding indebtedness that is subject to the credit enhancement agreement.

SEC. 15. Section 17375 of the Education Code is amended to read:

17375. (a) (1) The California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program is hereby established, under the administration of the State Allocation Board pursuant to the requirements of this section, to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing transitional kindergarten classrooms and full-day kindergarten classrooms pursuant to Section 8973, and for the construction of new preschool classrooms, the modernization of existing preschool classrooms, or the modernization of existing kindergarten and grade 1 to 12, inclusive, classrooms that would be converted to provide California state preschool programs operated by school districts on a public schoolsite, pursuant to this section.

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

(3) For the 2018–19 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section, as it read on December 31, 2020.

(4) (A) For the 2021–22 fiscal year, the sum of four hundred ninety million dollars (\$490,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section. The funds appropriated in this subparagraph shall be available for encumbrance or expenditure by the State Allocation Board until June 30, 2027.

(B) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund in the 2021–22 fiscal year to the State Allocation Board to provide one-time grants as specified in this section. The funds appropriated in this subparagraph shall be available for encumbrance or expenditure by the State Allocation Board until June 30, 2028.

(C) It is the intent of the Legislature to appropriate an additional five hundred fifty million dollars (\$550,000,000) in the 2024–25 fiscal year from the General Fund to the State Allocation Board to provide one-time grants as specified in this section. It is the intent of the Legislature that the funds intended to be appropriated in this subparagraph will be available for encumbrance or expenditure by the State Allocation Board until June 30, 2030.

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

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

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

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

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

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

(A) The school district is financially unable to contribute a portion of, or all of, the local matching share required pursuant to paragraph (3) for a project, and meets the requirements for financial hardship pursuant to Sections 17075.10 and 17075.15. For purposes of this section, paragraph (5) of subdivision (d) of Section 17075.15 shall not apply.

(B) (i) For school districts seeking a transitional kindergarten or full-day kindergarten facilities grant, the school district is located in an underserved community with a high population of pupils who are eligible for free or reduced-price meals pursuant to subdivision (a) of Section 42238.01.

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

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

(4) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10, a school district shall provide 25 percent of the cost of the project, whether the project is for new construction or retrofit, if the school district does either of the following:

(A) Converts a part-day kindergarten program to a full-day kindergarten program. A school district that was awarded a grant from funds appropriated pursuant to paragraph (3) of subdivision (a) and met the requirements of this paragraph shall have its grant amount adjusted from funds appropriated pursuant to paragraph (4) of subdivision (a) to reflect the requirements of this paragraph.

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

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

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

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

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

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

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

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

(e) As a condition of receiving grant funds pursuant to this section, and before the release of those funds, the school district shall do all of the following:

(1) Execute and submit a grant agreement consistent with the applicable sections of the grant agreement specified in Section 1859.90.4 of Title 2 of the California Code of Regulations.

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

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

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

(A) The costs of design, engineering, testing, inspections, plan checking, construction management, site acquisition and development, evaluation and response action costs relating to hazardous substances at a new or existing schoolsite, demolition, construction, landscaping, necessary utility costs, utility connections and other related fees, equipment including

telecommunication equipment to increase school security, furnishings, the upgrading of electrical systems, and the wiring or cabling of classrooms in order to accommodate educational technology.

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

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

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

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

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

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

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

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

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

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

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

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

(k) The Department of General Services may charge its administrative costs against the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Account, which shall be subject to the approval of the Department of Finance and which shall not exceed 2.5 percent of the account. These administrative funds shall be subject to the encumbrance or expenditure availability for the appropriations described in paragraph (4) of subdivision (a).

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

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

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

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

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

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

(5) "School district" means as follows:

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

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

SEC. 16. Section 32526 of the Education Code is amended to read:

32526. (a) (1) For the 2022–23 fiscal year, the sum of six billion three hundred forty-five million four hundred five thousand dollars (\$6,345,405,000) is hereby appropriated from the General Fund to the department for transfer to the Learning Recovery Emergency Fund created in Section 32525. The Superintendent shall allocate available moneys in the Learning Recovery Emergency Fund deposited pursuant to this section to local educational agencies in the manner, and for the purposes, set forth in this section. This allocation shall be known as the Learning Recovery Emergency Block Grant.

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

(b) Funds described in subdivision (a) shall be allocated on a per-unit basis of the local educational agency's 2021–22 fiscal year second period reported kindergarten and grades 1 to 12, inclusive, average daily attendance multiplied by the local educational agency's 2021–22 unduplicated pupil percentage calculated pursuant to Section 2574 or 42238.02, as applicable. 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) (1) The governing board or body of a local educational agency may expend the one-time funds received pursuant to this section to establish learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery and staff and pupil social and emotional well-being.

(2) Specifically, funds received under subdivision (b) shall only be expended for any of the following purposes:

(A) Instructional learning time for the 2022–23 through 2027–28 school years by increasing the number of instructional days or minutes provided during the school year, providing summer school or intersessional instructional programs, or taking any other action that increases or stabilizes the amount of instructional time or services provided to pupils, or decreases or stabilizes staff-to-pupil ratios, based on pupil learning needs.

(B) Accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports, such as:

(i) Tutoring or other one-on-one or small group learning supports provided by certificated or classified staff.

(ii) Learning recovery programs and materials designed to accelerate pupil academic proficiency or English language proficiency, or both.

(iii) Providing early intervention and literacy programs for pupils in preschool to grade 3, inclusive, including, but not limited to, school library access.

(iv) Supporting expanded learning opportunity program services pursuant to Section 46120.

(v) Providing instruction and services consistent with the California Community Schools Partnership Act (Chapter 6 (commencing with Section 8900) of Part 6) regardless of grantee status.

(C) Integrating pupil supports to address other barriers to learning, and staff supports and training, such as the provision of health, counseling, or mental health services, access to school meal programs, before and after school programs, or programs to address pupil trauma and social-emotional learning, or referrals for support for family or pupil needs.

(D) Access to instruction for credit-deficient pupils to complete graduation or grade promotion requirements and to increase or improve pupils' college eligibility.

(E) Additional academic services for pupils, such as diagnostic, progress monitoring, and benchmark assessments of pupil learning.

(d) (1) Local educational agencies receiving apportionments pursuant to this section shall report to the department, using the template developed by the department, and make publicly available on their internet websites, interim expenditures of those apportioned funds to the department by December 15, 2024, and annually thereafter, concluding with the submission of a final report on expenditures no later than December 15, 2029. Local educational agencies that do not submit the final expenditure report shall forfeit all funds apportioned pursuant to this section.

(2) If a charter school ceases to operate before December 15, 2029, a final expenditure report shall be due to the department within 60 days of the effective date of closure and the department shall collect any unspent amounts.

(3) (A) The department, on or before June 30, 2023, shall develop an expenditure report template for use by local educational agencies in fulfilling the requirements of paragraph (1).

(B) The template shall require the inclusion of the total expenditures, by fiscal year, for each allowable use pursuant to paragraph (2) of subdivision (c), disaggregated by each allowable use specified in subparagraphs (A) to (E), inclusive, of paragraph (2) of subdivision (c).

(C) The template shall, to the greatest extent practicable, use language that is understandable and accessible to parents.

(e) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, five billion six hundred twenty-five million six hundred forty-eight thousand dollars (\$5,625,648,000) of the appropriation made by paragraph (1) of subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, seven hundred nineteen million seven hundred fifty-seven thousand dollars (\$719,757,000) of the appropriation made by paragraph (1) of subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2022–23 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2022–23 fiscal year.

(f) It is the intent of the Legislature to allocate three hundred seventy-eight million six hundred fifty thousand dollars (\$378,650,000) per year from the 2025–26 fiscal year to 2027–28 fiscal year, inclusive, to the department for transfer to the Learning Recovery Emergency Fund created pursuant to Section 32525.

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

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

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

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

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

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

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

(6) Section 35735.1.

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

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

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

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

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

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

(A) Sections 41000 to 41360, inclusive.

(B) Sections 41420 to 41423, inclusive.

(C) Section 41544.

(D) Sections 41600 to 41863, inclusive.

(E) Sections 41930 to 42850, inclusive.

(10) Sections 44504 and 44505.

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

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

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

(A) Subdivision (i) of Section 47632.

(B) Section 47635.

(C) Section 47652.

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

(14) Article 1 (commencing with Section 48000) of Chapter 1 of Part 27 of Division 4.

(15) Section 48310.

(16) Section 48359.5.

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

(18) Section 51513.

(19) Section 52163.

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

(21) Sections 52165, 52166, and 52178.

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

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

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

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

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

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

(c) A request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of Division 4, which is operated by a joint powers

entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

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

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

SEC. 18. Section 35186 of the Education Code is amended to read:

35186. (a) A school district shall use the uniform complaint process it has adopted as required by Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, with modifications, as necessary, to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment.

(1) A complaint may be filed anonymously. A complainant who identifies themselves is entitled to a response if the complainant indicates that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Section 48985 is otherwise applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed. All complaints and responses are public records.

(2) The complaint form shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as the complainant wishes.

(3) A complaint shall be filed with the principal of the school or the principal's designee. A complaint about problems beyond the authority of the school principal shall be forwarded in a timely manner but not to exceed 10 working days to the appropriate school district official for resolution.

(b) The principal or the designee of the district superintendent, as applicable, shall make all reasonable efforts to investigate any problem within their authority. The principal or designee of the district superintendent shall remedy a valid complaint within a reasonable time period but not to exceed 30 working days from the date the complaint was received. The principal or designee of the district superintendent shall report to the complainant the resolution of the complaint within 45 working days of the initial filing. If the principal makes this report, the principal shall also report the same information in the same timeframe to the designee of the district superintendent.

(c) A complainant not satisfied with the resolution of the principal or the designee of the district superintendent has the right to describe the complaint to the governing board of the school district at a regularly scheduled hearing of the governing board of the school district. As to complaints involving a condition of a facility that poses an emergency or urgent threat, as defined in paragraph (1) of subdivision (c) of Section 17592.72, a complainant who is not satisfied with the resolution proffered by the principal or the designee of the district superintendent has the right to file an appeal to the Superintendent, who shall provide a written report to the state board describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.

(d) A school district shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

(e) The procedure required pursuant to this section is intended to address all of the following:

(1) A complaint related to instructional materials as follows:

(A) A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional material to use in class.

(B) A pupil does not have access to instructional materials to use at home or after school.

(C) Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

(2) A complaint related to teacher vacancy or misassignment as follows:

(A) A semester begins and a teacher vacancy exists.

(B) A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learner pupils in the class. This subparagraph does not relieve a school district from complying with state or federal law regarding teachers of English learners.

(C) A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

(3) A complaint related to the condition of facilities that pose an emergency or urgent threat to the health or safety of pupils or staff as defined in paragraph (1) of subdivision (c) of Section 17592.72 and any other emergency conditions the school district determines appropriate and the requirements established pursuant to subdivision (a) of Section 35292.5.

(f) In order to identify appropriate subjects of complaint, a notice shall be posted in each classroom in each school in the school district notifying parents, guardians, pupils, and teachers of the following:

(1) There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.

(2) School facilities must be clean, safe, and maintained in good repair.

(3) There should be no teacher vacancies or misassignments as defined in paragraphs (2) and (3) of subdivision (h).

(4) The location at which to obtain a form to file a complaint in case of a shortage. Posting a notice downloadable from the internet website of the department shall satisfy this requirement.

(g) A local educational agency shall establish local policies and procedures, post notices, and implement this section.

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

(1) "Good repair" has the same meaning as specified in subdivision (d) of Section 17002.

(2) "Misassignment" means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

(3) "Teacher vacancy" means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

SEC. 19. Section 39800.1 of the Education Code is amended to read:

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

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

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

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

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

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

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

(e) For purposes of this section, "local educational agency" means a school district, excluding a school district with a districtwide charter petition approved pursuant to Section 47606, or a county office of education.

SEC. 20. Section 41024 of the Education Code is amended to read:

41024. (a) (1) Commencing April 1, 2017, a local educational agency that receives any funds pursuant to the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1) shall annually report a detailed list of all expenditures of state funds, including interest, and of the local educational agency's matching funds for completed projects until all state funds, including interest, all of the local educational agency's matching funds, and savings achieved, including interest, pursuant to Section 17070.63, are expended in accordance with the requirements of the Leroy F. Greene School Facilities Act of 1998, associated regulations, and any accompanying grant agreement signed by a local educational agency. A local educational agency's detailed list of expenditures shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and shall clearly indicate the list of projects that have been completed.

(2) For purposes of this section, the determination that a project is complete shall be in accordance with the regulations adopted pursuant to the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1).

(3) The total amount of interest earned on the state funds shall be reported on the final expenditure report upon completion of a project. For the purposes of determining the total amount of interest earned on the state funds, interest shall be considered to accrue from the time state funds are deposited in the local educational agency's account until the time the local educational agency submits the final expenditure report to the Office of Public School Construction.

(4) Commencing April 1, 2017, a local educational agency participating in the school facilities program shall ensure that it retains all financial accounts, documents, and records necessary for an audit of completed projects pursuant to Section 16026 of Title 5 of the California Code of Regulations. For purposes of this paragraph and in compliance with any applicable state and federal standards, a local educational agency may maintain records electronically.

(5) Any project identified on a local educational agency's detailed list of expenditures pursuant to paragraph (1) that is reported complete during the 2017–18 fiscal year shall be audited in accordance with the audit guide required by Section 14502.1 for the 2018–19 fiscal year. All other completed projects shall be audited in accordance with the audit guide required by Section 14502.1 for the fiscal year in which the project is reported complete.

(6) The audit described in this section shall be completed within one year of project completion as determined by Section 1859.104 of Title 2 of the California Code of Regulations.

(b) (1) Commencing with audits of the 2018–19 fiscal year, the Controller shall include instructions in the audit guide required by Section 14502.1 that include, but are not necessarily limited to, procedures for determining all of the following:

(A) Whether funds identified by a local educational agency on its detailed list of expenditures pursuant to paragraph (1) of subdivision (a) have been expended in accordance with the requirements of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1), associated regulations, and any accompanying grant agreement signed by a local educational agency. Any funds not expended in accordance with these requirements shall be disallowed and considered an audit finding.

(B) That savings achieved, including interest, pursuant to Section 17070.63, are used for other high priority capital outlay purposes identified by the local educational agency or returned to the Office of Public School Construction, and are used in accordance with the requirements of the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1), associated regulations, and as specified in any accompanying grant agreement.

(C) Adjustments to the grant amounts received by a local educational agency for site acquisition costs based upon the local educational agency's final approved expenditures as required pursuant to Sections 1859.105 and 1859.106 of Title 2 of the California Code of Regulations.

(D) Adjustments to the grant amounts received by a local educational agency associated with the substantial progress requirements reflected in the program reporting requirements pursuant to Section 1859.104 of Title 2 of the California Code of Regulations.

(2) Any amounts or adjustments identified pursuant to subparagraphs (C) and (D) of paragraph (1) shall be identified within a local educational agency's audit, but shall not be considered an audit finding for purposes of this section.

(c) (1) The auditor conducting the audit pursuant to this section shall file the audit with the Controller within 60 days of the completion of the audit. The Controller shall be allowed access to audit working papers. Adjustments pursuant to paragraph (2) of subdivision (b) shall not be appealable to the Education Audit Appeals Panel pursuant to this section.

(2) Within 60 days of the receipt of the certified audit, and after determining that the audit conforms with the reporting standards contained in the audit guide, the Controller shall do both of the following:

(A) Provide the department a copy of the certified audit.

(B) Notify the Office of Public School Construction of any audit findings pursuant to this section and any amounts or adjustments identified pursuant to clause (iii) and provide the Office of Public School Construction with a copy of the certified audit identifying the amounts to be adjusted if, as a result of the audit conducted in accordance with the requirements of subdivisions (a) and (b), the auditor determines any of the following:

(i) A local educational agency has unspent funds for the project not identified as savings pursuant to Section 17070.63 that shall be returned pursuant to subparagraphs (C) and (D) of paragraph (1) of subdivision (b), and any accompanying grant agreement signed by a local educational agency.

(ii) A local educational agency is subject to an increase or decrease in funds provided pursuant to subparagraphs (C) and (D) of paragraph (1) of subdivision (b), and any accompanying grant agreement signed by a local educational agency.

(iii) A local educational agency did not expend funds in accordance with the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1) and any accompanying grant agreement signed by a local educational agency.

(3) Upon receipt of the certified audit, the Office of Public School Construction shall present any grant adjustments required pursuant to clauses (i) and (ii) of subparagraph (B) of paragraph (2) for a specified project to the State Allocation Board for an adjustment to the project apportionment. Funds identified for purposes of clauses (i) and (ii) of subparagraph (B) of paragraph (2) shall be apportioned from, or returned to, the appropriate funds, as established in the State Treasury pursuant to Section 17070.40 or 17070.41, as applicable. If a school district is required to return unspent funds, the fund source for returned funds shall be the county school facilities fund established pursuant to subdivision (a) of Section 17070.43.

(4) A local educational agency may appeal the audit finding pursuant to the timelines and process established in subdivision (d) of Section 41344. The procedures set out in subdivision (d) of Section 41344.1 do not apply to the audit required by this section.

(5) The Office of Public School Construction shall ensure that the local educational agency has corrected the audit finding by implementing a required penalty payment of funds equal to the amount of funds disallowed in the audit finding pursuant to the process specified in subdivision (d).

(d) (1) If, as the result of the audit, a local educational agency is required to pay funds pursuant to clause (iii) of subparagraph (B) of paragraph (2) of subdivision (c), the Office of Public School Construction shall recover the funds from the local educational agency.

(2) If the local educational agency has submitted an appeal to the Education Audit Appeals Panel pursuant to subdivision (d) of Section 41344, the Office of Public School Construction shall not recover funds until following the determination of the appeal.

(3) A local educational agency may use any local fund source to pay the disallowed amount pursuant to clause (iii) of subparagraph (B) of paragraph (2) of subdivision (c) so long as there is no legal prohibition regarding the use of those funds for this purpose.

(4) A local educational agency may request from the Office of Public School Construction a repayment plan within 90 days of receiving the final audit report, or within 30 days of withdrawing or receiving a final determination regarding an appeal pursuant to subdivision (d) of Section 41344 and subdivision (b) of Section 41344.1, as applicable. The Office of Public School Construction and the Director of Finance, or their designees, jointly shall establish a plan for payment. The payment plan shall be established in accordance with the following:

(A) If the executive officer of the Office of Public School Construction and the Director of Finance, in consultation with the department, concur that repayment of the disallowed amount in the current fiscal year would constitute a severe financial hardship for the local educational agency, they may jointly approve a plan of equal annual payments over a period of up to eight years. The plan may include interest on each year's outstanding balance at the rate earned on the state's Pooled Money Investment Account during that year. The executive officer of the Office of Public School Construction and the Director of Finance jointly shall establish this plan. At the time the local educational agency is notified, the Controller also

shall be notified of the plan by the executive officer of the Office of Public School Construction. The Controller shall withhold the annual amount established pursuant to the plan from the local educational agency's principal apportionment or Education Protection Account payments.

(B) Notwithstanding subparagraph (A), if the executive officer of the Office of Public School Construction and the Director of Finance, in consultation with the department, concur that repayment of the disallowed amount over an eight-year period would require the local educational agency to request an emergency apportionment pursuant to Article 2 (commencing with Section 41320) of, and Article 2.5 (commencing with Section 41325) of, Chapter 3, they may approve a plan of equal annual payments over a period of up to 20 years. The plan shall include interest on each year's outstanding balance at the rate earned on the state's Pooled Money Investment Account during that year. The Controller shall withhold the annual amount established pursuant to the plan from the local educational agency's principal apportionment or Education Protection Account payments.

(C) If a payment plan submitted pursuant to this section is not approved by the executive officer of the Office of Public School Construction and the Director of Finance, in consultation with the department, or is not requested by the local educational agency, the executive officer of the Office of Public School Construction shall invoice the local educational agency for the entire disallowed amount. If the local educational agency does not remit payment for the invoice within 120 days of issuance, the executive officer of the Office of Public School Construction shall request that the Controller withhold the entire disallowed amount from the local educational agency's principal apportionment or Education Protection Account payments.

(D) (i) Funds recovered by the executive officer of the Office of Public School Construction or withheld by the Controller pursuant to this section shall be deposited into the appropriate state school facilities fund, as established in the State Treasury pursuant to Section 17070.40 or 17070.41, as applicable.

(ii) Funds remitted to the Office of Public School Construction by a local educational agency from local fund sources, as authorized by paragraph (3), shall be deposited into the appropriate state school facilities fund, as established in the State Treasury pursuant to Section 17070.40 or 17070.41, as applicable.

(e) As used in this section, "audit or review" and "local educational agency" shall have the same meaning as the terms are defined in paragraphs (1) and (2) of subdivision (e) of Section 41344.

(f) The State Allocation Board shall not waive all or any part of this section, any grant agreement or provisions of a grant agreement signed by a local educational agency that receives any funds pursuant to the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1), or any regulation adopted that implements a provision of this section.

(g) In any appeal filed pursuant to Section 41344 and this section, the Office of Public School Construction, the Department of Finance, and the department may timely move to intervene as a party.

(h) If the Office of Public School Construction chooses not to intervene in an appeal, the administrative law judge conducting the hearing, or the Education Audit Appeals Panel, may request that the Office of Public School Construction issue and file in the appeal an objective interpretation of any applicable law, regulation, or term of the grant agreement within 30 days of the request or such longer period as the administrative law judge or the Education Audit Appeals Panel deems reasonable. The Office of Public School Construction's filing shall not argue or seek to resolve issues of fact, but may state how a particular law, regulation, or grant agreement term applies to competing factual contentions. The agent of the Office of Public School Construction shall be precluded from acting as a party once a request pursuant to this subdivision is made.

(i) Notwithstanding subdivision (a), this section shall not apply to any school facilities project that was apportioned before July 1, 2017.

SEC. 21. Section 41203.1 of the Education Code is amended to read:

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

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

(c) Notwithstanding any other law, this section does not apply to the 1992–93 to the 2023–24 fiscal years, inclusive.

SEC. 22. Section 41544 of the Education Code is amended to read:

41544. (a) For a basic aid school district that was entitled to reimbursement pursuant to former Section 42247.4, as that section read on January 1, 2001, and that received an apportionment pursuant to subdivision (h) of former Section 42247.4, as that section read on January 1, 2001, because a court order directs pupils to transfer to that school district as part of the court-ordered voluntary pupil transfer program, the Superintendent, from the 2001–02 fiscal year to the 2012–13 fiscal year, inclusive, shall calculate an apportionment of state funds for that basic aid school district that provides 70 percent of the school district revenue limit calculated pursuant to former Section 42238, as that section read on January 1, 2013, that would have been apportioned to the school district from which the pupils were transferred for the average daily attendance of any pupils credited under that court order who did not attend the basic aid school district before the 1995–96 fiscal year.

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

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

SEC. 23. Section 41850.1 of the Education Code is amended to read:

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

(2) Home-to-school transportation expenditures reported for a school district with two component school districts under a common administration board pursuant to Section 35110 shall be divided among the component school districts in proportion to the transportation add-on amounts computed pursuant to paragraph (1) of subdivision (h) of Section 42238.02.

(3) For reorganized school districts, the prior fiscal year home-to-school transportation expenditures for purposes of paragraph (1) shall be determined as follows:

(A) A new school district shall be credited with the amount of eligible home-to-school transportation expenditures reported by each former school district before the reorganization. A new school district shall not be credited with eligible home-to-school transportation expenditures reported by divided school districts before the reorganization.

(B) An acquiring school district shall be credited with the amount of eligible home-to-school transportation expenditures it reported before the reorganization, plus the amount of eligible home-to-school transportation expenditures reported by each former school district before the reorganization. A new school district shall not be credited with eligible home-to-school transportation expenditures reported by divided school districts before the reorganization.

(C) The remaining portion of a divided school district shall be credited with eligible home-to-school transportation expenditures it reported before the reorganization.

(D) If the reorganization includes a former school district that has been wholly included in more than one new or acquiring school districts, the amount of eligible home-to-school transportation expenditures shall be determined in a manner

consistent with the adjustments made to the transportation add-on specified in paragraph (1) of subdivision (h) of Section 42238.02 pursuant to subdivision (c) of Section 35735.

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

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

(d) As used in this section, "local educational agency" means a school district, excluding a school district with a districtwide charter petition approved pursuant to Section 47606, or county office of education that is providing school transportation services.

(e) School districts and county offices of education that provide transportation services by means of a joint powers agreement, a cooperative pupil transportation program, or a consortium shall receive transportation allowances pursuant to this section.

SEC. 24. Section 42238.02 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(II) For an acquiring charter school, the counts shall be equal to the counts reported for the original charter school. This subclause shall become inoperative on July 1, 2026, unless its operation is extended by the Legislature.

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

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

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

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

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

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

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

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

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

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

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

(2) In each year the grade span adjusted base grants in paragraph (1) shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

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

(B) Until paragraph (4) of subdivision (b) of Section 42238.03 is effective, as a condition of the receipt of funds in this paragraph, a school district shall make progress toward maintaining an average class enrollment of not more than 24 pupils

for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative annual average class enrollment for each schoolsite in those grades is agreed to by the school district, pursuant to the following calculation:

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

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

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

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

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

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

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

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

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

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

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

(5) For the 2022–23 fiscal year, the Superintendent shall increase the base grants for kindergarten and grades 1 to 12, inclusive, by 6.7 percent. This adjustment shall be calculated by multiplying the grade span-adjusted base grants calculated pursuant to paragraph (2) for the 2021–22 fiscal year by 6.7 percent. The adjustment shall be included in grade span-adjusted base grants amounts for purposes of the adjustment pursuant to paragraph (2) commencing with the 2023–24 fiscal year.

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

(f) (1) (A) The Superintendent shall compute a concentration grant add-on equal to 50 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (5), inclusive, of

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

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

(2) (A) For a charter school physically located in only one school district, the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district in which the charter school is physically located. For a charter school physically located in more than one school district, the charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed that of the school district with the highest percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school districts in which the charter school has a school facility. The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

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

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

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

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

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

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

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

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

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

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

(j) The Superintendent shall adjust the sum of each school district's or charter school's amount determined in subdivisions (g) to (i), inclusive, pursuant to the calculation specified in Section 42238.03, less the sum of the following:

(1) (A) For school districts, the property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(B) For charter schools, the in-lieu property tax amount provided to a charter school pursuant to Section 47635.

(2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of Division 2 of the Revenue and Taxation Code.

(3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code.

(4) Prior years' taxes and taxes on the unsecured roll.

(5) Fifty percent of the amount received pursuant to Section 41603.

(6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.

(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.

(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(k) A school district shall annually transfer to each of its charter schools funding in lieu of property taxes pursuant to Section 47635.

(l) (1) This section does not authorize a school district that receives funding on behalf of a charter school pursuant to Section 47651 to redirect this funding for another purpose unless otherwise authorized in law pursuant to paragraph (2) or pursuant to an agreement between the charter school and its chartering authority.

(2) A school district that received funding on behalf of a locally funded charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections

read on January 1, 2013, or a school district that was required to pass through funding to a conversion charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42606, as that section read on January 1, 2013, may annually redirect for another purpose a percentage of the amount of the funding received on behalf of that charter school. The percentage of funding that may be redirected shall be determined pursuant to the following computation:

(A) (i) Determine the sum of the need fulfilled for that charter school pursuant to paragraph (3) of subdivision (b) of Section 42238.03 in the then current fiscal year for the charter school.

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

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

(iv) Compute a percentage by dividing the sum of the amounts computed pursuant to clauses (i) and (ii) by the amount computed pursuant to clause (iii).

(B) Multiply the percentage computed pursuant to subparagraph (A) by the amount of funding the school district received on behalf of the charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013.

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

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

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

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

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

SEC. 25. Section 42238.024 is added to the Education Code, to read:

42238.024. (a) Commencing with the 2023–24 fiscal year, the sum of three hundred million dollars (\$300,000,000) is hereby appropriated each fiscal year from the General Fund to the Superintendent for allocation for the Local Control Funding Formula Equity Multiplier apportionment in the manner and for the purposes set forth in this section. Commencing with the 2024–25 fiscal year, the amount appropriated pursuant to this subdivision shall be adjusted each fiscal year by the percentage change applied pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for that fiscal year.

(b) (1) Funds appropriated pursuant to subdivision (a) shall be made available by the Superintendent to eligible local educational agencies for allocation to schoolsites eligible pursuant to paragraph (2) for evidence-based services and supports for pupils, with a demonstration of how the resulting services and supports are increased or improved in comparison to services and supports that would have been provided at the schoolsites if the funding were not provided. Funds appropriated pursuant to subdivision (a) shall supplement, not supplant, funding provided for these schoolsites for purposes of the local control funding formula pursuant to Section 2574, 2575, or 42238.02, the Expanded Learning Opportunities Program pursuant to Section 46120, the Literacy Coaches and Reading Specialists Grant Program established pursuant to Section 137 of Chapter 52 of the Statutes of 2022, and the California Community Schools Partnership Act (Chapter 6 (commencing with Section 8900) of Part 6 of Division 1 of Title 1).

(2) For schoolsites with prior year nonstability rates greater than 25 percent and prior year socioeconomically disadvantaged pupil rates of greater than 70 percent, funding shall be allocated on a per-unit basis of the schoolsite's total prior year adjusted

cumulative enrollment. The per-unit funding amount is based on total statewide eligible enrollment and the amount of funds available, as reported in the stability rate data file.

(3) An eligible schoolsite shall not receive funding pursuant to paragraph (2) of less than fifty thousand dollars (\$50,000).

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

(1) "Eligible local educational agency" means a school district, county office of education, or charter school that generates a local control funding formula entitlement pursuant to Sections 2574, 2575, or 42238.02, excluding a charter school classified as a nonclassroom-based charter school pursuant to Section 47612.5.

(2) "Nonstability rate" means the percentage of pupils who are either enrolled for less than 245 continuous days between July 1 and June 30 of the prior school year, or exited from a school between July 1 and June 30 of the prior school year due to either truancy, expulsion, or for unknown reasons and without stable subsequent enrollment at another school as identified in the stability rate data file.

(3) "Prior year adjusted cumulative enrollment" means any enrollment with a start date in the school year in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, as identified in the stability rate data file.

(4) "Schoolsite" means an individual school in an eligible local educational agency.

(5) "Socioeconomically disadvantaged pupil rate" means the percentage of pupils that meet any of the following criteria for the prior school year:

(A) Neither of the pupil's parents has a high school diploma.

(B) The pupil is eligible for free or reduced-price meals under the federal National School Lunch Program, including by direct certification.

(C) The pupil is a migratory child for purposes of Part C (commencing with Section 6391) of Subchapter I of Chapter 70 of Title 20 of the United States Code.

(D) The pupil is a homeless child or youth.

(E) The pupil is a foster youth.

(F) The pupil is enrolled in a county juvenile court school.

(6) "Stability rate data file" means the initial publication of the annual file published by the department for the prior school year that will be used to determine a schoolsite's prior year adjusted cumulative enrollment, nonstability rate, and socioeconomically disadvantaged rate for the purposes of calculating funding pursuant to this section for an eligible local educational agency.

(d) Notwithstanding Section 10231.5 of the Government Code, by February 1, 2025, and each February 1 thereafter, the department, using existing resources, shall submit an annual report to the relevant policy and fiscal committees of the Legislature, the state board, and the Department of Finance that includes the following information on pupil outcomes at schoolsites that receive funding pursuant to this section and statewide pupil outcomes:

(1) Pupil subgroup data captured in the stability rate data file, based on enrollment at the eligible schoolsite.

(2) Number of truant pupils captured in the stability rate data file and enrolled at the eligible schoolsite.

(3) Number of expelled pupils captured in the stability rate data file and enrolled at the eligible schoolsite.

(4) Number of pupils whose reasons for exit from the schoolsite are unknown, as captured in the stability rate data file, and enrolled at the eligible schoolsite.

(5) Performance of the eligible schoolsites on California School Dashboard state indicators, disaggregated by pupil subgroup.

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

SEC. 26. Section 42238.025 of the Education Code is amended to read:

42238.025. (a) In the 2013–14 fiscal year, the Superintendent shall compute an economic recovery target rate for each school district and charter school equal to the sum of the following:

(1) (A) For each school district, the school district's revenue limit in the 2012–13 fiscal year as computed pursuant to this article, as this article read on January 1, 2013, divided by the 2012–13 fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. For purposes of this section, average daily attendance shall include any applicable revenue limit average daily attendance and shall be considered final for purposes of this section as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) For each charter school, the charter school's general purpose funding as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the in-lieu property tax amount provided to the charter school pursuant to Section 47635, as that section read on January 1, 2013, divided by the 2012–13 fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this section, average daily attendance shall include any applicable charter school general purpose funding average daily attendance and shall be considered final for purposes of this section as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(C) The amounts determined pursuant to subparagraphs (A) and (B) shall not reflect the deficit factor adjustments set forth in Section 42238.146, as that section read on January 1, 2013.

(D) The amounts determined pursuant to subparagraphs (A) and (B) shall be adjusted for the cost-of-living adjustment for the 2013–14 fiscal year pursuant to paragraph (2) of subdivision (d) of Section 42238.02 and an annual average cost-of-living adjustment of 1.94 percent for the 2014–15 fiscal year to the 2020–21 fiscal year, inclusive.

(2) (A) For each school district and charter school, the sum of the entitlements from items contained in Section 2.00 of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, 6360-101-0001, 2012–13 fiscal year funding for the Class Size Reduction Program pursuant to Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915, divided by the 2012–13 fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) The amounts determined pursuant to this subdivision shall not be adjusted for the reduction set forth in Section 12.42 of the Budget Act of 2012.

(b) Of the amounts computed for school districts pursuant to subdivision (a), the Superintendent shall determine the funding rate per unit of average daily attendance above which fall not more than 10 percent of the total number of school districts statewide.

(c) The Superintendent shall compute a 2020–21 fiscal year local control funding formula rate for each school district and charter school equal to the amount computed pursuant to Section 42238.02 for the 2013–14 fiscal year, adjusted for an annual average cost-of-living adjustment of 1.94 percent for the 2014–15 fiscal year to the 2020–21 fiscal year, inclusive, divided by the 2013–14 fiscal year average daily attendance of the school district or charter school computed pursuant to Section 42238.05. For purposes of this subdivision, the amount computed pursuant to Section 42238.02 for the 2013–14 fiscal year shall be considered final as of the second principal apportionment for the 2013–14 fiscal year, as calculated for purposes of the certification required on or before July 2, 2014, pursuant to Sections 41335 and 41339.

(d) (1) For each school district and charter school that has a funding rate per unit of average daily attendance computed pursuant to subdivision (a) that is equal to, or below, the funding rate per unit of average daily attendance determined pursuant to subdivision (b), the Superintendent shall subtract the amount computed pursuant to subdivision (c) from the amount computed pursuant to subdivision (a). Each school district or charter school for which this calculation yields an amount greater than zero shall be eligible for an economic recovery target payment equal to the amount of the difference. A school district or charter school that has a funding rate per unit of average daily attendance calculated pursuant to subdivision (a) that exceeds the rate calculated pursuant to subdivision (b) shall not be eligible for an economic recovery target payment.

(2) Each school district or charter school eligible for an economic recovery target payment pursuant to paragraph (1) shall receive the following apportionments:

(A) For the 2013–14 fiscal year, one-eighth of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(B) For the 2014–15 fiscal year, one-quarter of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(C) For the 2015–16 fiscal year, three-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(D) For the 2016–17 fiscal year, one-half of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(E) For the 2017–18 fiscal year, five-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(F) For the 2018–19 fiscal year, three-quarters of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(G) For the 2019–20 fiscal year, seven-eighths of the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(H) For the 2020–21 fiscal year and each fiscal year thereafter, the amount calculated pursuant to paragraph (1) multiplied by the 2012–13 fiscal year average daily attendance computed pursuant to Section 42238.05.

(3) In each fiscal year until a determination has been made that all school districts and charter schools equal or exceed the local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) of Section 42238.03, the economic recovery target payment apportioned to each eligible school district or charter school pursuant to paragraph (2) shall be added to the school district's or charter school's funding amounts that are continuously appropriated pursuant to subdivision (a) of Section 42238.03 and included in the amount of funding that is subject to offset pursuant to subdivision (c) of Section 42238.03. The amount apportioned pursuant to paragraph (2) shall not receive a cost-of-living adjustment.

(4) Commencing with the first fiscal year in which all school districts and charter schools are apportioned funding pursuant to Section 42238.02, the economic recovery target calculated pursuant to subparagraph (H) of paragraph (2) shall be included as an add-on to the amounts computed pursuant to subdivisions (c) to (i), inclusive, of Section 42238.02 and included in the amount of funding that is subject to offset pursuant to subdivision (j) of Section 42238.02. The amount included as an add-on pursuant to this paragraph shall not receive a cost-of-living adjustment.

(e) (1) The economic recovery target payment calculated pursuant to subparagraph (H) of paragraph (2) of subdivision (d) for a restructured charter school shall be the following:

(A) For a transferred charter school, the economic recovery target payment shall be equal to the amount calculated for the original charter school.

(B) For an acquiring charter school, the economic recovery target payment shall be equal to the sum of the amounts calculated for the original charter schools. This subparagraph shall become inoperative on July 1, 2026, unless its operation is extended by the Legislature.

(C) For a divided charter school, the economic recovery target payment shall be divided between the restructured portions of a divided charter school and the remaining portion of a divided charter school based on each charter school's share of the combined average daily attendance of the charter schools computed pursuant to Section 42238.05 as of the second principal apportionment in the fiscal year immediately before the first fiscal year of instruction as a restructured charter school. Data regarding average daily attendance shall be provided by the charter school in a format prescribed by the Superintendent. The total average daily attendance attributable to the restructured and remaining portions of a divided charter school shall not exceed the total average daily attendance of the original charter school for the applicable fiscal year. The amounts shall be final as of the second principal apportionment for the first fiscal year of instruction as a restructured charter school and each fiscal year thereafter.

(2) The definitions in Section 47654 apply for purposes of this subdivision.

SEC. 27. Section 42238.03 of the Education Code is amended to read:

42238.03. (a) Commencing with the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall calculate a base entitlement for the transition to the local control funding formula for each school district and charter school equal to the sum of the amounts computed pursuant to paragraphs (1) to (4), inclusive. The amounts computed pursuant to paragraphs (1) to (4), inclusive, shall be continuously appropriated pursuant to Section 14002.

(1) The current fiscal year base entitlement funding level shall be the sum of all of the following:

(A) For school districts, revenue limits in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 42238), as that article read on January 1, 2013, divided by the 2012–13 average daily attendance of the school district computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. A school district's 2012–13 fiscal year revenue limit funding shall exclude amounts computed pursuant to Article 4 (commencing with Section 42280). For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year revenue limits shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) (i) For charter schools, general purpose funding in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the amount of in-lieu property tax provided to the charter school pursuant to Section 47635, as that section read on June 30, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year general purpose funding, as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(ii) The amount computed pursuant to clause (i) shall exclude funds received by a charter school pursuant to Section 47634.1, as that section read on January 1, 2013.

(C) The amount computed pursuant to subparagraph (A) shall exclude funds received pursuant to Section 47633, as that section read on January 1, 2013.

(D) For school districts, funding for qualifying necessary small high schools and necessary small elementary schools shall be adjusted to reflect the funding levels that correspond to the 2012–13 necessary small high school and necessary small elementary school allowances pursuant to Article 4 (commencing with Section 42280) and former Section 42238.146, as those provisions read on January 1, 2013.

(2) (A) Entitlements from items contained in Section 2.00, as adjusted pursuant to Section 12.42, of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding for the Class Size Reduction Program pursuant to former Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915. The entitlement for basic aid school districts shall include the reduction of 8.92 percent as applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2014–15 fiscal year, the entitlements identified in subparagraph (A) shall be adjusted to reflect the exclusion of one-time redevelopment agency liquid asset recovery revenue, pursuant to Section 34179.5 and following, of the Health and Safety Code, before the application of the 8.92-percent reduction applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

(3) The allocations pursuant to Sections 42606 and 47634.1, as those sections read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05.

(4) The amount allocated to a school district or charter school pursuant to paragraph (3) of subdivision (b) for the fiscal years before the current fiscal year divided by the average daily attendance of the school district or charter school for the fiscal years before the current fiscal year computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district or charter school computed pursuant to Section 42238.05. For purposes of this paragraph, the amount allocated pursuant to paragraph (3) of subdivision (b) for the fiscal years before the current fiscal year, and the average daily attendance of the school district or charter school for the fiscal years before the current fiscal year, as computed pursuant to Section 42238.05, shall be considered final as of the third recertification of the annual apportionment.

(5) (A) For the 2013–14 and 2014–15 fiscal years only, a school district that, in the 2012–13 fiscal year, from any of the funding sources identified in paragraph (1) or (2), received funds on behalf of, or provided funds to, a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to secondary pupils shall not redirect that funding for another purpose unless otherwise authorized in law or pursuant to an agreement between the regional occupational center or program joint powers agency and the contracting school district.

(B) For the 2013–14 and 2014–15 fiscal years only, if a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to pupils enrolled in grades 9 to 12, inclusive, received, in the 2012–13 fiscal year, an apportionment of funds directly from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a), the Superintendent shall apportion that same amount to the regional occupational center or program joint powers agency.

(6) (A) (i) For the 2013–14 and 2014–15 fiscal years only, a school district that, in the 2012–13 fiscal year, from any of the funding sources identified in paragraph (1) or (2), received funds on behalf of, or provided funds to, a home-to-school transportation joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation shall not redirect that funding for another purpose unless otherwise authorized in law or pursuant to an agreement between the home-to-school transportation joint powers agency and the contracting school district.

(ii) For the 2013–14 and 2014–15 fiscal years only, if a home-to-school transportation joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation received, in the 2012–13 fiscal year, an apportionment of funds directly from the Superintendent from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a), the Superintendent shall apportion that same amount to the home-to-school transportation joint powers agency.

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

(B) In addition to subparagraph (A), of the funds a school district receives for home-to-school transportation programs the school district shall expend, pursuant to former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5, former Article 10 (commencing with Section 41850) of Chapter 5, and the Small School District Transportation program, as set forth in former Article 4.5 (commencing with Section 42290), as those articles read on January 1, 2013, no less for those programs than the amount of funds the school district expended for home-to-school transportation in the 2012–13 fiscal year.

(7) For the 2013–14 and 2014–15 fiscal years only, of the funds a school district receives for purposes of regional occupational centers or programs, or adult education, the school district shall expend no less than the amount of funds the school district expended for purposes of regional occupational centers or programs, or adult education, respectively, in the 2012–13 fiscal year. For purposes of this paragraph, a school district may include expenditures made by its county office of education within the school district for purposes of regional occupational centers or programs so long as the total amount of expenditures by the school district and the county office of education equal or exceed the total amount required to be expended for purposes of regional occupational centers or programs pursuant to this paragraph and paragraph (3) of subdivision (k) of Section 2575.

(8) For the 2013–14 and 2014–15 fiscal years only, and for purposes of ensuring the continuity of essential induction and training services for beginning teachers, the Alameda County Superintendent of Schools shall withhold five hundred eighty-one

thousand five hundred forty dollars (\$581,540) from the local control funding formula apportionments of the Newark Unified School District, and from those withheld funds shall allocate the following amounts to the following entities:

(A) One hundred forty-seven thousand nine hundred twenty dollars (\$147,920) to the Alameda Unified School District.

(B) One hundred four thousand dollars (\$104,000) to the San Leandro Unified School District.

(C) One hundred sixty-four thousand six hundred twenty dollars (\$164,620) to the Berkeley Unified School District.

(D) One hundred sixty-five thousand dollars (\$165,000) to the San Lorenzo Unified School District.

(b) Compute an annual local control funding formula transition adjustment for each school district and charter school as follows:

(1) Subtract the amount computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) from the amount computed for each school district or charter school under the local control funding formula entitlements computed pursuant to Section 42238.02. School districts and charter schools with a negative difference shall be deemed to have a zero difference.

(2) Each school district's and charter school's total need, as calculated pursuant to paragraph (1), shall be divided by the sum of all school districts' and charter schools' total need to determine the school district's or charter school's respective proportions of total need.

(3) (A) Each school district's and charter school's proportion of total need shall be multiplied by any available appropriations specifically made for purposes of this subdivision, and added to the school district's or charter school's funding amounts as calculated pursuant to subdivision (a).

(B) For purposes of subparagraph (A), the proportion of total need that is funded from any available appropriations specifically made for purposes of this subdivision for a fiscal year shall be considered fixed as of the second principal apportionment for that fiscal year. Adjustments to a school district's or charter school's total need, as computed pursuant to paragraph (1), subsequent to the second principal apportionment for a fiscal year, shall be funded based on the fixed proportion of total need that is funded for that fiscal year pursuant to this subdivision and shall be continuously appropriated pursuant to Section 14002.

(4) If the total amount of funds appropriated for purposes of paragraph (3) pursuant to this subdivision are sufficient to fully fund any positive amounts computed pursuant to paragraph (1), the local control funding formula grant computed pursuant to subdivision (c) of Section 42238.02 shall be adjusted to ensure that any available appropriation authority is expended for purposes of the local control funding formula.

(c) The Superintendent shall subtract from the amounts computed pursuant to subdivisions (a) and (b) the sum of the following:

(1) (A) For school districts, the property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(B) For charter schools, the in-lieu property tax amount provided to a charter school pursuant to Section 47635.

(2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of Division 2 of the Revenue and Taxation Code.

(3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code.

(4) Prior years' taxes and taxes on the unsecured roll.

(5) Fifty percent of the amount received pursuant to Section 41603.

(6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.

(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.

(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(d) A school district or charter school that has a zero difference pursuant to paragraph (1) of subdivision (b) in the prior fiscal year shall receive an entitlement equal to the amount calculated pursuant to Section 42238.02 in the current fiscal year and future fiscal years.

(e) Notwithstanding paragraph (2) of subdivision (g), or the computations pursuant to subdivisions (b) to (d), inclusive, and Section 42238.02, commencing with the 2013–14 fiscal year, a school district or charter school shall receive state-aid funding of no less than the sum of the amounts computed pursuant to paragraphs (1) to (3), inclusive.

(1) (A) For school districts, revenue limits in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 42238), as that article read on January 1, 2013, divided by the 2012–13 average daily attendance of the school district computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district computed pursuant to Section 42238.05. A school district's 2012–13 revenue limit funding shall exclude amounts computed pursuant to Article 4 (commencing with Section 42280). For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year revenue limits shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) (i) For charter schools, general purpose funding in the 2012–13 fiscal year as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, and the amount of in-lieu property tax provided to the charter school in the 2012–13 fiscal year pursuant to Section 47635, as that section read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05. For purposes of this subparagraph, 2012–13 fiscal year average daily attendance and 2012–13 fiscal year general purpose funding, as computed pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that article read on January 1, 2013, shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(ii) The amount computed pursuant to clause (i) shall exclude funds received by a charter school pursuant to Section 47634.1, as that section read on January 1, 2013.

(C) The amount computed pursuant to subparagraph (A) shall exclude funds received pursuant to Section 47633, as that section read on January 1, 2013.

(D) For school districts, the 2012–13 funding allowance provided for qualifying necessary small high schools and necessary small elementary schools pursuant to Article 4 (commencing with Section 42280) and Section 42238.146, as those provisions read on January 1, 2013.

(E) The amount computed pursuant to subparagraphs (A) to (D), inclusive, shall be reduced by the sum of the amount computed pursuant to paragraphs (1) to (8), inclusive, of subdivision (c).

(2) (A) Entitlements from items contained in Section 2.00, as adjusted pursuant to Section 12.42, of the Budget Act of 2012 for Items 6110-104-0001, 6110-105-0001, 6110-108-0001, 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001, 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding for the Class Size Reduction Program pursuant to former Chapter 6.10 (commencing with Section 52120) of Part 28 of Division 4, as it read on January 1, 2013, and 2012–13 fiscal year funding for pupils enrolled in community day schools who are mandatorily expelled pursuant to subdivision (d) of Section 48915. The entitlement for basic aid school districts shall include the reduction of 8.92 percent as applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012. For purposes of this subparagraph, 2012–13 fiscal year entitlements shall be considered final as of the annual apportionment for the 2012–13 fiscal year, as calculated for purposes of the certification required on or before February 20, 2014, pursuant to Sections 41332 and 41339.

(B) Commencing with the 2014–15 fiscal year, the entitlements identified in subparagraph (A) shall be adjusted to reflect the exclusion of one-time redevelopment agency liquid asset recovery revenue, pursuant to Section 34179.5 and following, of the Health and Safety Code, before the application of the 8.92-percent reduction applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

(C) The Superintendent shall annually apportion any entitlement provided to the state special schools from the items specified in subparagraph (A) to the state special schools in the same amount as the state special schools received from

those items in the 2012–13 fiscal year.

(D) Commencing with the 2015–16 fiscal year, any portion of funding transferred to a school district or charter school by a joint powers agency pursuant to clause (iii) of subparagraph (A) of paragraph (6) of subdivision (a) shall be deemed to be included in the entitlements specified in subparagraph (A) for the school district or charter school.

(3) The allocations pursuant to Sections 42606 and 47634.1, as those sections read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school.

(4) (A) For purposes of this subdivision, funding for a restructured charter school shall be calculated as follows:

(i) Funding for a transferred charter school that meets the requirements of Section 47653 shall be calculated by doing both of the following:

(I) For purposes of paragraphs (1) and (3), using the quotient calculated for the original charter school.

(II) For purposes of paragraph (2), using the same amount of entitlement funding calculated for the charter school before the restructuring.

(ii) (I) Funding for an acquiring charter school that meets the requirements of Section 47653 shall be calculated by doing both of the following:

(ia) For purposes of paragraphs (1) and (3), using the median quotient calculated for the original charter schools.

(ib) For purposes of paragraph (2), using the same amount of entitlement funding calculated for each original charter school before the restructuring.

(II) This clause shall become inoperative on July 1, 2026, unless its operation is extended by the Legislature.

(iii) Funding for a divided charter school that meets the requirements of Section 47653 shall be calculated by doing the following:

(I) For purposes of paragraphs (1) and (3), using the quotients calculated for the original charter school for both the restructured portions of a divided charter school and the remaining portion of a divided charter school.

(II) For purposes of paragraph (2), dividing the amount between the restructured portions of a divided charter school and the remaining portion of a divided charter school based on each charter school's share of the combined average daily attendance of the original charter school computed pursuant to Section 42238.05 as of the second principal apportionment in the fiscal year immediately before the first fiscal year of instruction as a restructured charter school. Data regarding average daily attendance shall be provided by the charter school in a format prescribed by the Superintendent. The total average daily attendance attributable to the restructured and remaining portions of a divided charter school shall not exceed the total average daily attendance of the original charter school for the applicable fiscal year. The amounts shall be final as of the second principal apportionment for the first fiscal year of instruction as a restructured charter school and each fiscal year thereafter.

(B) The definitions in Section 47654 apply for purposes of this paragraph.

(f) (1) For purposes of this section, commencing with the 2013–14 fiscal year and until all school districts and charter schools equal or exceed their local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b), a newly operational charter school shall be determined to have a prior year funding amount per unit of average daily attendance equal to the lesser of:

(A) The prior year funding amount per unit of average daily attendance for the school district in which the charter school is physically located. The Superintendent shall calculate the funding amount per unit of average daily attendance for this purpose by dividing the total local control funding formula entitlement, calculated pursuant to subdivisions (a) and (b), received by that school district in the prior year by prior year funded average daily attendance of that school district. For purposes of this subparagraph, a charter school that is physically located in more than one school district shall use the calculated local control funding entitlement per unit of average daily attendance of the school district with the highest prior year funding amount per unit of average daily attendance. For purposes of this subparagraph, the prior year funding amount per unit of average daily attendance for the school district in which the charter school is physically located shall be considered final as of the second principal apportionment of the prior fiscal year.

(B) The charter school's local control funding formula rate computed pursuant to subdivisions (c) to (i), inclusive, of Section 42238.02.

(2) For charter schools funded pursuant to paragraph (1), the charter school shall be eligible to receive growth funding pursuant to subdivision (b) toward meeting the newly operational charter school's local control funding formula target.

(3) Upon a determination that all school districts and charter schools equal or exceed the local control funding formula target computed pursuant to Section 42238.02, as determined by the calculation of a zero difference pursuant to paragraph (1) of subdivision (b) for all school districts and charter schools, this subdivision shall not apply and the charter school shall receive an allocation equal to the amount calculated under Section 42238.02 in that fiscal year and future fiscal years.

(4) For purposes of this subdivision, the determination of a charter school's physical location shall be considered final as of the second principal apportionment for the applicable fiscal year.

(g) (1) In each fiscal year the Superintendent shall determine the percentage of school districts that are apportioned funding pursuant to this section that is less than the amount computed pursuant to Section 42238.02 as of the second principal apportionments of the fiscal year. If the percentage is less than 10 percent, the Superintendent shall apportion funding to school districts and charter schools equal to the amount computed pursuant to Section 42238.02 in that fiscal year.

(2) For each fiscal year thereafter, the Superintendent shall apportion funding to a school district and charter school equal to the amount computed pursuant to Section 42238.02.

SEC. 28. Section 44042.5 of the Education Code is amended to read:

44042.5. (a) (1) When a school employer determines a wage overpayment has been made to a school employees it shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing recoupment actions, and inform the school employee of their rights specified in paragraph (4). If the school employee agrees that the school employer overpaid them in the claimed amount, reimbursement shall be made to the school employer through one of the following methods mutually agreed to by the employee and the school employer:

(A) Cash payment or cash installment payments.

(B) Installment payments through payroll deduction covering at least the same number of pay periods in which the error occurred.

(C) The adjustment of appropriate leave credits or compensating time off, provided that the overpayment involves the accrual or crediting of leave credits such as vacation, annual leave, holiday leave, or compensating time off. Any errors in sick leave balances shall only be adjusted with sick leave credits.

(2) Installment payment amounts deducted from an employee's salary or wages pursuant to paragraph (1), except as provided in subdivision (b), shall not exceed the amounts specified in Section 706.050 of the Code of Civil Procedure.

(3) Absent mutual agreement on a method of reimbursement pursuant to paragraph (1), within 30 days of the school employee verifying the overpayment amount the school employer shall proceed with recoupment pursuant to subparagraph (B) of paragraph (1).

(4) If a school employee disputes the existence or amount of a school employer's claimed overpayment made to the school employee, the school employer shall first initiate a legal action and obtain a court order or a binding arbitration decision validating the claimed overpayment amount before it may recover the overpayment amount. For purposes of this paragraph, binding arbitration may apply only when a memorandum of understanding between the school employer and an exclusive representative of the school employee sets forth procedures for adjudicating wage overpayment disputes that, at a minimum, meets the requirements and protections for school employees set forth in this section. If in court the school employee is represented by counsel supplied by the exclusive representative designated under the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code), then the provisions of paragraph (b) of Section 3543.8 of the Government Code shall apply to that litigation.

(b) A school employee who is separated from employment before full repayment of the overpayment amount owed pursuant to subdivision (a) shall have an amount sufficient to provide full repayment withheld from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the school employee. If the amount of money owed to the employee upon separation is insufficient to provide full reimbursement to the school employer, the school employer shall have the right to exercise any and all other legal means to recover the additional amount owed.

(c) A legal action shall not be taken by the school employer pursuant to this section to recover an overpayment unless the action is initiated within three years from the date of overpayment. The school employer shall not recover overpayments made to a school employee more than three years before the school employer initiates the action. If an overpayment involves leave credits, the date of overpayment is the date that the school employee receives compensation in exchange for leave erroneously credited

to the employee. For purposes of this section, leave hours are considered exchanged for compensation in the order they were credited.

(d) If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, that was in effect on July 31, 2022, the memorandum of understanding shall be controlling until the expiration or renewal of the memorandum of understanding.

(e) For purposes of this section, "school employer" means the applicable administrative entity of any of the following:

(1) School district.

(2) County office of education.

(3) Charter school.

SEC. 29. Section 44235.1 of the Education Code is amended to read:

44235.1. (a) Effective July 1, 1987, through June 30, 2023, all fees collected by the commission for tests, examinations, or assessments shall be deposited in the Test Development and Administration Account, which is hereby created in the Teacher Credentials Fund.

(b) Any proposed expenditures from this account shall be subject to the normal legislative budget review process.

(c) Except as otherwise provided in subdivision (e) or unless otherwise authorized by the Legislature, funds deposited in this account shall be expended for the development, agency support, maintenance, or administration of tests or other assessments established, required, or administered by the commission.

(d) Funds in this account shall not be subject to the provisions of subdivision (b) of Section 44234.

(e) (1) If there is a deficiency in the Teacher Credentials Fund, the Department of Finance may authorize a loan from the Test Development and Administration Account to the Teacher Credentials Fund to the extent needed to cover the projected deficiency.

(2) Any loan made under this subdivision shall be repaid under the terms provided in the authorization.

SEC. 30. Section 44235.12 is added to the Education Code, to read:

44235.12. (a) Effective July 1, 2023, all fees collected by the commission for tests, examinations, or assessments shall be deposited in the Teacher Credentials Fund.

(b) Any proposed expenditures from the Teacher Credentials Fund shall be subject to the normal legislative budget review process pursuant to subdivision (d) of Section 44235.

(c) Except as otherwise authorized by the Legislature, these funds shall be expended for the development, agency support, maintenance, or administration of tests or other assessments established, required, or administered by the commission.

(d) Fees collected by the commission for tests, examinations, and assessments shall not be subject to the provisions of subdivision (b) of Section 44234.

(e) This section shall become operative July 1, 2023.

SEC. 31. Section 44235.2 of the Education Code is amended to read:

44235.2. (a) If in any month there are insufficient moneys in the Teacher Credentials Fund to satisfy monthly payroll obligations and scheduled claims, and there are moneys in the Test Development and Administration Account not required to meet any demand that has accrued or may accrue against it, the Controller shall transfer moneys from the Test Development and Administration Account to the Teacher Credentials Fund to the extent necessary to meet the immediate obligations of the Teacher Credentials Fund.

(b) Moneys transferred pursuant to subdivision (a) shall be returned to the Test Development and Administration Account as soon as there are sufficient moneys in the Teacher Credentials Fund to do so, but by no later than 60 days after the transfer was made.

(c) If sufficient moneys do not accumulate in the Teacher Credentials Fund within 60 days after the transfer was made, whatever portion of the amount received from the Test Development and Administration Account that is in the Teacher Credentials Fund at that time shall be returned to the Test Development and Administration Account. The remaining balance of the outstanding

transfer, if any, shall be returned thereafter in monthly installments as moneys accumulate in the Teacher Credentials Fund. If the Teacher Credentials Fund fails to return the full amount of any transfer by the end of the fiscal year, the Teacher Credentials Fund shall be ineligible to receive further transfers until it has returned the full amount previously transferred from the Test Development and Administration Account.

(d) This section shall become inoperative on July 1, 2023.

SEC. 32. Section 44258.9 of the Education Code is amended to read:

44258.9. (a) (1) The Legislature finds and declares that continued monitoring of educator assignments by the commission and the county superintendents of schools and continued reporting of educator assignments by the department will help ensure that local educational agencies meet state and federal reporting requirements, including the requirements of the federal Every Student Succeeds Act (Public Law 114-95), or any other federal law that effectively replaces that act, and will ensure that the rate of educator misassignments remains low. To support pupil access to credentialed and appropriately assigned educators, the commission and the department shall collaborate to publish annual data on educator credentialing and assignment, at the school, local educational agency, and state level. To the extent possible, and with the funds provided for that purpose, each county office of education shall perform its duties as a monitoring authority, as specified in subdivision (e).

(2) The commission and the department shall collaborate to perform the duties specified in this section, with the commission executing the assignment monitoring process and the department facilitating the annual teaching assignment monitoring data production and publication.

(3) The teaching assignment monitoring outcome data reporting shall be executed in a manner consistent with the statewide system of support and the school accountability system established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4, county office of education monitoring established pursuant to Article 2 (commencing with Section 1240) of Chapter 2 of Part 2 of Division 1 of Title 1, and the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, or any other federal law that effectively replaces that act.

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

(1) "Assignment" means the placement of an individual in a teaching or services position. An "assignment" can be filled legally by an individual with a credential, permit, waiver, or any other document issued by the commission authorizing the assignment, or the individual may be otherwise authorized by statute.

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

(3) "Misassignment" has the same meaning as defined in Section 33126. For purposes of this section, "employee," as used in the definition of "misassignment" in Section 33126, includes an individual hired on a contract. For purposes of this section, in a charter school, "misassignment" shall apply only to employees in teaching positions.

(4) "Monitoring authority" means:

(A) The county office of education for school districts in the county and programs operated by the county office of education.

(B) The commission for a school district or county office of education that operates within a city or county in which there is a single school district, including the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco, and the state special schools.

(C) The chartering authority for a charter school.

(5) "System," unless the context requires otherwise, means the State Assignment Accountability System, which is an electronic data system administered by the commission for monitoring educator assignments and vacant positions and uses department data collected pursuant to Section 60900 for its functioning.

(6) "Vacant position" means a position to which a single-designated certificated employee has not been assigned at the time that the data are collected by the department pursuant to Section 60900.

(c) The commission and the department shall enter into a data sharing agreement for the department to provide the commission with educator assignment data necessary to annually identify educator assignments, including assignments filled by individuals on preliminary or clear credentials, intern credentials, permits or waivers, misassignments, and vacant positions at local educational agencies. The data sharing agreement shall also require the commission to make credential, permit, waiver, misassignment, vacant positions, and other relevant data available to the department to support reporting consistent with the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act (Public Law 114-95), or any other federal law that effectively replaces that act, and applicable state reporting requirements, including for the

statewide system of support established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(d) The commission and the department may engage in a variety of activities designed to inform school administrators, teachers, and personnel within the county offices of education of the regulations and statutes affecting the assignment of educators and how data on educator assignments is published and used. These activities may include, but shall not necessarily be limited to, the preparation of instructive brochures and the holding of regional workshops.

(e) (1) The commission shall annually use the data provided by the department pursuant to subdivision (c) to produce an initial data file of vacant positions and educator assignments that do not have a clear match of credential to assignment. The commission shall notify local educational agencies and monitoring authorities of the opportunity to access the system and review the initial data file of potential misassignments and vacant positions.

(2) A local educational agency may do any of the following within 60 days of the commission's notification pursuant to paragraph (1):

(A) Access and review the initial data file in the system to determine if each educator included in the initial data file is otherwise legally authorized for the assignment.

(B) Submit documentation or additional assignment information to the commission and monitoring authority showing that the educator is otherwise legally authorized for the assignment. This information may include the use of local assignment options outlined in any statute or regulation.

(C) Submit documentation to the commission and monitoring authority showing that a position identified in the initial data file as vacant was miscoded and that a legally authorized educator was assigned to the position.

(3) Information submitted to the commission and monitoring authority pursuant to paragraph (2) shall be submitted electronically through the system.

(4) A monitoring authority shall access the system to review the initial data file and any documentation or additional information submitted by a local educational agency for which it is a monitoring authority and make a determination of potential misassignments and vacant positions within 90 days of the commission's notification pursuant to paragraph (1).

(5) The commission shall have the authority to make a final determination for all potential assignments and misassignments.

(6) After the 90-day review period pursuant to paragraph (4), the commission shall share all educator assignment data, including all preliminary and clear credentials, intern credentials, permits, waivers, misassignments, and vacant positions for that year, with the department for the department's teaching assignment monitoring outcomes report and other state and federal reporting requirements.

(7) Once published, the commission shall post a link to the department's teaching assignment monitoring outcomes reporting on its internet website, with resources for local educational agencies seeking to maintain a fully credentialed and properly assigned educator workforce.

(8) Notwithstanding any other law, the commission, when identifying misassignments using the system, shall identify an educator in a teaching position, including an educator at a charter school, as correctly assigned only when the educator holds the certificate or credential required by the commission for that assignment in a noncharter public school, taking into account local assignment options.

(9) Commencing in the 2020–21 school year, a chartering authority, as provided in this section, may request technical assistance to assist in its determination of potential misassignments and vacant positions from the county office of education in the county in which the chartering authority is located.

(10) For a school district, the county superintendent of schools shall notify, through the office of the school district superintendent, a certificated school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the school administrator to correct the assignment within 30 calendar days. For a charter school, the monitoring authority shall notify the charter school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the charter school administrator to correct the assignment within 30 calendar days.

(f) The system and the data reported from the system shall not be used by a local educational agency for purposes of evaluating certificated employees, certificated employee performance determinations, or employment decisions.

(g) If an employee, including an employee who is employed by a charter school, is required by a local educational agency to accept an assignment in a teaching or services position for which the employee has no legal authorization, all of the following shall occur:

(1) (A) After exhausting existing local remedies, an employee of a school district shall notify the superintendent of the school district, and an employee of a charter school shall notify the administrator of the charter school, in writing, of the illegal assignment.

(B) If no action is taken after the notice required pursuant to subparagraph (A), an employee of a school district shall notify the county superintendent of schools, and an employee of a charter school shall notify the chartering authority, in writing, of the illegal assignment.

(2) In the case of an assignment by a school district for which the employee has filed a notice that the employee has no legal authorization, the school district or county superintendent of schools shall advise the employee about the legality of the assignment within 15 working days. In the case of an assignment by a charter school for which the employee has filed a notice that the employee has no legal authorization, the administrator of the charter school or the chartering authority shall advise the employee about the legality of the assignment within 15 working days.

(3) A local educational agency shall not take adverse action against an employee who files a notice of misassignment pursuant to paragraph (1).

(4) Notwithstanding any other law, for purposes of a charter school authorized by the state board, the employee shall file the written notices regarding misassignment described in paragraph (1) with the commission.

(5) During the period of a misassignment, the certificated employee who files a written notice pursuant to subparagraph (B) of paragraph (1) shall be exempt from Section 45034.

(6) If it is determined that a misassignment has occurred, a performance evaluation pursuant to Article 11 (commencing with Section 44660) of Chapter 3 of the certificated employee in the misassignment shall be nullified.

(7) A certificated employee who has not attained permanent status is subject to the protections described in this subdivision and subdivision (f) even if the certificated employee does not provide notice pursuant to paragraph (1).

(h) For the 2019–20 school year, the final data file generated by the system to identify misassignments and vacant positions shall be nonconsequential and shall be provided to the department, local educational agencies, and monitoring authorities by the commission for informational purposes only.

(i) Commencing with the 2020–21 school year, and each school year thereafter, following the 90-day review period provided for monitoring authorities pursuant to subdivision (e), the commission shall do all of the following:

(1) Ensure local educational agencies have access to the results of the system's process of assignment monitoring to support local continuous improvement efforts.

(2) Publish annual certificated educator assignment data that reflects the level of preparation and licensure of educators serving California pupils. This data shall include comprehensive information on all educator assignments, including those filled by individuals on permits or waivers, intern credentials, and preliminary or clear credentials, and those properly assigned and misassigned, at the schoolsite, local educational agency, county, and state level. The commission may also publish data on educators serving on administrative and pupil services credentials, educator preparation pathways, and educator retention, and whether certificated staff are employed in K–12 education.

(3) Support the department to do all of the following:

(A) Make annual educator assignment, misassignment, and vacant position data generated by the system publicly available in a searchable format on the department's internet website. Data shall be updated annually and provide comprehensive information on teaching assignment outcomes inclusive of all educator classifications at the schoolsite, school district, and county level.

(B) Ensure that data for charter schools is distinguishable from data for noncharter public schools when made publicly available in a searchable format.

(C) Maintain each year's data for no less than five years.

(D) Ensure that the publicly available misassignment data reported from the system shall not include any personally identifiable information, including names, social security numbers, home addresses, telephone numbers, or email addresses of individual educators.

(j) The commission may promulgate regulations that define standards for a local educational agency, including a charter school, that consistently misassigns educators and what sanctions, if any, to impose on that local educational agency.

(k) (1) On or before December 1, 2022, the commission shall report to the appropriate policy and fiscal committees of the Legislature on the development of the system, including, but not limited to, all of the following:

(A) The development and current status of the system.

(B) The ability of the system to efficiently produce accurate annual data on teacher misassignments.

(C) Statewide information regarding misassignments, delineated by credential type, assignment, and type of school.

(D) Use of local assignment options, delineated by local assignment option and type of school.

(E) Any recommendations to improve the system and the local assignment monitoring process required by this section.

(F) Identification of any need for further technical assistance for local educational agencies, including chartering authorities, to improve assignment monitoring and reduce the overall rate of misassignment.

(2) Pursuant to Section 10231.5 of the Government Code, the reporting requirement described in paragraph (1) shall be inoperative on December 1, 2026.

(l) This section shall not relieve a local educational agency from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of "misassignment" for purposes of Section 33126.

SEC. 33. Section 44343.4 is added to the Education Code, to read:

44343.4. (a) The commission shall issue a comparable credential at the preliminary level to an eligible applicant for the purpose of providing instruction or services in public schools if all of the following requirements are met:

(1) The eligible applicant possesses and provides proof of a valid, out-of-state, unexpired, professional-level teaching or services credential.

(2) The eligible applicant provides evidence that the eligible applicant is, is married to, or is in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States.

(3) The eligible applicant provides either of the following:

(A) A copy of their, or their spouse or domestic partner's, official military orders for reassignment to California.

(B) Evidence of their spouse or domestic partner's death while serving as an active duty member of the Armed Forces of the United States in the previous 12 months.

(4) The eligible applicant satisfies the fingerprinting requirement for purposes of conducting a criminal background check and satisfies the professional fitness requirement pursuant to Sections 44339, 44340, and 44341.

(b) (1) Except as provided in paragraph (2), a credential issued pursuant to this section shall be valid only for the duration of the military orders pursuant to subparagraph (A) of paragraph (3) of subdivision (a).

(2) A credential issued to eligible applicants who provided evidence pursuant to subparagraph (B) of paragraph (3) of subdivision (a) shall be valid for no more than three years. A credential issued pursuant to this paragraph may only be issued once.

(c) An eligible applicant licensed under this section may subsequently apply for full licensure in California based on existing pathways for out-of-state prepared educators.

(d) The commission shall issue a credential under this section to a spouse of a United States military service member consistent with subdivision (a) of Section 44343.5.

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

(1) "Active duty member of the Armed Forces of the United States" means any person serving in a full-time duty status in the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard, including members of any reserve component of those forces and members of the National Guard.

(2) "Eligible applicant" means any United States military service member or their spouse or domestic partner, or a surviving spouse or domestic partner of a service member who died while serving as an active duty member of the Armed Forces of the

United States in the previous 12 months.

SEC. 34. Section 44415.5 of the Education Code is amended to read:

44415.5. (a) For purposes of this section, the following definitions apply for the Teacher Residency Grant Program:

(1) "Experienced mentor teacher" means an educator who meets all of the following requirements:

(A) Has at least three years of teaching experience and holds a clear credential in the subject in which the mentor teacher will be mentoring. For programs leading to the issuance of new PK-3 early childhood education specialist credentials, the mentor teacher must have at least three years of teaching experience in prekindergarten, transitional kindergarten, kindergarten, or any of grades 1 to 3, inclusive, and hold a clear multiple subject credential.

(B) Has a record of successful teaching as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(C) Receives specific training for the mentor teacher role, and engages in ongoing professional learning and networking with other mentors.

(D) Receives compensation, appropriate release time, or both, to serve as a mentor in the initial preparation or beginning teacher induction component of the teacher residency program.

(2) "Teacher residency program" is a grant applicant-based program that partners with one or more commission-approved teacher preparation programs offered by a regionally accredited institution of higher education in which a prospective teacher teaches at least one-half time alongside a teacher of record, who is designated as the experienced mentor teacher, for at least one full school year while engaging in initial preparation coursework.

(b) (1) For the 2021–22 fiscal year, the sum of three hundred fifty million dollars (\$350,000,000) is hereby appropriated from the General Fund to the commission for the Teacher Residency Grant Program to support teacher residency programs that recruit and support the preparation of teachers pursuant to this section. This funding shall be available for encumbrance until June 30, 2026.

(2) Grant funding awarded pursuant to this section shall be expended by a grant recipient within five fiscal years of the fiscal year in which the grant was awarded.

(c) (1) The commission shall make grants to applicants to establish new teacher residency programs, or expand, strengthen, or improve access to existing teacher residency programs that support either of the following:

(A) Designated shortage fields, including, but not limited to, special education, bilingual education, science, computer science, technology, engineering, mathematics, transitional kindergarten, or kindergarten, school counselors, and any other fields identified by the commission based on an annual analysis of state and regional hiring and vacancy data.

(B) Local efforts to recruit, develop support systems for, provide outreach and communication strategies to, and retain a diverse teacher workforce that reflects a local educational agency community's diversity.

(2) Grant recipients shall work with one or more commission-accredited teacher preparation programs and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident teachers who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(3) A grant applicant may consist of one or more, or any combination, of the following:

(A) A school district.

(B) A county office of education.

(C) A charter school.

(D) A regional occupational center or program operated by a joint powers authority or a county office of education.

(d) Grants allocated pursuant to subdivision (c) shall be up to forty thousand dollars (\$40,000) per teacher candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient at a rate of 80 percent of the first twenty-five thousand dollars (\$25,000) of the grant amount received per participant, as described in subdivision (f). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:

(1) Teacher preparation costs.

(2) Stipends for mentor teachers, including, but not limited to, housing stipends.

(3) Residency program staff costs.

(4) Mentoring and beginning teacher induction costs following initial preparation.

(5) Compensation for residents.

(e) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(f) A grant recipient shall provide a match of grant funding in the form of one or both of the following:

(1) Eighty cents (\$0.80) for every one dollar (\$1) of the first twenty-five thousand dollars (\$25,000) in grant funding received per participant, to be used in a manner consistent with allowable grant activities pursuant to subdivision (d).

(2) An in-kind match of program director personnel costs, mentor teacher personnel costs, resident compensation costs, or other personnel costs related to the Teacher Residency Grant Program, provided by the grant recipient.

(g) Grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a preliminary teaching credential, including a PK-3 early childhood education specialist credential, in furtherance of paragraph (1) of subdivision (c) upon completion of the program.

(2) Ensure that candidates are provided instruction in all of the following:

(A) Teaching the content area or areas in which the teacher will become certified to teach.

(B) Planning, curriculum development, and assessment.

(C) Learning and child development.

(D) Management of the classroom environment.

(E) Use of culturally responsive practices, supports for language development, and supports for serving pupils with disabilities.

(F) Professional responsibilities, including interaction with families and colleagues.

(3) Provide each candidate mentoring and beginning teacher induction support following the completion of the initial credential program necessary to obtain a clear credential and ongoing professional development and networking opportunities during the candidate's first years of teaching at no cost to the candidate.

(4) Prepare candidates to teach in a school within the jurisdiction of the grant recipient in which they will work and learn the instructional initiatives and curriculum of the grant recipient.

(5) Group teacher candidates in cohorts to facilitate professional collaboration among residents, and ensure candidates are enrolled in a teaching school or professional development program that is organized to support a high-quality teacher learning experience in a supportive work environment.

(6) (A) For grants awarded during and after the 2023–24 fiscal year, provide a minimum compensation package, which may include, but is not limited to, a living stipend or wages for employment of no less than twenty thousand dollars (\$20,000) per candidate. Nothing in this section precludes a grant recipient from providing a larger compensation package to candidates, and grant recipients are encouraged to provide a compensation package to residents that is similar to the grant recipient's compensation of school staff with comparable duties.

(B) To the extent a grant recipient received an award of up to twenty-five thousand dollars (\$25,000) per candidate before the 2023–24 fiscal year and is serving candidates during and after the 2023–24 school year with that award, and commits to providing the minimum compensation package to those candidates, the grant recipient may submit the number of those candidates and associated per-resident award to the commission for an additional per-resident allocation for a combined per-resident total of up to forty thousand dollars (\$40,000).

(h) To receive a grant, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(i) When selecting grant recipients, the commission shall do both of the following:

(1) Require applicants to demonstrate a need for teachers in one or more designated shortage fields or for the purposes described in subparagraph (B) of paragraph (1) of subdivision (c), and to propose to establish a new, or expand, strengthen, or improve access to an existing, teacher residency program that recruits, prepares, and supports teachers to teach in either one or more such fields or in furtherance of subparagraph (B) of paragraph (1) of subdivision (c) in a school within the jurisdiction of the sponsoring grant applicant.

(2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the teaching workforce, have a higher percentage than other applicants of unduplicated pupils, as defined in Section 42238.02, and have one or more schools that exhibit one or both of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.

(B) A school that is located in either a rural location or a densely populated region.

(j) (1) A candidate in a teacher residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate or another public school in California for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a preliminary teaching credential, including a PK-3 early childhood education specialist credential. The candidate shall also commit in the written agreement to annually reporting to their sponsoring local educational agency where they are employed and their current contact information until they have completed their service requirement or eight years after completion of residency, whichever occurs first.

(2) A candidate shall have eight school years to complete the four-school-year teaching commitment.

(3) This subdivision shall apply to any current candidate or teacher that participates in a residency program under this section.

(k) If a candidate is unable to complete a school year of teaching, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

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

(4) The candidate has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.

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

(l) If a candidate is unable to complete their residency program or service requirement because of hardship, as defined by the commission, they may apply to waive any repayment obligation as described in subdivision (q).

(m) For purposes of administering the grant program pursuant to subdivision (c), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (j).

(n) (1) If the commission is informed that more than 10 percent of sponsored candidates in a local educational agency's yearly program cohort failed to earn a preliminary credential or failed to meet their commitment to teach pursuant to subdivision (j), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the grant recipient based on the number of candidates who failed to earn a preliminary credential or meet their teaching commitment above a 10-percent attrition rate.

(2) The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at a public school in California.

(3) A candidate who obtains a waiver pursuant to subdivision (l) shall not count toward the 10-percent attrition rate.

(o) Upon confirming the amount to be recovered from the grant recipient pursuant to subdivision (n), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or program operated by a joint powers authority that does not receive a principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the candidate taught and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(p) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (o) shall be deposited into the Proposition 98 Reversion Account.

(q) (1) Grant recipients may recover from a sponsored candidate who fails to earn a preliminary credential, or who fails to complete the period of placement, the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at a public school in California.

(2) Costs considered as part of a candidate's residency training for purposes of this subdivision shall not include costs associated with a candidate's compensation package, mentor compensation, or overall program administration and shall be limited to costs incurred that are specific to that candidate, such as tuition and materials.

(r) Grant recipients shall not charge a teacher resident a fee to participate in the Teacher Residency Grant Program.

(s) (1) Notwithstanding subdivision (c), the commission may allocate up to twenty-five million dollars (\$25,000,000) of the amount appropriated pursuant to subdivision (b) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia, as designated pursuant to this section, partnering with regionally accredited institutions of higher education to expand, strengthen, improve access to, or create teacher residency programs.

(2) (A) The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.

(B) Individual capacity grants shall not exceed two hundred fifty thousand dollars (\$250,000) per grant recipient.

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

SEC. 35. Section 44415.6 of the Education Code is amended to read:

44415.6. (a) (1) For the 2022–23 fiscal year, the sum of one hundred eighty-four million dollars (\$184,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to augment the Teacher Residency Grant Program pursuant to Section 44415.5 to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors pursuant to this section. This funding shall be available for encumbrance until June 30, 2027.

(2) Grant funding awarded pursuant to this section shall be expended by a grant recipient within five fiscal years of the fiscal year in which the grant was awarded.

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

(1) "Mentor school counselor" means a school counselor who meets all of the following requirements:

(A) Has at least three years of experience and holds a clear pupil personnel services credential with a specialization in school counseling.

(B) Has a record of successful counseling as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(2) "School counselor residency program" means a grant applicant-based program that partners with one or more commission-approved professional preparation programs offering preparation in school counseling provided by a regionally accredited institution of higher education in which a prospective school counselor works at least one-half time alongside a school

counselor of record, who is designated as the mentor school counselor, for at least one full school year while engaging in initial preparation coursework.

(c) Of the amount appropriated pursuant to subdivision (a), the commission shall determine how to prioritize funding for residency programs that serve school counselors in training. Funds allocated for teacher residencies shall be subject to the requirements of, and administered pursuant to, subdivisions (c) to (r), inclusive, of Section 44415.5.

(d) Funds allocated by the commission for school counselor residency placements shall be administered pursuant to the following:

(1) The commission shall make one-time grants to grant applicants to establish new school counselor residency programs or add school counselor residencies to existing teacher residency programs that support local efforts to recruit, develop support systems for, provide outreach and communication strategies to, and retain a diverse school counselor workforce that reflects a local educational agency community's diversity.

(2) Grant recipients shall work with one or more commission-accredited professional preparation programs specializing in school counseling and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident school counselors who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(3) A grant applicant may consist of one or more, or any combination, of the following:

(A) A school district.

(B) A county office of education.

(C) A charter school.

(D) A regional occupational center or program operated by a joint powers authority or a county office of education.

(e) Grants allocated for school counselor residencies pursuant to subdivision (c) shall be up to forty thousand dollars (\$40,000) per school counselor candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient at a rate of 80 percent of the first twenty-five thousand dollars (\$25,000) of the grant amount received per participant, as described in subdivision (g). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:

(1) School counselor preparation costs.

(2) Stipends for mentor school counselors.

(3) Residency program staff costs.

(4) Compensation for residents.

(f) A school counselor residency grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(g) A school counselor residency grant recipient shall provide a match of grant funding in the form of one or both of the following:

(1) Eighty cents (\$0.80) for every one dollar (\$1) of the first twenty-five thousand dollars (\$25,000) in grant funding received per participant, to be used in a manner consistent with allowable grant activities pursuant to subdivision (e).

(2) An in-kind match of program director personnel costs, mentor personnel costs, resident compensation costs, or other personnel costs related to the grant program, provided by the grant recipient.

(h) School counselor residency grant recipients shall do all of the following:

(1) Ensure that candidates are prepared to earn a pupil personnel services credential with a specialization in school counseling that will authorize the candidate to perform the following duties:

(A) Develop, plan, implement, and evaluate a school counseling and guidance program that includes academic, career, personal, and social development.

(B) Advocate for the high academic achievement and social development of all pupils.

(C) Provide schoolwide prevention and intervention strategies and counseling services.

(D) Provide consultation, training, and staff development to teachers and parents regarding pupils' needs.

(E) Supervise a local educational agency-approved educational counseling program as described in Section 49600.

(2) Ensure that candidates are provided instruction in all of the following:

(A) Engaging with, advocating for, and providing support for, all pupils with respect to learning and achievement.

(B) Planning, implementing, and evaluating programs to promote the academic, career, personal, and social development of all pupils, including pupils from low-income families, foster youth, homeless youth, undocumented youth, pupils with disabilities, and pupils at all levels of academic, social, and emotional abilities.

(C) Using multiple sources of information to monitor and support strategies to improve pupil behavior and achievement.

(D) Collaborating and coordinating with school and community resources.

(E) Promoting and maintaining a safe learning environment for all pupils by supporting the provision of restorative justice practices, positive behavior interventions, and support services.

(F) Intervening to ameliorate school-related problems, including issues related to chronic absences.

(G) Using research-based strategies to reduce stigma, conflict, and pupil-to-pupil mistreatment and bullying.

(H) Improving school climate and pupil well-being.

(I) Enhancing pupils' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs.

(J) Providing counseling interventions and support services for pupils classified as English learners, eligible for free or reduced-price meals, or foster youth, including enhancing equity and access to the education system and community services.

(3) Prepare candidates to work as a school counselor in a school within the jurisdiction of the grant recipient in which they will work and learn the school culture and climate of the grant recipient.

(4) Group school counselor candidates in cohorts, to the extent practicable, to facilitate professional collaboration among residents, and ensure candidates are enrolled in a professional development program that is organized to support a high-quality school counselor learning experience in a supportive work environment.

(5) (A) For grants awarded during and after the 2023–24 fiscal year, provide a minimum compensation package, which can include, but is not limited to, a living stipend or wages for employment of no less than twenty thousand dollars (\$20,000) per candidate. Nothing in this section precludes a grant recipient from providing a larger compensation package to candidates, and grant recipients are encouraged to provide a compensation package to residents that is similar to the grant recipient's compensation of school staff with comparable duties.

(B) To the extent a grant recipient received an award of up to twenty-five thousand dollars (\$25,000) per candidate before the 2023–24 fiscal year and is serving candidates during and after the 2023–24 school year with that award, and commits to providing the minimum compensation package to those candidates, the grant recipient may submit the number of those candidates and associated per-resident award to the commission for an additional per-resident allocation for a combined per-resident total of up to forty thousand dollars (\$40,000).

(i) To receive a grant that supports school counselor residencies, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(j) When selecting residency grant recipients that include school counselors, the commission shall do both of the following:

(1) Require applicants to demonstrate a need for school counselors, and to propose to establish or expand a residency program that recruits, prepares, and supports school counselors to work in a school within the jurisdiction of the sponsoring grant applicant.

(2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the school counselor workforce, have a higher percentage than other applicants of unduplicated pupils, as defined in Section 42238.02, and have one or more schools that exhibit one or both of the following characteristics:

(A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.

(B) A school that is located in either a rural location or a densely populated region.

(k) (1) A school counselor candidate in a residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in one or more schools within the jurisdiction of the grant recipient that sponsored the candidate or another public school in California for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a pupil personnel services credential. The candidate shall also commit in the written agreement to annually reporting to their sponsoring local educational agency where they are employed and their current contact information until they have completed their service requirement or eight years after completion of residency, whichever occurs first.

(2) A candidate shall have eight school years to complete the four-school-year school counselor commitment.

(3) This subdivision shall apply to any current candidate or school counselor that participates in a residency program under this section.

(l) If a candidate is unable to complete a school year as a school counselor, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(3) The candidate was not able to work as a school counselor due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the succeeding school year.

(4) The candidate has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.

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

(m) If a candidate is unable to complete their residency program or service requirement because of hardship, as defined by the commission, they may apply to waive any repayment obligation as described in subdivision (r).

(n) For purposes of administering a school counselor residency grant program pursuant to subdivision (d), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.

(3) Annually review each grant recipient's program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (k).

(o) (1) If the commission is informed that more than 10 percent of sponsored school counselor residency candidates in a local educational agency's yearly program cohort failed to earn a pupil personnel services credential or meet their commitment to work as a school counselor pursuant to subdivision (k), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the grant recipient based on the number of candidates who failed to earn a pupil personnel services credential or meet their service commitment above a 10-percent attrition rate.

(2) The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate worked as a school counselor at least one year, but less than four years, at one or more public schools in California.

(3) A candidate who obtains a waiver pursuant to subdivision (m) shall not count toward the 10-percent attrition rate.

(p) Upon confirming the amount to be recovered from the school counselor residency grant recipient pursuant to subdivision (o), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or program operated by a joint powers authority that does not receive a principal apportionment or apportionments of state funds, or a consortia of local educational

agencies, the commission shall notify the Controller of the local educational agency where the candidate worked as a school counselor and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(q) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (p) shall be deposited into the Proposition 98 Reversion Account.

(r) (1) School counselor residency grant recipients may recover from a sponsored candidate who fails to earn a pupil personnel services credential or complete the period of placement the amount of grant funding invested in the candidate's residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate worked as a school counselor at least one year, but less than four years, at a public school in California.

(2) Costs considered as part of a candidate's residency training for purposes of this subdivision shall not include costs associated with a candidate's compensation package, mentor compensation, or overall program administration and shall be limited to costs incurred that are specific to that candidate, such as tuition and materials.

(s) School counselor residency grant recipients shall not charge a school counselor resident a fee to participate in a school counselor residency grant program.

(t) (1) Notwithstanding subdivision (d), the commission may allocate up to ten million dollars (\$10,000,000) of the amount appropriated pursuant to subdivision (a) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia, as designated pursuant to this section, partnering with regionally accredited institutions of higher education to create school counselor residency programs that lead to more credentialed school counselors that reflect a local educational agency community's diversity.

(2) (A) The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.

(B) Notwithstanding subparagraph (A), individual capacity grants shall not exceed two hundred fifty thousand dollars (\$250,000) per grant recipient.

(u) The commission shall conduct an evaluation of the school counselor residency grants allocated pursuant to this section to determine the effectiveness of this program in recruiting, developing support systems for, and retaining school counselors, and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2029.

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

SEC. 36. Section 44417.5 of the Education Code is amended to read:

44417.5. The commission shall conduct an evaluation of the Teacher Residency Grant Program described in Section 44415.5 to determine the effectiveness of this program in recruiting, developing support systems for, and retaining teachers prepared to teach either in commission-designated shortage areas or in furtherance of subparagraph (B) of paragraph (1) of subdivision (c) of Section 44415.5, and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2029.

SEC. 37. Section 45500 of the Education Code is amended to read:

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

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

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

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

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

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

(B) For the 2020–21, 2021–22, and 2022–23 school years, for purposes of determining a classified employee's total months employed by the local educational agency, the employing local educational agency shall exclude any hours worked by the classified employee as a result of an extension of the academic school year directly related to the COVID-19 pandemic, if the hours are in addition to the employee's regular assignment and would prevent the employee from being eligible for this program.

(4) (A) A classified employee is not eligible to participate in the program if the classified employee's regular annual pay received directly from the local educational agency is more than sixty-two thousand four hundred dollars (\$62,400) for an entire school year at the time of enrollment. For purposes of determining a classified employee's regular annual pay received directly from the local educational agency, the employing local educational agency shall exclude any pay received by the classified employee during the previous summer recess period.

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

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

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

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

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

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

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

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

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

(k) The department may use any unexpended balance of moneys appropriated in any prior fiscal year to the department for purposes of this section to provide up to one dollar (\$1) for each one dollar (\$1) that has been withheld from participating classified employee monthly paychecks.

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

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

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

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

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

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

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

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

(2) "Month" means 20 days or four weeks of 5 days each, including legal holidays.

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

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

(r) It is the intent of the Legislature that participating employees in this section include all classified employees, as defined in this chapter, including teacher assistants, that meet the specified program requirements.

SEC. 38. 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 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no less than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

(B) (i) For at least 30 nonschooldays, inclusive of extended school year days provided pursuant to paragraph (3) of subdivision (b) of Section 56345, no less 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 less 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 less than eight hours of combined instructional time, recess, meals, and in-person before or after school expanded learning opportunities per instructional day, and no less than eight hours of in-person expanded learning opportunities on at least 30 nonschooldays.

(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) (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, 2024. 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 (g), 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 (g), 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) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include, but is not limited to, hiring literacy coaches, high-dosage tutors, school counselors, and instructional day teachers and aides to assist pupils as part of the local educational agency's program enrichment activities.

(4) 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) 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.

(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.

(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 serving pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during the school year, and how many pupils are served in these programs.
- (2) The number of expanded learning providers who are serving pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during the summer, and how many pupils are served in these programs.
- (3) The number of expanded learning providers who are serving pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site in the 2023–24 school year 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 served in their programs.
- (4) A list of local educational agencies that contract with third-party providers that serve pupils on a nonlocal educational agency site during the school year, how many contractors they work with, and the number of pupils served in these programs, by grade.
- (5) A list of local educational agencies that contract with third-party providers that serve pupils on a nonlocal educational agency site during the summer, how many contractors they work with, and the number of pupils served in 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 less than 11 persons per square mile.
- (3) "Local educational agency" means a school district or charter school, excluding a charter school established pursuant to Section 47605.5.

(4) "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. 39. Section 46392 of the Education Code is amended to read:

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

(1) Fire.

(2) Flood.

(3) Impassable roads.

(4) Epidemic.

(5) Earthquake.

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

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

(8) An order provided for in Section 41422.

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

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

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

(c) (1) The average daily attendance of the school district, county office of education, or charter school for the fiscal year shall be estimated by the Superintendent in a manner that credits to the school district, county office of education, or charter school for

determining the apportionments to be made to the school district, county office of education, or charter school from the State School Fund approximately the total average daily attendance that would have been credited to the school district, county office of education, or charter school had the emergency not occurred or had the order not been issued.

(2) (A) From September 1, 2021, to June 30, 2022, inclusive, with the exception of a material loss of attendance for pupils who are individuals with exceptional needs, as defined in Section 56026, whose individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 does not specifically provide for participation in independent study or pupils who are enrolled in community day schools pursuant to Article 3 (commencing with Section 48660) of Chapter 4 of Part 27, a school district, county office of education, or charter school shall not receive average daily attendance credit pursuant to this section for pupils that have been quarantined and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.

(B) Notwithstanding subparagraph (A), from September 1, 2021, to June 30, 2022, inclusive, a school district, county office of education, or charter school may receive average daily attendance credit pursuant to this section for school closures related to impacts from COVID-19 or material loss of attendance due to COVID-19 related staffing shortages if the following conditions are established to the satisfaction of the Superintendent by affidavits of the members of the governing board or body of the school district, county office of education, or charter school and the county superintendent of schools:

(i) The school district, county office of education, or charter school is unable to provide in person instruction to pupils due to staffing shortages as a result of staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.

(ii) For certificated staff shortages, the school district, county office of education, or charter school has exhausted all options for obtaining staff coverage, including using all certificated staff and substitute teacher options, and has consulted with their county office of education and the Superintendent in determining that staffing needs cannot be met through any option.

(iii) For classified staff shortages, the school district, county office of education, or charter school has exhausted all options for obtaining staff coverage, including using all staff options, and has consulted with their county office of education and the Superintendent in determining that staffing needs cannot be met through any option.

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

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

(B) In the 2021–22 fiscal year, for school districts, the Superintendent shall allocate an amount equal to 25 percent of the difference calculated in subparagraph (A) to the school district.

(C) In the 2022–23 fiscal year, for school districts, the Superintendent shall allocate an amount equal to 12.5 percent of the difference calculated in subparagraph (A) to the school district.

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

(B) In the 2021–22 fiscal year, for charter schools that operate a minimum of 175 school days and report at least 75 percent of the total second period average daily attendance for the 2019–20 fiscal year, as described in Section 41601, the Superintendent shall allocate 25 percent of the difference calculated in subparagraph (A) to the charter school.

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

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

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

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

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

(e) Notwithstanding any other law, for a school district or charter school physically located within a school district, where no less than 5 percent of the residences within the school district, or the school district's facilities, were destroyed as a result of a state of emergency that was declared by the Governor in September 2020, all of the following shall apply:

(1) For the 2021–22 fiscal year, for school districts, the Superintendent shall calculate the difference between the school district's certified annual principal apportionment local control funding formula revenues pursuant to Section 42238.02 in the 2021–22 fiscal year and the 2019–20 fiscal year, including local revenue, pursuant to subdivision (j) of Section 42238.02, and any additional funds received pursuant to subdivision (e) of Section 42238.03 in excess of the entitlement calculated pursuant to Section 42238.02 and 42238.03 and, if there is a difference, allocate the amount of that difference to the school district.

(2) For the 2021–22 fiscal year, for charter schools that operate a minimum of 175 school days and report at least 75 percent of the total second period average daily attendance for the 2019–20 fiscal year, as described in Section 41601, the Superintendent shall calculate the difference between the charter school's certified second principal apportionment local control funding formula revenues pursuant to Section 42238.02 in the 2021–22 fiscal year and the 2019–20 fiscal year, and, if there is a difference, allocate the amount of that difference to the charter school.

(3) School districts and charter schools shall notify the Superintendent of their eligibility pursuant to this subdivision by November 1, 2021, in the manner prescribed by the Superintendent.

(4) Preliminary allocations made pursuant to paragraph (1) shall be made to school districts by the Superintendent through the principal apportionment beginning with the 2021–22 fiscal year first principal apportionment certification and shall be made final as of the annual principal apportionment.

(5) Allocations pursuant to paragraph (2) shall be made to charter schools by the Superintendent as soon as practicable after the second principal apportionment and shall be made final as of the annual principal apportionment. The Superintendent may provide a preliminary allocation of up to 50 percent no sooner than the first principal apportionment.

(f) Notwithstanding any other law, for a school district where a school eligible for funding pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24 of Division 3 was destroyed as a result of a state of emergency that was declared by the Governor in August 2021, the following shall apply:

(1) The school district may continue to report the amount of attendance generated by pupils enrolled in another school of the school district that would have otherwise attended the destroyed school, and the number of full-time teachers employed by the school district that would have otherwise provided instructional services at the school, as if the school were operational in the 2021–22, 2022–23, and 2023–24 fiscal years.

(2) The school shall be considered a necessary small school for the purpose of Section 42282 in the 2022–23 and 2023–24 fiscal years.

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

SEC. 40. 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 independent study-based online 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 and ensure that pupils can access that instruction at short notice. Best practices like including independent study 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 independent study-based online learning options if the need arises.

(b) For affidavits submitted to the Superintendent for events occurring after September 1, 2021, 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 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) (1) Notwithstanding subdivision (a), 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.

(2) Notwithstanding subdivision (b), the plan is not required to comply with subdivision (d), (e), or (f) of Section 51747 if the school district or county office of education has a waiver of the requirement to offer independent study pursuant to subdivision (g) of Section 51745.

(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).

SEC. 41. Section 47605 of the Education Code is amended to read:

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

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

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

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

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

(4) After receiving approval of its petition, a charter school that proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter and shall notify the chartering authority of those additional locations or grade levels. The chartering authority shall consider whether to approve those additional locations or grade levels at an open, public meeting. If the additional locations or grade levels are approved pursuant to the standards and criteria described in subdivision (c), they shall be a material revision to the charter school's charter.

(5) (A) A charter school that established one site outside the boundaries of the school district, but within the county in which that school district is located before January 1, 2020, may continue to operate that site until the charter school submits a request for the renewal of its charter petition. To continue operating the site, the charter school shall do either of the following:

(i) First, before submitting the request for the renewal of the charter petition, obtain approval in writing from the school district where the site is operating.

(ii) Submit a request for the renewal of the charter petition pursuant to Section 47607 to the school district in which the charter school is located.

(B) If a Presidential declaration of a major disaster or emergency is issued in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.) for an area in which a charter school site is located and operating, the charter school, for not more than five years, may relocate that site outside the area subject to the Presidential declaration if the charter school first obtains the written approval of the school district where the site is being relocated to.

(C) Notwithstanding subparagraph (A), if a charter school was relocated from December 31, 2016, to December 31, 2019, inclusive, due to a Presidential declaration of a major disaster or emergency in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.), that charter school shall be allowed to return to its original campus location in perpetuity.

(D) (i) A charter school in operation and providing educational services to pupils before October 1, 2019, located on a federally recognized California Indian reservation or rancheria or operated by a federally recognized California Indian tribe shall be exempt from the geographic restrictions of paragraph (1) and subparagraph (A) of this paragraph and the geographic restrictions of subdivision (a) of Section 47605.1.

(ii) The exemption to the geographic restrictions of subdivision (a) of Section 47605.1 in clause (i) does not apply to nonclassroom-based charter schools operating pursuant to Section 47612.5.

(E) The department shall regard as a continuing charter school for all purposes a charter school that was granted approval of its petition, that was providing educational services to pupils before October 1, 2019, and is authorized by a different chartering authority due to changes to this paragraph that took effect January 1, 2020. This paragraph shall be implemented only to the extent it does not conflict with federal law. In order to prevent any potential conflict with federal law, this paragraph does not apply to covered programs as identified in Section 8101(11) of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 7801) to the extent the affected charter school is the restructured portion of a divided charter school pursuant to Section 47654.

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

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. The governing board of the school district shall publish all staff recommendations, including the recommended findings and, if applicable, the certification from the county superintendent of schools prepared pursuant to paragraph (8) of subdivision (c), regarding the petition at least 15 days before the public hearing at which the governing board of the school district will either grant or deny the charter. At the public hearing at which the governing board of the school district will either grant or deny the charter, petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings.

(c) In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system

and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the following:
 - (A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
 - (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.
 - (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.
- (B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.
- (C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.
- (D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.
- (E) The qualifications to be met by individuals to be employed by the charter school.
- (F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:
 - (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.
 - (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.
 - (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.
- (G) The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes

of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.

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

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

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

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

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

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

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

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

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

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

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

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

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

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

(7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.

(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

(8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 42131 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 42131, has a negative interim certification pursuant to Section 42131, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

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

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

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

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

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

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

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

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

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

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

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or

completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

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

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

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

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

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

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

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

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

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

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

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

(h) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. If the school is to be operated by, or as, a nonprofit public benefit corporation, the petitioner shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school.

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

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

(k) (1) (A) (i) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The petitioner shall submit the petition to the county board of education within 30 days of a denial by the governing board of the school district. At the same time the petition is submitted to the county board of education, the petitioner shall also provide a copy of the petition to the school district. The county board of education shall review the petition pursuant to subdivisions (b) and (c). If the petition submitted on appeal contains new or

different material terms, the county board of education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days. If the governing board of the school district denies a petition after reconsideration, the petitioner may elect to resubmit the petition for the establishment of a charter school to the county board of education.

(ii) The county board of education shall review the appeal petition pursuant to subdivision (c). If the denial of the petition was made pursuant to paragraph (8) of subdivision (c), the county board of education shall also review the school district's findings pursuant to paragraph (8) of subdivision (c).

(iii) As used in this subdivision, "material terms" of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), (c), and (h), but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority.

(B) If the governing board of a school district denies a petition and the county board of education has jurisdiction over a single school district, the petitioner may elect to submit the petition for the establishment of a charter school to the state board. The state board shall review a petition submitted pursuant to this subparagraph pursuant to subdivision (c). If the denial of a charter petition is reversed by the state board pursuant to this subparagraph, the state board shall designate the governing board of the school district in which the charter school is located as the chartering authority.

(2) If the county board of education denies a petition, the petitioner may appeal that denial to the state board.

(A) The petitioner shall submit the petition to the state board within 30 days of a denial by the county board of education. The petitioner shall include the findings and documentary record from the governing board of the school district and the county board of education and a written submission detailing, with specific citations to the documentary record, how the governing board of the school district and the county board of education abused their discretion. The governing board of the school district and county board of education shall prepare the documentary record, including transcripts of the public hearing at which the governing board of the school district and county board of education denied the charter, at the request of the petitioner. The documentary record shall be prepared by the governing board of the school district and county board of education no later than 10 business days after the request of the petitioner is made. At the same time the petition and supporting documentation is submitted to the state board, the petitioner shall also provide a copy of the petition and supporting documentation to the school district and the county board of education.

(B) If the appeal contains new or different material terms, as defined in clause (iii) of subparagraph (A) of paragraph (1), the state board shall immediately remand the petition to the governing board of the school district to which the petition was submitted for reconsideration. The governing board of the school district shall grant or deny the petition within 30 days. If the governing board of the school district denies a petition after reconsideration, the petitioner may elect to resubmit the petition to the state board.

(C) Within 30 days of receipt of the appeal submitted to the state board, the governing board of the school district or county board of education may submit a written opposition to the state board detailing, with specific citations to the documentary record, how the governing board of the school district or the county board of education did not abuse its discretion in denying the petition. The governing board of the school district or the county board of education may submit supporting documentation or evidence from the documentary record that was considered by the governing board of the school district or the county board of education.

(D) The state board's Advisory Commission on Charter Schools shall hold a public hearing to review the appeal and documentary record. Based on its review, the Advisory Commission on Charter Schools shall submit a recommendation to the state board whether there is sufficient evidence to hear the appeal or to summarily deny review of the appeal based on the documentary record. If the Advisory Commission on Charter Schools does not submit a recommendation to the state board, the state board shall consider the appeal, and shall either hear the appeal or summarily deny review of the appeal based on the documentary record at a regular public meeting of the state board.

(E) The state board shall either hear the appeal or summarily deny review of the appeal based on the documentary record. If the state board hears the appeal, the state board may affirm the determination of the governing board of the school district or the county board of education, or both of those determinations, or may reverse only upon a determination that there was an abuse of discretion by each of the governing board of the school district and the county board of education. Abuse of discretion is the most deferential standard of review, under which the state board must give deference to the decisions of the governing board of the school district and the county board of education to deny the petition. If the denial of a charter petition is reversed by the state board, the state board shall designate, in consultation with the petitioner, either the governing board of the school district or the county board of education in which the charter school is located as the chartering authority.

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

(4) A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the chartering authority to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(5) Upon the approval of the petition by the county board of education, the petition or petitioners shall provide written notice of that approval, including a copy of the petition, to the governing board of the school district in which the charter school is located, the department, and the state board.

(6) If either the county board of education or the state board fails to act on a petition within 180 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(l) (1) Teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. A governing body of a direct-funded charter school may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. A charter school shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district.

(2) By July 1, 2020, all teachers in charter schools shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to Sections 44339, 44340, and 44341.

(3) The Commission on Teacher Credentialing shall include in the bulletins it issues pursuant to subdivision (k) of Section 44237 to provide notification to local educational agencies of any adverse actions taken against the holders of any commission documents, notice of any adverse actions taken against teachers employed by charter schools, and shall make this bulletin available to all chartering authorities and charter schools in the same manner in which it is made available to local educational agencies.

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

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

(o) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 42. Section 47606.5 of the Education Code is amended to read:

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

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

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

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

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

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

(e) (1) The charter school shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school.

(2) The report shall include both of the following:

(A) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(B) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

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

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

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

(i) The charter school shall prominently post on the home page of the internet website of the charter school any local control and accountability plan adopted by the governing body of the charter school, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing body of the charter school.

SEC. 43. Section 47607.4 of the Education Code is amended to read:

47607.4. Notwithstanding the renewal process and criteria established in Sections 47605.9, 47607, and 47607.2 or any other law, effective July 1, 2021, all charter schools whose term expires on or between January 1, 2022, and June 30, 2025, inclusive, shall have their term extended by two years, and all charter schools whose term expires on or between January 1, 2024, and June 30, 2027, inclusive, shall have their term extended by one additional year.

SEC. 44. Section 47612.7 of the Education Code is amended to read:

47612.7. (a) Notwithstanding any other law and except as provided in subdivision (b), from January 1, 2020, to January 1, 2026, inclusive, the approval of a petition for the establishment of a new charter school, as defined in paragraph (2) of subdivision (e) of Section 47612.5, is prohibited.

(b) Subdivision (a) shall not apply to a nonclassroom-based charter school that was granted approval of its petition and providing educational services to pupils before October 1, 2019, under either of the following circumstances:

(1) If Assembly Bill 1507 of the 2019–20 Regular Session amends Section 47605.1 and becomes operative on January 1, 2020, and the charter school is required to submit a petition to the governing board of a school district or county board of education in an adjacent county in which its existing resource center is located in order to comply with Section 47605.1, as amended by Assembly Bill 1507 of the 2019–20 Regular Session, or to retain current program offerings or enrollment.

(2) If a charter school is required to submit a petition to a school district or county board of education in which a resource center is located in order to comply with the court decision in *Anderson Union High School District v. Shasta Secondary Home School* (2016) 4 Cal.App.5th 262, or other relevant court ruling, and the petition is necessary to retain current program offerings or enrollment.

(3) A charter school authorized by a different chartering authority pursuant to paragraphs (1) and (2) shall be regarded by the department as a continuing charter school for all purposes to the extent it does not conflict with federal law. In order to prevent

any potential conflict with federal law, this paragraph does not apply to covered programs as identified in Section 8101(11) of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 7801) to the extent the affected charter school is the restructured portion of a divided charter school pursuant to Section 47654.

(c) Notwithstanding Section 33050 or any other law, the state board shall not waive the restrictions described in this section.

(d) (1) No later than October 1, 2023, the Legislative Analyst and the County Office Fiscal Crisis and Management Assistance Team shall study the processes used to determine funding for nonclassroom-based charter schools.

(2) The study shall identify and make recommendations on potential improvements to the processes, including recommendations for enhancing oversight and reducing fraud, waste, and abuse.

(3) No later than March 1, 2024, the Legislative Analyst and the County Office Fiscal Crisis and Management Assistance Team shall report to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the department, and the executive director of the state board on recommendations and observations as a result of the study. These recommendations or observations shall consider the fiscal impact on the state.

(e) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 45. Section 47654 of the Education Code is amended to read:

47654. The definitions set forth in this section apply for purposes of this part and Chapter 7 (commencing with Section 42238) of Part 24 of Division 3. "Affected charter school" means a charter school that has been, or is proposed to be, affected by an action to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7. Affected charter schools include all of the following charter school types:

(a) (1) "Acquiring charter school" means a state charter school site deemed a continuing charter school that has wholly combined with one or more other affected state charter school sites by an action taken to comply with subdivision (c) of Section 47605.9. This paragraph shall become inoperative on July 1, 2026, unless its operation is extended by the Legislature.

(2) On the date paragraph (1) becomes inoperative, a charter school that meets the definition of an acquiring charter school pursuant to paragraph (1) shall no longer be regarded as a continuing charter school.

(b) "Continuing charter school" means a charter school that the department has deemed to have met the requirements of Section 47653.

(c) (1) "Divided charter school" means a continuing charter school that has had one or more of its sites become a separately authorized charter school by an action to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(2) The "restructured portion of a divided charter school" means the site or sites of the divided charter school that each become separately authorized by an action taken to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7, and that is regarded as a continuing charter school in accordance with Section 47653.

(3) The "remaining portion of a divided charter school" means the portion of the original charter school remaining after action is taken to bring sites, resource centers, satellite facilities, and meeting spaces into compliance with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(d) "Original charter school" means a charter school as it existed before an action taken to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

(e) "Restructured charter school" means a transferred charter school, acquiring charter school, or divided charter school.

(f) "Transferred charter school" means a continuing charter school that is wholly authorized by a different chartering authority to comply with subparagraph (A) of paragraph (5) of subdivision (a) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605.1, subdivision (c) of Section 47605.9, or subdivision (b) of Section 47612.7.

SEC. 46. Section 47655 of the Education Code is amended to read:

47655. (a) Notwithstanding any other law, all debt and liabilities owed to the state for an original charter school shall transfer to a restructured charter school in accordance with this section.

(b) (1) A transferred charter school shall retain all of the debt and liabilities owed to the state incurred by, or applicable to, the original charter school for the period before the fiscal year the restructuring becomes effective.

(2) An acquiring charter school shall assume all of the debt and liabilities owed to the state incurred by, or applicable to, the original charter schools for the period before the fiscal year the restructuring becomes effective. This paragraph shall become inoperative on July 1, 2026, unless its operation is extended by the Legislature.

(3) For a divided charter school, the debt and liabilities owed to the state incurred by, or applicable to, the original charter school for the period before the fiscal year the restructuring becomes effective shall be the responsibility of the remaining portion of a divided charter school. If the remaining portion of a divided charter school closes, unassigned debt and liability owed to the state shall be the responsibility of the restructured charter schools.

SEC. 47. Section 48000 of the Education Code is amended to read:

48000. (a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have their fifth birthday on or before one of the following dates:

(1) December 2 of the 2011–12 school year.

(2) November 1 of the 2012–13 school year.

(3) October 1 of the 2013–14 school year.

(4) September 1 of the 2014–15 school year and each school year thereafter.

(b) The governing board of the school district of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board of the school district determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c) (1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, and Chapter 3 (commencing with Section 47610) of Part 26.8, as applicable, a school district or charter school shall ensure the following:

(A) In the 2012–13 school year, a child who will have their fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(B) In the 2013–14 school year, a child who will have their fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(C) From the 2014–15 school year to the 2021–22 school year, inclusive, a child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(D) In the 2022–23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(E) In the 2023–24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(F) In the 2024–25 school year, a child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(G) In the 2025–26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(2) (A) In any school year, a school district or charter school may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year in

subparagraphs (A) to (F), inclusive, of paragraph (1) but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(B) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to subparagraph (A) shall not generate average daily attendance for purposes of Section 46300, or be included in the enrollment or unduplicated pupil count pursuant to Section 42238.02, until the pupil has attained the pupil's fifth birthday, regardless of when the pupil was admitted during the school year.

(d) For purposes of this section, "transitional kindergarten" means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(e) A transitional kindergarten shall not be construed as a new program or higher level of service.

(f) It is the intent of the Legislature that transitional kindergarten curriculum be aligned to the California Preschool Learning Foundations developed by the department.

(g) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, a school district or charter school shall do all of the following:

(1) Maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) "Class" means a group of pupils scheduled to report regularly at a particular time to a particular teacher during the regular schoolday, as defined by the governing board of the school district or the governing body of the charter school, as applicable, excluding special day classes. Classes in the evening and summer school class shall not be considered classes for purposes of this calculation.

(B) (i) "Active enrollment count" for purposes of subparagraph (C) means the count of all pupils enrolled in a class with transitional kindergarten pupils on the first day of the school year on which the class was in session, plus all later enrollees, minus all withdrawals since that first day. An active enrollment count shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) For school districts, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who meet the minimum day requirements for independent study and are continually enrolled in independent study for more than 14 schooldays in a school year.

(iii) For charter schools, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who are continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught for the purpose of meeting the 175-instructional-day offering, as described in Section 11960 of Title 5 of the California Code of Regulations.

(C) "Average number of pupils enrolled per class" means the quotient of the sum of the active enrollment counts made under subparagraph (B) divided by the total number of those active enrollment counts for each class of the schoolsite.

(D) "Average transitional kindergarten class enrollment" means the quotient of the sum of the average number of pupils enrolled per class determined pursuant to subparagraph (C) of all classes at the schoolsite divided by the total number of all classes at the schoolsite that include transitional kindergarten pupils, rounded to the nearest half or whole integer.

(2) Commencing with the 2022–23 school year, maintain an average of at least one adult for every 12 pupils for transitional kindergarten classrooms at each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) "Total transitional kindergarten enrollment" is the sum of the average number of pupils enrolled per class of all classes at the schoolsite, as determined in subparagraph (C) of paragraph (1).

(B) "Number of adults" shall be determined for each schoolsite as follows:

(i) A count of employees of the school district or charter school assigned to each class at the schoolsite that includes transitional kindergarten pupils shall be made on the last teaching day of each school month that ends before April 15 of

the school year.

(ii) The sum of all of the adult counts pursuant to clause (i) shall be divided by the total number of those counts, rounded to the nearest half or whole integer.

(C) "Adult-to-pupil ratio" shall be the quotient of the total transitional kindergarten enrollment divided by the total number of adults, rounded to the nearest half or whole integer.

(3) (A) Commencing with the 2025–26 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms.

(B) It is the intent of the Legislature to appropriate funds for purposes of this paragraph.

(4) Ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2025, one of the following:

(A) At least 24 units in early childhood education, childhood development, or both.

(B) As determined and documented by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children meeting the criteria established by the governing board or body of the local educational agency that is comparable to the 24 units of education described in subparagraph (A).

(C) A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing.

(h) A school district or charter school may place four-year-old children, as defined in Section 8205, enrolled in a California state preschool program into a transitional kindergarten program classroom. A school district or charter school that commingles children from both programs in the same classroom shall meet all of the requirements of the respective programs in which the children are enrolled, and the school district or charter school shall adhere to all of the following requirements, irrespective of the program in which the child is enrolled:

(1) An early childhood environment rating scale, as specified in Section 18281 of Title 5 of the California Code of Regulations, shall be completed for the classroom.

(2) All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 18272 of Title 5 of the California Code of Regulations.

(3) The classroom shall be taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Section 44065 and subdivision (b) of Section 44256 and who meets the requirements set forth in subdivision (g).

(4) The classroom shall be in compliance with the adult-child ratio specified in subdivision (c) of Section 8241.

(5) Contractors of a school district or charter school commingling children enrolled in the California state preschool program with children enrolled in a transitional kindergarten program classroom shall report the services, revenues, and expenditures for the California state preschool program children in accordance with Section 18068 of Title 5 of the California Code of Regulations. Those contractors are not required to report services, revenues, and expenditures for the children in the transitional kindergarten program.

(i) Until July 1, 2019, a transitional kindergarten classroom that has in attendance children enrolled in a California state preschool program shall be licensed 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.

(j) A school district or charter school that chooses to place California state preschool program children into a transitional kindergarten program classroom shall not also include children enrolled in transitional kindergarten for a second year or children enrolled in kindergarten in that classroom.

(k) A child's eligibility for transitional kindergarten enrollment under paragraph (1) or (2) of subdivision (c) shall not impact family eligibility for a preschool or childcare program, including, but not limited to, all of the following:

(1) A Head Start or Early Head Start program, as defined by the federal Head Start Act, as amended (42 U.S.C. Sec. 9801 et seq.).

(2) A childcare center, family childcare home, or license-exempt provider serving children through an alternative payment program pursuant to Chapter 3 (commencing with Section 10225) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(3) A migrant childcare and development program serving children pursuant to Chapter 6 (commencing with Section 10235) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(4) A childcare center or family childcare home educational network serving children through a California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6 of Division 1 of Title 1.

(5) A childcare center, family childcare home, or license-exempt provider serving children through a general childcare and development program pursuant to Chapter 7 (commencing with Section 10240) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(6) A family childcare home educational network serving children pursuant to Chapter 8 (commencing with Section 10250) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(7) Childcare and development services for children with special needs pursuant to Chapter 9 (commencing with Section 10260) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(8) A program serving children through a CalWORKs Stage 1, Stage 2, or Stage 3 program pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(l) (1) The Superintendent shall authorize California state preschool program contracting agencies to offer less than four hours each instructional day of wraparound childcare services within a part-day California state preschool program for children enrolled in an education program as a transitional kindergarten or kindergarten pupil, if their families meet the requirements of Section 8208.

(2) The Superintendent shall authorize California state preschool programs operating on a local education agency campus to operate a part-day California state preschool program that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.

(3) 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, until regulations are filed with the Secretary of State to implement this subdivision the department shall implement this subdivision, through management bulletins or similar letters of instruction on or before December 31, 2022.

SEC. 48. Section 48000.1 of the Education Code is amended to read:

48000.1. (a) For the purposes of subparagraphs (A) and (B) of paragraph (4) of subdivision (g) of Section 48000, "units" means semester units, or their quarterly equivalent, as used for the purposes of a degree program at the University of California, California State University, California Community Colleges, or independent institutions of higher education, as defined in Section 66010.

(b) (1) Commencing with the 2022–23 school year, if a school district or charter school fails to comply with the requirements of paragraphs (1) to (4), inclusive, of subdivision (g) of Section 48000, the Superintendent shall withhold from the school district's or charter school's entitlement computed pursuant to Section 42238.02 the sum of the following:

(A) For school districts and charter schools that fail to meet the adult-to-pupil ratio requirements of paragraph (2) of subdivision (g) of Section 48000, the amount determined by multiplying:

(i) The number of additional adults needed to meet the requirements of paragraph (2) of subdivision (g) of Section 48000, as calculated by dividing the total transitional kindergarten enrollment at the schoolsite, as determined pursuant to subparagraph (A) of paragraph (2) of subdivision (g) of Section 48000, by 12, rounded to the nearest half or whole integer, minus the total number of adults at the schoolsite, as determined pursuant to subparagraph (B) of paragraph (2) of subdivision (g) of Section 48000.

(ii) Twenty-four, reduced by the statewide average rate of absence for elementary school districts for kindergarten and grades 1 to 8, inclusive, as calculated by the department for the prior fiscal year, with the resultant figures and rates rounded to the nearest tenth.

(iii) The per average daily attendance rate determined pursuant to paragraph (2) of subdivision (g) of Section 42238.02.

(B) For school districts and charter schools that fail to ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2025, met one of the requirements of subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000, the amount determined by multiplying:

(i) The number of credentialed teachers that did not meet the requirements of subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000.

(ii) Twenty-four, reduced by the statewide average rate of absence for elementary school districts for kindergarten and grades 1 to 8, inclusive, as calculated by the department for the prior fiscal year, with the resultant figures and rates rounded to the nearest tenth.

(iii) The per average daily attendance rate pursuant to subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02.

(iv) The quotient of the sum of all schooldays on which all teachers identified pursuant to clause (i) rendered any amount of service in a classroom with transitional kindergarten pupils without meeting the applicable requirements divided by the total days of instruction for those teachers.

(C) For school districts and charter schools that fail to maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite, as required pursuant to paragraph (1) of subdivision (g) of Section 48000, the amount determined by multiplying the then-current fiscal year's average daily attendance reported for the second principal apportionment period in transitional kindergarten by the amount specified in subparagraph (A) of paragraph (3) of subdivision (d) of Section 42238.02, unless the school district fails to meet the requirements for average class size for kindergarten and grades 1 to 3, inclusive, pursuant to clause (i) of subparagraph (D) of paragraph (3) of subdivision (d) of Section 42238.02.

(2) The requirements of paragraphs (1), (2), and (4) of subdivision (g) of Section 48000, and, if operative, the requirements of paragraph (3) of subdivision (g) of Section 48000, shall apply to any classroom providing instruction to pupils enrolled in a transitional kindergarten program.

(c) The Superintendent shall adjust an amount withheld pursuant to the requirements of subdivision (b) to ensure that the total amount withheld does not exceed the product of both of the following:

(1) The then-current fiscal year's average daily attendance reported for the second principal apportionment period in transitional kindergarten for the applicable school district or charter school.

(2) The sum of the per average daily attendance rates of all of the following:

(A) Subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02.

(B) Subparagraph (A) of paragraph (3) of subdivision (d) of Section 42238.02.

(C) Paragraph (2) of subdivision (g) of Section 42238.02.

(d) An individual with a substitute permit or teaching permit authorized by the Commission on Teacher Credentialing pursuant to subdivision (m) of Section 44225 or Section 44300 of this code, or Sections 80025, 80025.1, and 80025.2 of Title 5 of the California Code of Regulations, that provides substitute teaching services in a transitional kindergarten classroom, shall not be subject to the requirements of paragraph (4) of subdivision (g) of Section 48000.

SEC. 49. Section 48000.15 is added to the Education Code, immediately following Section 48000.1, to read:

48000.15. (a) It is the intent of the Legislature that each transitional kindergarten classroom that includes an early enrollment child maintains at least one adult for every 10 pupils, and that credentialed teachers who are first assigned to a transitional kindergarten classroom that includes one or more early enrollment children meet at least one of the requirements specified subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000.

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

(1) "Adult-to-pupil ratio" shall be the quotient of the total transitional kindergarten enrollment divided by the total number of adults, rounded to the nearest half or whole integer.

(2) "Early enrollment child" means a child whose fourth birthday will be between the second of June and first of September preceding the school year during which they are enrolled in a transitional kindergarten classroom.

(3) "Number of adults" shall be determined for each classroom subject to this section as follows:

(A) A count of employees of the school district or charter school assigned to each class that includes early enrollment transitional kindergarten pupils shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(B) The sum of all of the adult counts pursuant to subparagraph (A) shall be divided by the total number of those counts, rounded to the nearest half or whole integer.

(4) "Total transitional kindergarten classroom enrollment" is the total number of pupils enrolled in the transitional kindergarten classroom.

(c) (1) Beginning July 1, 2023, and for the 2023–24 and 2024–25 school years, any school district or charter school that offers transitional kindergarten to early enrollment children shall concurrently offer enrollment in a California state preschool program that is operated by the school district or charter school if the school district or charter school operates a California state preschool program and if that program is not fully subscribed, and may, notwithstanding Section 8208, enroll an early enrollment child in a California state preschool program operated by the school district or charter school, regardless of income, after all other eligible children have been enrolled.

(2) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to this section shall not generate average daily attendance for purposes of Section 46300, or be included in the enrollment or unduplicated pupil count pursuant to Section 42238.02, until the pupil has attained their fifth birthday.

(d) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (c) of Section 48000, a school district or charter school may enroll an early enrollment child in a transitional kindergarten program if all of following conditions are met:

(1) Any classroom that includes an early enrollment child shall maintain an adult-to-pupil ratio of at least one adult to every 10 pupils.

(2) The school district or charter school prioritizes assigning credentialed teachers that meet at least one of the requirements specified in subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000 to early enrollment transitional kindergarten classrooms, to the extent possible.

(3) Any transitional kindergarten classroom that includes an early enrollment child shall maintain a classroom enrollment that does not exceed 20 pupils.

(e) (1) If a school district or charter school fails to comply with the requirements of paragraph (1) or (3) of subdivision (d), the Superintendent shall withhold from the school district's or charter school's entitlement computed pursuant to Section 42238.02 an amount pursuant to the following:

(A) For school districts and charter schools that fail to meet the adult-to-pupil ratio requirements of paragraph (1) of subdivision (d) for classrooms that include an early enrollment child, the amount shall be determined by multiplying:

(i) The number of additional adults needed to meet the requirements of paragraph (1) of subdivision (d), as calculated by dividing the total enrollment pupils in each transitional kindergarten classroom with early enrollment children, by 10, rounded to the nearest half or whole integer, minus the total number of adults assigned to the classroom, as determined pursuant to subparagraph (B) of paragraph (3) of subdivision (b).

(ii) Twenty, reduced by the statewide average rate of absence for elementary school districts for kindergarten and grades 1 to 8, inclusive, as calculated by the department for the prior fiscal year, with the resultant figures and rates rounded to the nearest tenth.

(iii) The per average daily attendance rate determined pursuant to paragraph (2) of subdivision (g) of Section 42238.02.

(B) For school districts and charter schools that fail to maintain a class enrollment of not more than 20 pupils, as required pursuant to paragraph (3) of subdivision (d), the amount determined by multiplying the then-current fiscal year's average daily attendance reported for the second principal apportionment period in transitional kindergarten classrooms with early enrollment children by the amount specified in subparagraph (A) of paragraph (3) of subdivision (d) of Section 42238.02, unless the school district or charter school fails to meet the requirements for average class size for kindergarten and grades 1 to 3, inclusive, pursuant to clause (i) of subparagraph (D) of paragraph (3) of subdivision (d) of Section 42238.02.

(2) The Superintendent shall adjust an amount withheld pursuant to the requirements of paragraph (1) in order to ensure that the total amount withheld pursuant to paragraph (1) and Section 48000.1 does not exceed the product of both of the following:

(A) The then-current fiscal year's average daily attendance reported for the second principal apportionment period in transitional kindergarten for the applicable school district or charter school.

(B) The sum of the per average daily attendance rates of all of the following:

(i) Subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02.

(ii) Subparagraph (A) of paragraph (3) of subdivision (d) of Section 42238.02.

(iii) Paragraph (2) of subdivision (g) of Section 42238.02.

(f) For the 2023–24 and 2024–25 school years, any school district or charter school that serves early enrollment children in transitional kindergarten shall report to the department, pursuant to a process determined by the department, the number of teachers in transitional kindergarten classrooms with early enrollment children that did not meet at least one of the requirements specified in subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (g) of Section 48000. The department shall submit a report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance by October 1, 2024, and again by October 1, 2025, that includes this information, disaggregated by each school district and charter school.

(g) This section shall become inoperative on July 1, 2025.

SEC. 50. Section 48310 of the Education Code is amended to read:

48310. (a) The average daily attendance for pupils admitted by a school district of choice pursuant to this article shall be credited to that school district pursuant to Section 46607. The attendance report for the school district of choice may include an identification of the school district of residence.

(b) Notwithstanding any other law, state aid for categorical education programs for pupils admitted under this article shall be apportioned to the school district of choice.

(c) (1) For a school district of choice that is a basic aid school district, the apportionment of state funds for average daily attendance credited pursuant to this section shall be 25 percent of the school district local control funding formula base grant computed pursuant to subdivision (d) of Section 42238.02, as implemented by Section 42238.03, that would have been apportioned to the school district of residence.

(2) For purposes of this subdivision, the term “basic aid school district” means a school district that does not receive from the state, for a fiscal year in which this subdivision is applied, an apportionment of state funds as described in subdivision (o) of Section 42238.02.

(d) The average daily attendance of pupils admitted by a school district of choice pursuant to this article shall be credited to that school district for purposes of any determination under Article 2 (commencing with Section 17010) of Chapter 12 of Part 10 of Division 1 of Title 1 that uses an average daily attendance calculation.

SEC. 51. Section 48646 of the Education Code is amended to read:

48646. (a) It is the intent of the Legislature that all pupils, including the state’s justice-involved youth, have access to their constitutional right of a free and appropriate public education, and to reduce barriers incarcerated pupils may have to academic supports, career and college preparatory pathways, and higher education.

(b) The Legislature encourages each county superintendent of schools or governing board of a school district, as determined by the county board of education pursuant to subdivision (b) of Section 48645.2, and the county chief probation officer to enter into a memorandum of understanding or equivalent mutual agreement to support a collaborative process for meeting the needs of wards of the court who are receiving their education in juvenile court schools. The memorandum of understanding or equivalent mutual agreement may include, but is not limited to, a process for communication, decisionmaking, mutually established goals, and conflict resolution. The purpose of this memorandum of understanding or equivalent mutual agreement is to develop a collaborative model that will foster an educational and residential environment that nurtures the whole child and consistently supports services that will meet the educational needs of the pupils.

(c) A memorandum of understanding or equivalent mutual agreement on providing educational and related services for juvenile court school pupils developed in accordance with this section may include, but is not limited to, the following provisions:

(1) Mutually developed goals and objectives that are reviewed annually, including, but not limited to, the following:

(A) Building resiliency and strengthening life skills.

(B) Fostering prosocial attitudes and behaviors.

(C) Assigning pupils to appropriate classrooms based on their educational needs.

(D) Ensuring regular classroom attendance.

(E) Providing clean, safe, and appropriate educational facilities.

(F) Improving academic achievement and vocational preparation.

(2) Clear delineation of responsibilities among the educational and residential or custodial service providers.

(3) A process for communicating, collaborating, and resolving conflicts. Whenever possible, resolution of issues shall be reached by consensus through a collaborative process that would promote decisionmaking at the site where services are delivered. A working group charged with this responsibility may be appointed by the county superintendent of schools, or the superintendent of the school district with responsibility for providing juvenile court school services, and the county chief probation officer, or their designees. The working group is responsible for establishing and maintaining open communication, collaboration, and resolution of issues that arise.

(4) A clearly identified mechanism for resolving conflicts.

(d) If a memorandum of understanding or equivalent mutual agreement is agreed to pursuant to this section, it shall include both of the following:

(1) A joint process for performing an intake evaluation for each ward to determine educational needs and ability to participate in all educational settings within two business days, or under extraordinary circumstances up to five business days, of the ward entering the local juvenile facility. The process shall recognize the limitations on academic evaluation and planning that can result from short-term placements. The evaluation team shall include staff from the responsible educational agency and the county probation department, and may include other participants as appropriate, and as mutually agreed upon by the education and probation members of the team. The evaluation process specified in the memorandum of understanding or equivalent mutual agreement may:

(A) Include a timeline for evaluation once a ward is assigned to a local facility.

(B) (i) Result in an educational plan for a ward while assigned to a local juvenile facility that is integrated with other rehabilitative and behavioral management programs, and that supports the educational needs of the pupil.

(ii) It is the intent that this shared information about each ward placed in a juvenile court school shall assist both the county superintendent of schools and the county chief probation officer in meeting the needs of wards in their care and promoting a system of comprehensive services.

(2) A transition plan for when the ward reenrolls at a local educational agency postplacement that shall be transferred to the postplacement local educational agency within two business days of the youth being enrolled in the postplacement local educational agency.

(e) A memorandum of understanding or equivalent mutual agreement pursuant to this section shall not cede responsibility or authority prescribed by statute or regulation from one party to another party unless mutually agreed upon by both parties.

(f) A memorandum of understanding or equivalent mutual agreement pursuant to this section shall be posted on the internet webpage of the county office of education.

SEC. 52. Section 48648 is added to the Education Code, immediately following Section 48647, to read:

48648. (a) 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 without a high school diploma or a high school equivalency who transfer back and enroll in a school district or charter school.

(2) The number and percentage of pupils who enroll in a juvenile court school or county community school without a high school diploma or a high school equivalency who do not transfer back or enroll in a school district or charter school.

(3) 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.

(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 subdivision (a) shall be available at the statewide, county, and school levels.

SEC. 53. Section 48649 is added to the Education Code, immediately following Section 48648, to read:

48649. (a) The department shall, within existing resources, enter into a contract for an independent evaluation of county juvenile court and county community schools. On or before November 1, 2025, the Superintendent shall, within existing resources, provide a report of the evaluation to the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the state board or their designee, and the Director of Finance. The evaluation shall include all of the following:

- (1) An analysis of state and federal funding available to support pupils enrolled in county juvenile court schools and county community schools.
- (2) The availability and transparency of pupil- and school-level outcome data available for county juvenile court schools and county community schools.
- (3) County juvenile court school and county community school pupil enrollment and demographic trends, including:
 - (A) Enrollment projections.
 - (B) The impacts of recent changes to pupil expulsion policies, including recent changes to Sections 48900, 48901.1, and 48915.
 - (C) The impacts of the closure of all California Division of Juvenile Justice facilities pursuant Senate Bill 92 of the 2017–18 Regular Session on county office of education programs.
 - (D) Recommendations for how the state may collect and utilize pupil- and school-level data related to justice-involved youth as a demographic subgroup, as these youth often make frequent moves between local educational agencies.
- (4) A representative sample and summary of cost-sharing agreements between county offices of education and county probation departments or other relevant county agencies related to the operation of county juvenile court schools.

(b) The report required to be submitted pursuant to subdivision (a) shall be submitted consistent with Section 9795 of the Government Code.

SEC. 54. Section 48650 is added to the Education Code, immediately following Section 48649, to read:

48650. (a) (1) The Superintendent shall convene a workgroup on meeting the needs of pupils with disabilities who enroll in juvenile court schools operated by county offices of education.

(2) The workgroup shall include, but not be limited to, representatives of county offices education, school districts, charter schools, county probation, county behavioral health, special education local plan areas, regional centers, former pupils of county juvenile court schools and county community schools, staff from the appropriate fiscal subcommittees and policy committees of the Legislature, staff from the state board, and relevant state and national juvenile court school and federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) policy experts.

(3) The workgroup shall examine existing law and current practices regarding the education of pupils with disabilities enrolled in county juvenile court schools and county community schools and make recommendations on improvements regarding all the following, specific to the county juvenile court school setting:

- (A) Child find procedures, as required by the federal Individuals with Disabilities Education Act.
- (B) Referral for, and provision of, timely evaluation, as required by the federal Individuals with Disabilities Education Act.
- (C) Timely transfer of pupil records to and from county juvenile court schools, including individualized education programs (IEPs).
- (D) Provision of education and related services, as required by pupils' IEPs.
- (E) Provision of education in the least restrictive environment, as required by the federal Individuals with Disabilities Education Act.
- (F) Staffing of special education certificated and classified positions serving pupils with disabilities, including participation in state educator workforce initiatives.
- (G) Implementation of Section 48645.7, transition planning required by the federal Individuals with Disabilities Education Act, and provision for alternate pathways to earn a diploma for pupils with disabilities.
- (H) Family support and dispute prevention and resolution, as required by the federal Individuals with Disabilities Education Act and state law.

(I) Transition planning for pupils with disabilities moving to educational placements after leaving county juvenile court schools and county community day schools.

(J) Compliance monitoring of special education in county juvenile court schools and county community schools.

(K) Coordination and collaboration between county offices and other agencies, including, but not limited to, county probation departments, county courts, county child welfare agencies, county behavioral health care programs, and regional centers.

(4) To the extent practicable, the workgroup shall leverage the findings related to foster youth pursuant to Senate Bill 2083 of the 2017–18 Regular Session.

(b) On or before February 25, 2025, the department shall submit a report with findings and recommendations regarding the topics identified in subdivision (a) to the relevant policy and budget committees of the Legislature, the state board, and the Department of Finance.

SEC. 55. Section 49414.8 is added to the Education Code, to read:

49414.8. (a) (1) Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, the sum of three million five hundred thousand dollars (\$3,500,000) shall be appropriated from the General Fund to the department to allocate to county offices of education for the purpose of purchasing and maintaining a sufficient stock of emergency opioid antagonists for local educational agencies within its jurisdiction.

(2) (A) County offices of education shall purchase a minimum of two units for each middle school, junior high school, high school, and adult school schoolsite within their jurisdiction.

(B) Funding allocations provided to county offices of education pursuant to this section may be used to complement any emergency opioid antagonist resources allocated through the State Department of Health Care Services' Naloxone Distribution Project for these purposes.

(3) County offices of education may enter into agreements with local educational agencies within their jurisdiction, or other county offices of education, to comply with the minimum purchasing requirements specified in paragraph (2).

(4) Funding allocations shall be reevaluated each year based on the factors listed in subdivision (c).

(b) Of the amount appropriated in subdivision (a), up to three hundred fifty thousand dollars (\$350,000) shall be allocated to county offices of education for administrative costs to coordinate, maintain stock, and distribute emergency opioid antagonists to local educational agencies within their jurisdiction. The Superintendent shall develop an allocation formula for use in determining the allocation amounts for each county office of education based on the number of local educational agencies within each county office of education's jurisdiction and the number of pupils and students served in schools within those local educational agencies.

(c) After allocations are made pursuant to subdivision (b), the department shall consider, in allocating the remaining funds to county offices of education, the number of middle school, junior high school, high school, and adult school schoolsites that are within each county office of education, the number of pupils and students served by those required schoolsites, and any other factors determined by the department.

(d) As a condition of receiving funds pursuant to this section, county offices of education shall do all of the following:

(1) Coordinate the purchase of and maintain a stock of emergency opioid antagonists on behalf of local educational agencies within their jurisdiction, in a manner consistent with paragraph (2) or (3) of subdivision (a), that is best suited for distribution and use in schools by doing all of the following:

(A) Either applying to be a qualified direct purchaser with the naloxone manufacturer to purchase the emergency opioid antagonist at the public interest price or purchasing directly from a distributor, state entity, or local entity, a quantity sufficient to stock, at a minimum, two units per middle school, junior high school, high school, and adult school schoolsite for each local educational agency within their jurisdiction, or administering the program consistent with paragraph (3) of subdivision (a).

(B) Distributing a minimum of two units of an emergency opioid antagonist to local educational agencies for each middle school, junior high school, high school, and adult school schoolsite within their jurisdiction, or administering the program consistent with paragraph (3) of subdivision (a).

(C) To the extent that the minimum stocking requirements pursuant to subparagraph (B) of paragraph (2) are met, county offices of education may also distribute emergency opioid antagonists to local educational agencies for distribution to elementary schoolsites.

(2) As a condition of receiving emergency opioid antagonist units from a county office of education, or consistent with an agreement pursuant to paragraph (3) of subdivision (a), local educational agencies shall do the following:

(A) (i) Ensure no fewer than two schoolsite staff members per required schoolsite meet the minimum standards of training for the administration of an emergency opioid antagonist as specified in subdivision (e) of Section 49414.3 or have undergone opioid overdose prevention and treatment training and reviewed materials available on the State Department of Public Health's internet website.

(ii) County offices of education may use resources for technical assistance on the State Department of Education or State Department of Public Health's respective internet websites that include, but are not limited to, all of the following:

(I) The State Department of Public Health Office of Communications' Fentanyl and Overdose Prevention toolkit.

(II) A sample school naloxone policy.

(III) School and educator resources.

(IV) Education on recognizing overdoses.

(V) A naloxone administration training video.

(B) Distribute the minimum of two units of an emergency opioid antagonist to each required schoolsite, including restocking a unit before its expiration date and, if used, as soon as reasonably possible after its use, but no later than two weeks after its use.

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

(1) "Local educational agency" means a school district or charter school.

(2) "Opioid antagonist" means naloxone hydrochloride, or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body, and has been approved for the treatment of an opioid overdose.

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

SEC. 56. Section 49421.5 of the Education Code is amended to read:

49421.5. (a) (1) On or before June 30, 2022, the State Department of Education shall establish a process to select, with approval from the executive director of the state board, a local educational agency to provide guidance around Medi-Cal billing and increase local educational agencies' capacity to successfully submit claims through the Local Educational Agency Medi-Cal Billing Option Program. The local educational agency selected shall have demonstrated success in submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services, and a willingness and capacity to perform the duties described in paragraph (2). The State Department of Health Care Services shall provide relevant data, including, but not limited to, the number of years participating in the program and cost reimbursement data for each local educational agency, in the form and manner requested by the State Department of Education and the executive director of the state board no later than August 31, 2021, to aid in the selection process. The State Department of Health Care Services shall assist the State Department of Education, as needed, with the selection process, including verifying information provided by local educational agencies regarding program participation during the selection process.

(2) The local educational agency selected pursuant to paragraph (1) shall do all of the following:

(A) Provide effective assistance and support to local educational agencies in securing federal reimbursement for services provided to Medi-Cal eligible pupils.

(B) Work in coordination and collaboration with expert lead agencies identified pursuant to Section 52073.1, special education resource leads identified pursuant to Section 52073.2, the State Department of Education, and the State Department of Health Care Services.

(C) Identify and disseminate information regarding existing resources, professional development activities, and other efforts currently available to assist local educational agencies in successfully submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services.

(D) Upon request by the State Department of Education and the State Department of Health Care Services, develop new resources and activities designed to build capacity for local educational agencies to secure federal reimbursement for services provided to Medi-Cal eligible pupils.

(E) Serve as a point of contact for local educational agencies, and regularly participate and share the perspectives of local educational agencies in the Local Educational Agency Program Advisory Workgroup convened by the State Department of Health Care Services.

(F) Other duties, as prescribed by the State Department of Education, to enhance Medi-Cal services on schoolsites, increase access of care for pupils, and increase Medi-Cal reimbursement for local educational agencies.

(3) A local educational agency may partner as a consortium with other local educational agencies, institutions of higher education, nonprofit educational services providers, county mental health providers, or other local partners to submit a proposal to the State Department of Education to be considered for selection as the local educational agency pursuant to paragraph (1).

(b) (1) The term of a local educational agency selected pursuant to subdivision (a) shall not exceed five years.

(2) The selected local educational agency shall commit to providing program data to the State Department of Education, as specified by the Superintendent, to evaluate the effectiveness of the activities performed under paragraph (2) of subdivision (a).

(3) At the conclusion of the term of the selected local educational agency, the State Department of Education, with approval from the executive director of the state board, may renew the term of the selected local educational agency or select a new local educational agency in a manner consistent with subdivision (a).

(4) If a selected local educational agency requests that its term be renewed, it shall provide a description of the efforts it has made to carry out the duties described in paragraph (2) of subdivision (a), and before renewing the term, the State Department of Education shall evaluate the local educational agency's success in carrying out those duties.

(c) Notwithstanding Section 13340 of the Government Code, commencing with the 2021–22 fiscal year, each fiscal year the sum of two hundred fifty thousand dollars (\$250,000) shall be appropriated from the General Fund to the State Department of Education to be awarded to the local educational agency selected pursuant to this section.

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

(2) Notwithstanding paragraph (1), the appropriation made by subdivision (c) for the 2021–22 fiscal year shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2022–23 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2022–23 fiscal year.

SEC. 57. Section 49501.5 of the Education Code is amended to read:

49501.5. (a) Notwithstanding any other provision of this chapter, commencing with the 2022–23 school year all of the following shall apply:

(1) A school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, shall provide two school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period, except for family daycare homes that shall be reimbursed for 75 percent of the meals served. The meals provided under this paragraph shall be nutritiously adequate meals that qualify for federal reimbursement.

(2) A charter school shall provide two school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period. The meals provided under this paragraph shall be nutritiously adequate meals that qualify for federal reimbursement.

(3) (A) A local educational agency that has a reimbursable school breakfast program shall not charge any pupil enrolled in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, any amount for any breakfast served to that pupil through the program, and shall provide a breakfast free of charge to any pupil who requests one without consideration of the pupil's eligibility for a federally funded free or reduced-price meal. The meals provided free of charge pursuant to this paragraph

shall be nutritiously adequate, and shall count toward the total of two school meals required to be provided each schoolday under paragraphs (1) and (2).

(B) As used in this paragraph, "school breakfast program" means the nonprofit breakfast program established by Section 4 of the federal Child Nutrition Act of 1966 (42 U.S.C. Sec. 1771 et seq.).

(4) The department shall provide state meal reimbursement to school districts, county offices of education, and charter schools that participate in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils, as described in subdivision (b).

(b) The amount of per-meal reimbursements provided under this section shall not exceed the difference between the sum of the amounts calculated from meals claimed based on the free combined breakfast and lunch reimbursement rates established by the United States Department of Agriculture and state meal contribution established in Section 49559, and the combined federal and state amounts reimbursed for reduced-price and paid meals claimed.

(c) For the 2021–22 school year, the twenty-four cents eighty-seven mills (\$0.2487) reimbursement per meal served, as specified in Provision 6 of Item 6100-203-0001 of the Budget Act of 2021, shall apply to all United States Department of Agriculture reimbursable meals served to pupils under the federal Seamless Summer Option, if eligible in accordance with federal regulations.

(d) The reimbursement required pursuant to this section shall be provided upon appropriation by the Legislature. This section shall not be operative until the Legislature has appropriated funds for purposes of this section.

(e) (1) The department may adopt, and as necessary revise, guidelines in accordance with this section at a publicly noticed meeting if the department complies with all of the following:

(A) Provides an opportunity for public comment at the meeting.

(B) Provides written public notice of a meeting at least 30 days before the meeting at which the guideline to be adopted will be considered or approved.

(C) For a substantive revision of the guidelines, the department provides written notice of a meeting at least 15 days before the meeting at which the revision will be considered or approved.

(2) The adoption or revision of guidelines pursuant to this subdivision is exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code until July 1, 2023.

SEC. 58. Section 51225.31 of the Education Code is amended to read:

51225.31. (a) (1) Notwithstanding any other law, a local educational agency shall exempt an individual with exceptional needs who satisfies the eligibility criteria described in subdivision (b) from all courses and other requirements adopted by the governing board or governing body of the local educational agency that are additional to the statewide course requirements specified in Section 51225.3 and shall award the pupil a diploma of graduation from high school, as described in Section 7801(23)(A)(ii)(I)(bb) of Title 20 of the United States Code.

(2) In accordance with Section 300.102(a)(3) of Title 34 of the Code of Federal Regulations, the award of a diploma of graduation from high school pursuant to this subdivision does not change a local educational agency's obligation to provide a free appropriate public education until 22 years of age, or otherwise constitute a change in placement.

(b) An individual with exceptional needs, who entered ninth grade in the 2022–23 school year or later, shall be eligible for the exemption and award described in subdivision (a) if their individualized education program provides for all of the following:

(1) The pupil's individualized education program team has deemed the pupil eligible to take the state alternate assessments as described in subdivision (k) of Section 60640.

(2) The pupil is required to complete state standards aligned coursework to meet the statewide course requirements specified in Section 51225.3.

(c) An individual with exceptional needs who meets the criteria for the alternative diploma pathway pursuant to this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation with their grade-level peers with and without disabilities. Participation in graduation activities that are subject to this section shall not be construed as termination of the provision of free appropriate public education, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations, unless the individualized education program team has determined the pupil has completed their high school experience.

(d) For purposes of this section, "local educational agency" includes a school district, county office of education, charter school, or state special school.

SEC. 59. Section 51225.7 of the Education Code is amended to read:

51225.7. (a) For purposes of this section, the following definitions apply:

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

(2) "Opt-out form" means a form developed by the Student Aid Commission that permits parents, legal guardians, a legally emancipated pupil, a pupil who is 18 years of age or older, or a local educational agency on a pupil's behalf to not fill out a Free Application for Federal Student Aid or California Dream Act Application for any reason.

(3) "Outreach program" means a nonprofit entity that is exempt from taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or a public entity with experience in either or both of the following:

(A) Assisting pupils with financial aid application completion.

(B) Serving pupils who are eligible to submit a California Dream Act Application.

(4) "Pupil" means a pupil in grade 12 attending a high school maintained by a local educational agency.

(b) Commencing with the 2022–23 school year, except as provided in subdivisions (c) and (d), the governing body of a local educational agency shall confirm that a pupil complies with at least one of the following:

(1) The pupil completes and submits to the United States Department of Education a Free Application for Federal Student Aid.

(2) If the pupil is exempt from paying nonresident tuition pursuant to Section 68130.5, the pupil completes and submits to the Student Aid Commission a form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(c) The parent or legal guardian of the pupil, or the pupil if the pupil is a legally emancipated minor or 18 years of age or older, may opt out of the requirements of this section by filling out and submitting an opt-out form to the local educational agency. The Student Aid Commission shall make the opt-out form available to all local educational agencies pursuant to subdivision (h).

(d) If the local educational agency determines that a pupil is unable to complete a requirement of this section, the local educational agency shall exempt the pupil or, if applicable, the pupil's parent or legal guardian from completing and submitting a Free Application for Federal Student Aid, a form established pursuant to Section 69508.5 for purposes of the California Dream Act, or an opt-out form pursuant to subdivision (c). If the local educational agency exempts the pupil from having to complete the requirements of this section, the local educational agency shall complete and submit an opt-out form on the pupil's behalf.

(e) The governing board or body of the local educational agency shall ensure both of the following:

(1) The local educational agency directs each high school pupil and, if applicable, the pupil's parent or legal guardian to any support and assistance services necessary to comply with the requirement described in subdivision (b) that may be available through outreach programs, including, but not limited to, those programs operated by the Student Aid Commission, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and legal resource organizations.

(2) Information shared by parents, legal guardians, and pupils under this section is handled in compliance with the federal Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) and applicable state laws, including Chapters 493 and 495 of the Statutes of 2017, regardless of any person's immigration status or other personal information, in order to protect all pupil and parent data to the fullest extent possible so that schools and all personal data remain safe.

(f) On or before September 1, 2022, and each year thereafter, the Student Aid Commission and the department shall facilitate the completion of the Free Application for Federal Student Aid and the form established pursuant to Section 69508.5 for purposes of the California Dream Act in the following manner:

(1) The department shall share the current school year's roster of pupils with the Student Aid Commission.

(2) The Student Aid Commission shall match the data described in paragraph (1) with a pupil's application status based on the data possessed by the Student Aid Commission related to submission of the Free Application for Federal Student Aid and the form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(3) The Student Aid Commission shall provide the California College Guidance Initiative, described in Section 10861, with the discrete data necessary to inform the educator reports available through www.californiacolleges.edu so that educators can

ensure that each individual pupil has successfully completed and submitted their Free Application for Federal Student Aid or California Dream Act Application.

(g) It is the intent of the Legislature that, upon the implementation of the California Cradle-to-Career Data System established in Section 10860, future data matching required by paragraph (2) of subdivision (f) be linked through, and conducted in accordance with the privacy requirements of, the California Cradle-to-Career Data System, to avoid a duplicative data matching requirement and to ensure data privacy.

(h) The Student Aid Commission shall, on or before July 1, 2022, adopt regulations that include, but are not limited to, model opt-out forms and acceptable use policies for the purpose of providing guidance on the requirements relating to state law in paragraph (2) of subdivision (e). The Student Aid Commission shall post and make available any model opt-out forms and policies established pursuant to this subdivision on its internet website.

(i) A pupil who does not fulfill the requirements of this section shall not be penalized or punished and this section shall not affect a pupil's ability to graduate.

SEC. 60. Section 52052 of the Education Code is amended to read:

52052. (a) (1) The single multiple measures public school accountability system authorized by Article 4.5 (commencing with Section 52059.5) shall measure the overall performance of numerically significant pupil subgroups in schools, including charter schools, school districts, and county offices of education.

(2) For purposes of this section, numerically significant pupil subgroups include all of the following:

(A) Ethnic subgroups.

(B) Socioeconomically disadvantaged pupils.

(C) English learners and, separately, long-term English learners, defined as a pupil who has not attained English language proficiency within five years of initial classification as an English learner, consistent with Section 6841(a)(6) of Title 20 of the United States Code.

(D) Pupils with disabilities.

(E) Foster youth.

(F) Homeless youth.

(3) (A) For purposes of this section, a numerically significant pupil subgroup is one that consists of at least 30 pupils.

(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth, homeless youth, or long-term English learners, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

(b) To complement the multiple measures system, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work.

(c) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the multiple measures system.

(d) For purposes of the statewide system of support established pursuant to Article 4.5 (commencing with Section 52059.5), or any successor system, alternative schools include schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools, dropout recovery high schools, and opportunity schools.

(e) For purposes of this section, the following terms shall have the following meanings:

(1) "Dropout recovery high school" means a school offering instruction in any of grades 9 to 12, inclusive, in which 50 percent or more of its pupils are either designated as dropouts pursuant to the exit and withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days and the school provides instruction in partnership with any of the following:

(A) The federal Workforce Innovation and Opportunity Act (Public Law 113-128).

(B) Federally affiliated Youthbuild programs (29 U.S.C. Sec. 3226 et seq.).

(C) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider.

(D) The California Conservation Corps or local conservation corps certified by the California Conservation Corps pursuant to Section 14406 or 14507.5 of the Public Resources Code.

(2) "Homeless youth" has the same meaning as in Section 11434a(2) of Title 42 of the United States Code.

(f) For any program identified in law that utilized a calculation pursuant to the former Academic Performance Index established pursuant to this section, as this section read on January 1, 2018, the 2013 growth calculation shall be applied for those purposes. For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used.

SEC. 61. Section 52062 of the Education Code is amended to read:

52062. (a) Before the governing board of a school district considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the applicable committees pursuant to Section 52063 for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the parent advisory committee.

(2) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52063, if applicable, for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The superintendent of the school district shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a school district to produce printed notices or to send notices by mail. The superintendent of the school district shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The superintendent of the school district shall review school plans submitted pursuant to Section 64001 for schools within the school district and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The superintendent of the school district shall consult with its special education local plan area administrator or administrators to determine that specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The superintendent of the school district shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district.

(B) The report shall include both of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by paragraph (1) of subdivision (a) of Section 42127.

(2) A governing board of a school district shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to paragraph (2) of subdivision (a) of Section 42127.

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

SEC. 62. Section 52064 of the Education Code is amended to read:

52064. (a) On or before March 31, 2014, the state board shall adopt a template for a local control and accountability plan and an annual update to the local control and accountability plan for the following purposes:

- (1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.
- (2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.
- (3) For use by charter schools to meet the requirements of Section 47606.5.

(b) On or before January 31, 2022, the template adopted by the state board shall require the inclusion of all of the following information:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, subdivision (d) of Section 52060, or subdivision (d) of Section 52066, as applicable, and for any additional local priorities identified by the governing board of the school district, the county board of education, or in the charter school petition. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in subdivision (a) of Section 52052.

(2) A description of the specific actions that the school district, county office of education, or charter school will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including actions to implement work related to technical assistance pursuant to Section 47607.3, 52071, 52071.5, 52072, or 52072.5. The specific actions shall not supersede the provisions of existing local collective bargaining agreements, if any, within the jurisdiction of the school district, county office of education, or charter school.

(3) One or more summary tables listing and describing the budgeted expenditures for the ensuing fiscal year implementing each specific action included in the local control and accountability plan, including expenditures and specific actions for the ensuing fiscal year that will serve unduplicated pupils, as defined in Section 42238.02, including long-term English learners, and pupils redesignated as fluent English proficient. The summary table or tables shall include both of the following:

(A) The total overall expenditures for all specific actions included in the local control and accountability plan, broken down by personnel and nonpersonnel expenditures.

(B) The subtotals of expenditures for each specific action included in the local control and accountability plan broken down into the following categories:

- (i) Funds apportioned under the local control funding formula pursuant to Section 42238.02.
- (ii) All other state funds.
- (iii) All local funds.
- (iv) All federal funds.

(4) One or more summary tables listing and describing all of the specific actions and budgeted expenditures in paragraph (3) that contribute to the demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, grouped as follows:

(A) Specific actions and budgeted expenditures provided to all pupils on a districtwide, countywide, or charterwide basis.

(B) Specific actions and budgeted expenditures that are targeted only to one or more unduplicated pupil subgroups. For these specific actions, the description shall specify the unduplicated pupil subgroup or subgroups that are targeted by each specific action and, if not provided at all schools, the school or schools where the specific action is provided.

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only

at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.

(5) An estimate of the funds to be apportioned in the ensuing fiscal year on the basis of the number and concentration of unduplicated pupils and calculation of the percent the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(6) (A) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(B) As part of the demonstration required by subparagraph (A), the summary tables required by paragraph (4) shall demonstrate both of the following:

(i) That the full proportionality obligation referenced in paragraph (1) of subdivision (a) of Section 42238.07 is being met annually through the listed actions and services.

(ii) Each action's quantitative contribution toward the proportionality obligation as expenditures or its qualitative contribution as a percentage of increased or improved services for unduplicated pupils over and above the level of services provided to all pupils, consistent with the regulations adopted by the state board pursuant to Section 42238.07.

(7) A review of the progress toward the goals included in the existing local control and accountability plan, a review of any changes in the applicability of the goals, an assessment of the effectiveness, or lack thereof, of the specific actions described in the existing local control and accountability plan toward achieving the goals, a description of changes to the specific actions and related expenditures or quality improvements the school district, county office of education, or charter school will make as a result of the review and assessment, and an update on progress implementing the specific actions in the current fiscal year, including estimated actual expenditures for the specific actions and actual quality improvements.

(8) (A) The calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07.

(B) If applicable to the school district, county office of education, or charter school pursuant to subdivision (d) of Section 42238.07, a description of the specific actions and related expenditures to be implemented using the funds specified in that paragraph, including a demonstration that the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(9) A plan summary that includes general information about the school district, county office of education, or charter school and highlights of the local control and accountability plan and annual update to the local control and accountability plan, including reflections on annual performance on the California School Dashboard authorized in Section 52064.5 and other local data and, as applicable, a summary of the work underway as part of technical assistance pursuant to Section 47607.3, 52071, 52071.5, 52072, or 52072.5.

(10) A summary of the stakeholder engagement process, including stakeholders at schools generating funding pursuant to Section 42238.024, and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.

(11) For local educational agencies that receive concentration grant funding pursuant to Section 42238.02, a demonstration that the additional funding received as a result of the increased concentration grant add-on percent specified in subparagraph (B) of paragraph (1) of subdivision (f) of Section 42238.02 will be used to increase the number of credentialed staff, classified staff, or both of those, that provide direct services to pupils, including custodial staff, on school campuses with greater than 55-percent unduplicated pupil enrollment in the prior year as compared to the staff-to-pupil ratios at schools within the local educational agency with an unduplicated pupil enrollment in the prior year of 55 percent or less, if any.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) (1) The template for the local control and accountability plan and annual update to the local control and accountability plan shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The state board shall include instructions for school districts, county offices of education, and charter schools to complete the local control and accountability plan and annual update to the local control and accountability plan consistent with the requirements of this section. The state board may include more technical language in the instructions.

(2) Except as provided in paragraph (3), the state board shall not require school districts, county offices of education, or charter schools to provide any information in addition to the information required pursuant to subdivision (b).

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law, including meeting the requirements of Section 300.600 of Title 34 of the Code of Federal Regulations.

(e) (1) The process of developing and annually updating the local control and accountability plan shall support school districts, county offices of education, and charter schools in comprehensive strategic planning, accountability, and improvement across the state priorities, particularly to address and reduce disparities in opportunities and outcomes between pupil groups indicated by the California School Dashboard, and any locally identified priorities through meaningful engagement with local stakeholders.

(2) In developing the template for the local control and accountability plan and annual update to the local control and accountability plan, the state board shall ensure that school districts, county offices of education, and charter schools track and report their progress annually on all state priorities, including the applicable metrics specified within each state priority and, for charter schools, in accordance with Section 47606.5.

(3) For each action and budgeted expenditure provided to all pupils on a districtwide, countywide, or charterwide basis pursuant to Section 42238.07, one or more specific metrics to monitor the intended outcome of that action and budgeted expenditure shall be identified.

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools should prioritize the focus of the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan within one or more state priorities. The instructions shall further specify that school districts, county offices of education, and charter schools shall consider their performance on the state and local indicators, including their locally collected and reported data for the local indicators, that are included in the California School Dashboard authorized in Section 52064.5 in determining whether and how to prioritize the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan.

(5) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners, including long-term English learners.

(6) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that beginning with local control and accountability plans for the 2024–25 school year, school districts, county offices of education, and charter schools shall include specific actions in the local control and accountability plan to address all instances where a school or pupil group within a local educational agency, or a pupil group within a school, receives the lowest performance level on one or more state indicators on the California School Dashboard. The results of the California School Dashboard in the year preceding the adoption of the local control and accountability plan shall determine the instances of low performance that shall apply for the three-year period in which the local control and accountability plan is in effect pursuant to subdivision (b) of Section 52060 or subdivision (b) of Section 52066, as applicable.

(7) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that beginning with local control and accountability plans for the 2024–25 school year, local educational agencies receiving funding pursuant to Section 42238.024 shall include focused goals for each school generating funding pursuant to Section 42238.024. The focused goals shall address both of the following:

(A) All pupil groups that have the lowest performance level on one or more state indicators on the California School Dashboard pursuant to Section 52064.5.

(B) Any underlying issues in the credentialing, subject matter preparation, and retention of the school's educators, if applicable.

(8) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools shall change actions that have not proven effective over a three-year period. This shall include a description of changes that explain the reasons for lack of progress and how any changes to the action will result in a new or strengthened approach.

(f) (1) Except as provided in subdivision (g), the state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency

regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(2) Notwithstanding paragraph (1), the state board may adopt or revise the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This paragraph shall become inoperative on January 31, 2019.

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session, legislation passed during the 2019–20 Regular Session, or Assembly Bill 130 of the 2021–22 Regular Session shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(h) Revisions to a template shall be approved by the state board by January 31 before the fiscal year during which the template is to be used by a school district, county superintendent of schools, or charter school.

(i) In developing the template, the state board shall take steps to minimize duplication of effort at the local level to the greatest extent possible. The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

(j) Notwithstanding any other law, the templates developed by the state board pursuant to this section, as it read on June 30, 2018, shall continue in effect until the state board adopts a new template pursuant to subdivision (b) on or before January 31, 2020, except that the state board may adopt revisions to those templates pursuant to subdivision (g) that are necessary to implement Assembly Bill 1808 of the 2017–18 Regular Session or meet federal requirements.

SEC. 63. Section 52064.1 of the Education Code is amended to read:

52064.1. (a) (1) On or before July 1, 2019, and each year thereafter, each school district, county office of education, and charter school shall develop a summary document that shall be known as the local control funding formula budget overview for parents.

(2) The local control funding formula budget overview for parents shall be developed in conjunction with, and attached as a cover to, the local control and accountability plan and annual update to the local control and accountability plan adopted by the governing board of a school district pursuant to Section 52062, by a county board of education pursuant to Section 52068, or by a charter school pursuant to Section 47606.5. The local control funding formula budget overview for parents, local control and accountability plan, and annual update to the local control and accountability plan shall comprise a single document for purposes of the posting requirements described in Section 52065.

(b) The local control funding formula budget overview for parents shall include all of the following information for the school district, county office of education, or charter school:

(1) The total projected general fund revenue for the ensuing fiscal year and the subtotals for each of the following categories:

(A) (i) Funds apportioned under the local control funding formula pursuant to Section 2574 or 42238.02, as applicable.

(ii) Additionally and separately, for county offices of education, funds apportioned pursuant to subdivision (c) of Section 2574.

(B) Of the funds described in paragraph (1), the funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Section 2574 or 42238.02, as applicable.

(C) (i) All other state funds.

(ii) Additionally and separately, for county offices of education, funds apportioned pursuant to Section 2575.5.

(D) All local funds.

(E) All federal funds.

(2) (A) The total projected general fund expenditures for the ensuing fiscal year.

(B) Additionally and separately, for county offices of education, budgeted expenditures of funds apportioned pursuant to subdivision (c) of Section 2574.

(C) Additionally and separately, for county offices of education, budgeted expenditures of funds apportioned pursuant to Section 2575.5.

(3) (A) The total budgeted expenditures for the ensuing fiscal year on the planned actions and services to meet the goals included in the local control and accountability plan.

(B) Additionally and separately, for county offices of education, budgeted expenditures of funds apportioned pursuant to subdivision (c) of Section 2574 for the ensuing fiscal year on the planned actions and services to meet the goals included in the local control and accountability plan.

(C) Additionally and separately, for county offices of education, budgeted expenditures of funds apportioned pursuant to Section 2575.5 for the ensuing fiscal year on the planned actions and services to meet the goals included in the local control and accountability plan.

(4) The total budgeted expenditures for the ensuing fiscal year on the planned actions and services included in the local control and accountability plan that contribute to the increased or improved services for unduplicated pupils pursuant to Section 42238.07.

(5) The total budgeted expenditures for the existing fiscal year on the planned actions and services included in the local control and accountability plan that contribute to the increased or improved services for unduplicated pupils pursuant to Section 42238.07.

(6) The estimated actual expenditures for the existing fiscal year on the planned actions and services included in the local control and accountability plan that contribute to the increased or improved services for unduplicated pupils pursuant to Section 42238.07.

(7) A brief description of the activities or programs supported by any expenditures described in paragraph (2) that are not included in paragraph (3).

(8) To the extent there is any difference between the expenditures described in paragraph (4) and the revenue described in subparagraph (B) of paragraph (1), a brief description of how the actions and services included in the local control and accountability plan improve services for unduplicated pupils pursuant to Section 42238.07.

(9) A brief description of how any difference between the expenditures described in paragraph (5) that are not included in paragraph (6) impacted the planned actions and services included in the local control and accountability plan that contribute to the increased or improved services for unduplicated pupils pursuant to Section 42238.07, and the overall increased or improved services for unduplicated pupils pursuant to Section 42238.07.

(10) For county offices of education, a brief description of activities supported by the expenditures described in subparagraphs (B) and (C) of paragraph (2) that are not included in subparagraphs (B) and (C) of paragraph (3).

(11) The name and contact information for the school district, county office of education, or charter school.

(c) (1) The local control funding formula budget overview for parents shall be subject to all of the following requirements for adoption, review, and approval of the local control and accountability plan and annual update to the local control and accountability plan:

(A) For a school district, Sections 52062, 52065, and 52070.

(B) For a county superintendent of schools, Sections 52065, 52068, and 52070.5.

(C) For a charter school, Section 47604.33 and subdivision (e) of Section 47606.5.

(2) (A) A local control funding formula budget overview for parents filed by the governing board of a school district with a county superintendent of schools, or a local control funding formula budget overview for parents filed by a county board of education with the Superintendent, shall be approved by the county superintendent of schools or the Superintendent, as applicable, if it adheres to the template adopted by the Superintendent pursuant to subdivision (e) and follows any instructions or directions for completing the template developed by the Superintendent.

(B) If a county superintendent of schools or the Superintendent does not approve a local control funding formula budget overview for parents pursuant to subparagraph (A), the county superintendent of schools or the Superintendent shall withhold approval of the local control and accountability plan and annual update to the local control and accountability plan filed by the governing board of the school district or county board of education and shall provide technical assistance pursuant to subdivision (b) of Section 52071 or subdivision (b) of Section 52071.5.

(d) The template for the local control funding formula budget overview for parents developed pursuant to subdivision (e) shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The information specified in subdivision (b) shall be displayed, to the greatest extent practicable, using visuals and graphics.

(e) (1) The Superintendent, subject to approval by the executive director of the state board, shall develop a template for the local control funding formula budget overview for parents on or before December 31, 2018. In developing the template, the Superintendent shall not require school districts to provide any information in addition to the information required pursuant to subdivision (b) and shall establish reasonable word or character limits for the information required pursuant to subdivision (b), as appropriate.

(2) The Superintendent, subject to approval by the executive director of the state board, shall update the template for the local control funding formula budget overview for parents, on or before December 31, 2024, to reflect county office of education requirements pursuant to subdivision (c) imposed by the act adding this paragraph.

(3) The development of the template for the local control funding formula budget overview for parents shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 64. Section 52064.5 of the Education Code is amended to read:

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

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

(2) To assist a county superintendent of schools, the department, or a chartering authority in identifying school districts, county offices of education, and charter schools in need of technical assistance pursuant to Section 52071, 52071.5, or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.

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

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

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

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

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

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

(f) (1) The department, in collaboration with, and subject to the approval of, the executive director of the state board, shall develop and maintain the California School Dashboard, a web-based system for publicly reporting performance data on the state and local

indicators included in the evaluation rubrics.

(2) The public reporting of performance data on state and local indicators via the web-based system shall be completed on or before the following dates for the prior school year:

(A) December 15, 2023.

(B) December 1, 2024.

(C) November 15, 2025.

(D) October 15, 2026, and October 15 of each year thereafter.

(3) Timelines associated with the collection of data through the California Longitudinal Pupil Achievement Data System pursuant to Section 60900 shall be adjusted to support the public reporting dates in paragraph (2).

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

SEC. 65. Section 52065 of the Education Code is amended to read:

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

(1) Prominently post on the homepage of the internet website of the school district any local control and accountability plan approved by the governing board of the school district and the county superintendent of schools, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing board of the school district.

(2) Prominently post all local control and accountability plans submitted by charter schools that were authorized by the school district, or links to those plans, and any updates, revisions, or addenda, including those to comply with federal law, on the internet website of the school district.

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

(1) Prominently post on the homepage of the internet website of the county office of education any local control and accountability plan approved by the county board of education and the Superintendent, and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the county board of education.

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

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

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

SEC. 66. Section 52066 of the Education Code is amended to read:

52066. (a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a county board of education's local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or former Section 60811.4, as that section read on June 30, 2016, for purposes of gaining academic content knowledge and English language proficiency.

(3) (A) Parental involvement and family engagement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(B) Family engagement may include, but need not be limited to, efforts by the school district and each individual schoolsite to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting pupil success, and empowering families to advocate for equity and access. Family engagement may include, but need not be limited to, treating families as partners to inform, influence, and create practices and programs that support pupil success and collaboration with families and the broader community, expand pupil learning opportunities and community services, and promote civic participation.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of pupils who have successfully completed both types of courses described in subparagraphs (B) and (C).

(E) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.

(iii) Providing any other support to school districts and schools within the county in implementing this article.

(iv) Providing support to school districts in developing and implementing the addendum specified in Section 52064.3.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

(3) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department's internet website.

SEC. 67. Section 52068 of the Education Code is amended to read:

52068. (a) Before the county board of education considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to a parent advisory committee established pursuant to Section 52069 for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the parent advisory committee.

(2) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52069, if applicable, for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The county superintendent of schools shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a county superintendent of schools to produce printed notices or to send notices by mail. The county superintendent of schools shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The county superintendent of schools shall review school plans submitted pursuant to Section 64001 for schools operated by the county superintendent of schools and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The county superintendent of schools shall consult with its special education local plan area administrator or administrators to determine that specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The county superintendent of schools shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year, at a regularly scheduled meeting of the county board of education.

(B) The report shall include all of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) The county board of education shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan, and any comments received pursuant to paragraphs (1) to (3), inclusive, of subdivision (a), will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by Section 1620.

(2) The county board of education shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the county board of education adopts a budget pursuant to Section 1622.

(c) A county superintendent of schools may develop and present to a county board of education for adoption revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The county board of education may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

SEC. 68. Section 52070 of the Education Code is amended to read:

52070. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.

(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The governing board of a school district shall consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

(d) The county superintendent of schools shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if the county superintendent of schools determines all of the following:

(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

(A) If applicable to the school district, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (5) of subdivision (e) of Section 52064.

(B) If applicable to the school district, the local control and accountability plan includes all required actions consistent with the instructions developed by the state board pursuant to paragraph (6) of subdivision (e) of Section 52064.

(C) If applicable to the school district, the local control and accountability plan includes one or more focused goals consistent with the instructions developed by the state board pursuant to paragraph (7) of subdivision (e) of Section 52064.

(D) Each specific action identified as contributing to the demonstration that the school district will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, subdivisions (c), (d), and (e) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or districtwide basis is supported by the required description.

(E) If applicable to the school district, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

(F) For school districts that meet the criteria of Section 52071 or 52072, or both, the local control and accountability plan includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification.

(2) The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the governing board of the school district, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 42238.02 and 42238.03, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including, but not limited to, the requirement that any specific action provided on a schoolwide or districtwide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the school district pursuant to subdivision (d) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(e) If a county superintendent of schools has jurisdiction over a single school district, the Superintendent shall perform the duties specified in this section.

SEC. 69. Section 52070.5 of the Education Code is amended to read:

52070.5. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the county board of education shall file the local control and accountability plan or annual update to the local control and accountability plan with the Superintendent.

(b) On or before August 15 of each year, the Superintendent may seek clarification, in writing, from the county board of education about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the county board of education shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the county board of education, the Superintendent may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The county board of education shall consider the recommendations submitted by the Superintendent in a public meeting within 15 days of receiving the recommendations.

(d) The Superintendent shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if the Superintendent determines all of the following:

(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

(A) If applicable to the county office of education, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (5) of subdivision (e) of Section 52064.

(B) If applicable to the county office of education, the local control and accountability plan includes all required actions consistent with the instructions developed by the state board pursuant to paragraph (6) of subdivision (e) of Section 52064.

(C) If applicable to the county office of education, the local control and accountability plan includes one or more focused goals consistent with the instructions developed by the state board pursuant to paragraph (7) of subdivision (e) of Section 52064.

(D) Each specific action identified as contributing to the demonstration that the county office of education will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, subdivisions (c), (d), and (e) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or countywide basis is supported by the required description.

(E) If applicable to the county office of education, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to satisfy the requirement to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

(F) For county offices of education that meet the criteria of Section 52071.5 or 52072.5, or both, the local control and accountability plan includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification.

(2) The budget for the applicable fiscal year adopted by the county board of education includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the county board of education, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 2574 and 2575, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including, but not limited to, the requirement that any specific action provided on a schoolwide or countywide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the county office of education pursuant to subdivision (d) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

SEC. 70. Section 52071 of the Education Code is amended to read:

52071. (a) If the governing board of a school district requests technical assistance, the county superintendent of schools shall provide technical assistance consistent with paragraph (1) or (2) of subdivision (c). If a school district has not been identified for technical assistance pursuant to subdivision (c) or for state intervention pursuant to subdivisions (b) and (c) of Section 52072, and if the service requested creates an unreasonable or untenable cost burden for the county superintendent of schools, the county superintendent of schools may assess the school district a fee not to exceed the cost of the service.

(b) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, the county superintendent of schools shall provide technical assistance focused on revising the local control and accountability plan or annual update so that it can be approved.

(c) (1) For any school district for which one or more pupil subgroups identified pursuant to Section 52052 meets the criteria established pursuant to subdivision (g) of Section 52064.5, the county superintendent of schools shall provide technical assistance for a minimum of two years following the identification that shall be focused on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs, including, but not limited to, any of the following:

(A) Assisting the school district to do each of the following:

(i) Identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060. This shall include working collaboratively with the school district to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5, including educator qualifications data and relevant local data to identify effective, evidence-based programs or practices that address any areas of weakness.

(ii) Identify pupil subgroups that are low performing or experiencing significant disparities from other pupil subgroups as identified on the California School Dashboard. The county superintendent of schools may consult equity leads pursuant to Section 52073.5 to identify and implement effective programs and practices to improve the outcomes and opportunities for low-performing pupil subgroups or pupil subgroups experiencing significant disparities from other pupil subgroups.

(B) Working collaboratively with the school district to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the school district. The county superintendent of schools, in consultation with the school

district, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the school district in need of technical assistance.

(C) Obtaining from the school district timely documentation demonstrating that it has completed the activities described in subparagraphs (A) and (B), or substantially similar activities, or has selected another service provider pursuant to subdivision (f) to work with the school district to complete the activities described in subparagraphs (A) and (B), or substantially similar activities, and ongoing communication with the school district to assess the school district's progress in improving pupil outcomes.

(D) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the school district, pursuant to subdivision (g) of Section 52074.

(E) A review of the school district's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(2) For any school district that fails to meet the requirements of Section 60900, the county superintendent of schools shall provide technical assistance focused on the school district's data management processes and building the school district's capacity to develop and implement actions and services responsive to pupil and community needs, including, but not limited to, any of the following:

(A) Assisting the school district to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060. This shall include working collaboratively with the school district to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5, including educator qualifications data and relevant local data to identify effective, evidence-based programs or practices that address any areas of weakness.

(B) Working collaboratively with the school district to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the school district. The county superintendent of schools, in consultation with the school district, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the school district in need of technical assistance.

(C) Obtaining from the school district timely documentation demonstrating that it has completed the activities described in subparagraphs (A) and (B), or substantially similar activities, or has selected another service provider pursuant to subdivision (f) to work with the school district to complete the activities described in subparagraphs (A) and (B), or substantially similar activities, and ongoing communication with the school district to assess the school district's progress in improving pupil outcomes.

(D) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the school district, pursuant to subdivision (g) of Section 52074.

(E) A review of the school district's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(F) A review of the school district's data management policies and collection and submission processes, including monitoring and oversight of the student information system, to ensure the submission of accurate data according to the processes and timelines established by the department pursuant to Section 60900.

(d) Upon request of a county superintendent of schools or a school district, a geographic lead agency identified pursuant to Section 52073 may provide technical assistance pursuant to subdivision (c). A geographic lead agency identified pursuant to Section 52073 may request that another geographic lead agency, an expert lead agency identified pursuant to Section 52073.1, a special education resource lead identified pursuant to Section 52073.2, or the California Collaborative for Educational Excellence provide the assistance described in this subdivision.

(e) A school district shall accept the technical assistance provided by the county superintendent of schools pursuant to subdivisions (b) and (c). For purposes of accepting technical assistance provided by the county superintendent of schools pursuant to subdivision (c), a school district may satisfy this requirement by providing the timely documentation to, and maintaining regular communication with, the county superintendent of schools as specified in paragraph (3) of subdivision (c).

(f) For any school district in which one or more pupil subgroups, identified pursuant to Section 52052, meets the criteria pursuant to subdivision (g) of Section 52064.5 for three or more consecutive years, the school district's geographic lead agency, identified

pursuant to Section 52073, shall, in collaboration with the county superintendent of schools, provide technical assistance to the school district pursuant to subdivision (c). The geographic lead agency shall evaluate whether the assistance of one or more expert lead agencies should be consulted as part of the technical assistance process.

(g) This section shall not preclude a school district from soliciting technical assistance from entities other than its county superintendent of schools at its own cost.

SEC. 71. Section 52071.5 of the Education Code is amended to read:

52071.5. (a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance focused on revising the local control and accountability plan or annual update so that it can be approved.

(b) For any county office of education for which one or more pupil subgroups identified pursuant to Section 52052 meets the criteria established pursuant to subdivision (g) of Section 52064.5, the Superintendent shall provide technical assistance for a minimum of two years following the identification that shall be focused on building the county office of education's capacity to develop and implement actions and services responsive to pupil and community needs, including, among other things, any of the following:

(1) Assisting the county office of education to do each of the following:

(A) Identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066. This shall include working collaboratively with the county office of education to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5, including educator qualifications data and relevant local data to identify effective, evidence-based programs or practices that address any areas of weakness.

(B) Identify pupil subgroups that are low performing or experiencing significant disparities from other pupil subgroups as identified on the California School Dashboard. The Superintendent may consult equity leads pursuant to Section 52073.5 to identify and implement effective programs and practices to improve the outcomes and opportunities for low-performing pupil subgroups or pupil subgroups experiencing significant disparities from other pupil subgroups.

(2) Working collaboratively with the county office of education to secure assistance from an academic expert or team of academic experts to identify and implement effective programs that are designed to improve performance in any areas of weakness identified by the county office of education. The Superintendent, in consultation with the county office of education, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the county office of education in need of technical assistance.

(3) Obtaining from the county office of education timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or has selected another service provider to work with the county office of education to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the county office of education to assess the county office of education's progress in improving pupil outcomes.

(4) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the county office of education pursuant to subdivision (g) of Section 52074.

(5) A review of the county office of education's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(c) For any county office of education that fails to meet the requirements of Section 60900, the Superintendent shall provide technical assistance focused on the county office of education's data management processes and building the county office of education's capacity to develop and implement actions and services responsive to pupil and community needs, including, but not limited to, any of the following:

(1) Assisting the county office of education to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066. This shall include working collaboratively with the county office of education to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5, including educator qualifications data and relevant local data to identify effective, evidence-based programs or practices that address any areas of weakness.

(2) Working collaboratively with the county office of education to secure assistance from an academic expert or team of academic experts to identify and implement effective programs that are designed to improve performance in any areas of

weakness identified by the county office of education. The Superintendent, in consultation with the county office of education, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the county office of education in need of technical assistance.

(3) Obtaining from the county office of education timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or has selected another service provider to work with the county office of education to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the county office of education to assess the county office of education's progress in improving pupil outcomes.

(4) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the county office of education, pursuant to subdivision (g) of Section 52074.

(5) A review of the county office of education's local control and accountability plan to identify areas of strengths and weaknesses in the identified goals, actions, and services, with a particular focus on those areas considered to be contributing toward meeting the increased or improved services requirement and all required goals.

(6) A review of the county office of education's data management policies and collection and submission processes, including monitoring and oversight of the student information system, to ensure the submission of accurate data according to the processes and timelines established by the department pursuant to Section 60900.

(d) Technical assistance provided pursuant to this section at the request of a county board of education shall be paid for by the county board of education receiving assistance.

SEC. 72. Section 52072 of the Education Code is repealed.

SEC. 73. Section 52072 is added to the Education Code, to read:

52072. (a) If a school district meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district's pupil subgroups, in three out of four consecutive school years, the California Collaborative for Educational Excellence shall determine, in consultation with the school district and any provider of technical assistance pursuant to Section 52071, if assistance from the California Collaborative for Educational Excellence is necessary. When making this determination, primary consideration shall be given to the needs of the pupils in the school district.

(b) Technical assistance provided pursuant to this section shall be facilitated by the California Collaborative for Educational Excellence, in collaboration with the county superintendent of schools with jurisdiction over the school district, and shall focus on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs pursuant to Section 52071 in a manner that streamlines improvement efforts for the school district.

SEC. 74. Section 52072.1 is added to the Education Code, to read:

52072.1. (a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

(b) The Superintendent shall only intervene in a school district identified pursuant to subdivision (a) of Section 52072 and where the California Collaborative for Educational Excellence determines that the school district meets either of the following criteria:

(1) The school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the governing board of the school district.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on the Superintendent's behalf.

(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct the Superintendent to exercise any of the powers and authorities specified in this section.

SEC. 75. Section 52072.5 of the Education Code is repealed.

SEC. 76. Section 52072.5 is added to the Education Code, to read:

52072.5. (a) If a county office of education meets the criteria established pursuant to subdivision (g) of Section 52064.5 for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education's pupil subgroups, in three out of four consecutive school years, the California Collaborative for Educational Excellence shall determine, in consultation with the county office of education and any provider of technical assistance pursuant to Section 52071.5, if assistance from the California Collaborative for Educational Excellence is necessary. When making this determination, primary consideration shall be given to the needs of the pupils in the county office of education.

(b) Technical assistance provided pursuant to this section shall be facilitated by the California Collaborative for Educational Excellence, in collaboration with the department, and shall focus on building the county office of education's capacity to develop and implement actions and services responsive to pupil and community needs pursuant to Section 52071.5 in a manner that streamlines improvement efforts for the county office of education.

SEC. 77. Section 52072.6 is added to the Education Code, to read:

52072.6. (a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.

(b) The Superintendent shall only intervene in a county office of education identified pursuant to subdivision (a) of Section 52072.5 and where the California Collaborative for Educational Excellence determines that the county office of education meets either of the following criteria:

(1) The county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence pursuant to Section 52072.5.

(2) The inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the county board of education.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on the Superintendent's behalf.

(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct the Superintendent to exercise any of the powers and authorities specified in this section.

SEC. 78. Section 52073.3 of the Education Code is amended to read:

52073.3. (a) The Legislature finds and declares all of the following:

(1) Without capacity in California's public school system to conduct meaningful interestholder engagement, especially as it relates to the local control and accountability plan development process, pupils, families, and communities may not be able to hold school districts accountable for decisions that affect pupil outcomes.

(2) The statewide system of support established pursuant to Section 52059.5 should include expertise and resources to help school districts improve in their ability to engage interestholders meaningfully.

(3) Through an important investment made through the Budget Act of 2018, the statewide system of support has grown to include the Community Engagement Initiative, which was established for the purpose of all of the following:

(A) Building capacity in communities and school districts to have difficult conversations with each other and build trust, with a focus on improving outcomes for pupils.

(B) Identifying effective models of community engagement and metrics to evaluate those models.

(C) Developing effective peer-to-peer partnerships between school districts and county offices of education, utilizing the existing professional learning networks structure administered by the California Collaborative for Educational Excellence, to deepen community engagement using lessons learned from the work identified in subparagraph (A) and the models identified in subparagraph (B).

(D) Scaling up the work identified in subparagraphs (A), (B), and (C) to improve community engagement statewide and incorporate practices that prove effective toward school district and county office of education continuous improvement efforts.

(4) Through the Community Engagement Initiative, local educational agencies have been able to create authentic partnerships among pupils, families, districts, and communities that nurture relationships, build trust, ensure cultural, racial, and linguistic equity, and lead to transformative pupil outcomes.

(5) While the initial investment in the Community Engagement Initiative was an important initial foray into building local educational agency engagement capacity, work remains to strengthen engagement statewide and further address the gaps in local capacity for meaningful community engagement.

(b) The Community Engagement Initiative Expansion, or the Expansion, is hereby established for all of the following purposes:

(1) Increasing and enhancing the emphasis on the engagement of pupils, families, and communities in all aspects of the Community Engagement Initiative.

(2) Expanding the use of the Community Engagement Initiative's identified metrics to create a common definition and clear standards for meaningful engagement at the local and state levels.

(3) Developing an in-depth training series on meaningful pupil, family, and community engagement and engaging local educational agencies and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(4) Increasing the capacity of the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) to scale up the initiative and improve alignment with the statewide system of support.

(c) (1) By May 1, 2023, the department and the California Collaborative for Educational Excellence, with approval from the executive director of the state board, shall select an expert community engagement lead agency, consistent with Section 52073.1, to coadminister the Expansion with the California Collaborative for Educational Excellence.

(2) The lead agency selected for the Expansion shall demonstrate a willingness and capacity to do all of the following:

(A) Develop and disseminate expertise in community engagement.

(B) Work collaboratively with the California Collaborative for Educational Excellence and a diverse group of education interestholders.

(C) Communicate regularly with the department, the California Collaborative for Educational Excellence, and the lead agencies specified in Section 52073 through the formal process established pursuant to subparagraph (B) of paragraph (2) of subdivision (a) of Section 52073.

(D) Document the outcomes of the activities authorized by this section through the duration of the Expansion and, in partnership with the California Collaborative for Educational Excellence and the Expansion participants, develop resources based on the experiences and conclusions of the Community Engagement Initiative's participants and the Expansion's participants from their specific contexts that are broadly applicable and actionable statewide.

(E) Play a leadership role in disseminating the information specified in subparagraph (D) throughout the statewide system of support established pursuant to Section 52059.5 and serving as a resource to local educational agencies and community

interestholders in applying that information to their local context.

(d) (1) The California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall create a common definition and clear metrics for effective, equitable community engagement that draw upon the metrics developed pursuant to paragraph (3) of subdivision (f) Section 140 of Chapter 32 of the Statutes of 2018.

(2) The metrics shall mirror the original purpose of the Community Engagement Initiative, which is to engage underrepresented pupils, families, and communities, build trust and have authentic and productive conversations, and link engagement to efforts that improve student outcomes.

(e) (1) On or before December 1, 2023, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall develop an in-depth training series and resources on meaningful pupil, family, and community engagement.

(2) The developed training series and resources shall be able to accomplish, at a minimum, all of the following:

(A) Develop professional development through train-the-trainer models or online training modules that are scaffolded to support the continued professional development and deeper expertise of educators.

(B) Provide technical assistance to local educational agencies.

(C) Develop a network of educators, especially those selected to participate in previous community engagement professional learning networks pursuant to Section 140 of Chapter 32 of the Statutes of 2018, who can provide coaching and training to other local educational agencies.

(3) The developed training series and resources shall include content on areas, including, but not limited to, all of the following:

(A) How to have conversations on complex issues such as race, language, disability, understanding community expertise, and sharing power.

(B) Engaging local educational agency and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(C) Focusing on and centering the voices of pupils, families, and communities in decisionmaking processes.

(D) Protocols for facilitating professional learning networks to help other communities and school districts improve and deepen their interactions, including the Community Engagement Initiative Protocol Toolkit, developed and tested by community engagement professional learning networks convened pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(E) Metrics for measuring increases in community engagement, including the metrics developed pursuant to subdivision (d).

(F) How to leverage the Community Engagement Initiative for transformational school investments and authentic pupil, family, community, and educator engagement, including, but not limited to, local control and accountability plans, expanded learning opportunity programs, and California Community School Partnership Act grants.

(4) The training series and resources shall be made publicly available, at no cost to local educational agencies statewide.

(5) The California Collaborative for Educational Excellence shall periodically update the trainings and resources, as needed, based on the findings of future community engagement professional learning networks and other research.

(f) For the 2022–23 fiscal year to the 2026–27 fiscal year, inclusive, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall convene 30 community engagement professional learning networks. Each of these professional learning networks shall be similar in composition to the teams described in subdivision (d) of Section 140 of Chapter 32 of the Statutes of 2018. These teams shall be willing to do all of the following:

(1) Participate in the professional learning network for no less than two years.

(2) Engage in open dialogue on issues related to improving local pupil outcomes.

(3) (A) Partner with other communities and school districts on improving community engagement.

(B) A partnership pursuant to subparagraph (A) shall include providing fiscal support to partnering organizations to support their capacity for meaningful collaboration and implementation of the Community Engagement Initiative.

(g) For the 2022–23 fiscal year, each of the professional learning networks created pursuant to subdivision (f) shall include as cofacilitators members of a team that participated in the initial community engagement professional learning networks established pursuant to subdivisions (e) and (g) of Section 140 of Chapter 32 of the Statutes of 2018.

(h) Beginning on July 1, 2024, the professional learning networks created pursuant to subdivision (f) may also include as cofacilitators members of a team that participated in the initial community engagement professional learning networks established pursuant to subdivision (k) of Section 140 of Chapter 32 of the Statutes of 2018.

(i) Each of the professional learning networks established pursuant to subdivision (f) shall do both of the following:

(1) Deepen the community engagement of the school districts and communities participating in each professional learning network, including by engaging with the Community Engagement Protocol Toolkit developed by the community engagement professional learning networks established pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(2) Use the metrics developed pursuant to paragraph (3) of subdivision (f) of Section 140 of Chapter 32 of the Statutes of 2018 to measure changes in community engagement in each of the participating communities and school districts.

(j) By June 30, 2027, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall submit a report to the executive director of the state board, the Superintendent, the executive director of the California Collaborative for Educational Excellence, each of the lead agencies identified pursuant to Section 52073, and the chairpersons of each of the appropriate policy and fiscal committees of the Legislature. The report shall include all of the following:

(1) A description of best practices for improving community engagement identified by the professional learning networks established under the Community Engagement Initiative and the Expansion, and any changes in the understanding of best practices throughout the duration of the Expansion.

(2) Using the definition and metrics identified pursuant to subdivision (d), an analysis of the impact of the work done by each team through the professional learning networks on their home communities and school districts.

(3) Feedback to improve the community engagement professional learning network protocol and metrics, and additional activities or resources that would assist in continued development of capacity within local educational agencies and local communities for conducting meaningful interestholder engagement.

(k) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the Superintendent for allocation to the California Collaborative for Educational Excellence to expand and strengthen the Community Engagement Initiative pursuant to this section. The administrative agent of the California Collaborative for Educational Excellence, pursuant to policy and program direction from the governing board of the California Collaborative for Educational Excellence, shall develop the budget for the Community Engagement Initiative Expansion, subject to approval by the Department of Finance. Of the amount appropriated in this subdivision, five million dollars (\$5,000,000) shall be allocated to the administrative agent of the California Collaborative for Educational Excellence for costs associated with administering this program. All funds appropriated pursuant to this subdivision shall be available for encumbrance until June 30, 2029.

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

SEC. 79. Section 52073.5 is added to the Education Code, to read:

52073.5. (a) (1) By March 1, 2024, the California Collaborative for Educational Excellence and the department shall select, subject to approval by the executive director of the state board and as a result of a competitive process, local educational agencies, or a consortium of local educational agencies, to serve as Equity Leads within the system of support to conduct the activities required pursuant to this section.

(2) The competitive process to select the Equity Leads shall ensure that no fewer than two Equity Leads and no more than four Equity Leads are selected in a manner that provides for statewide coverage. The Equity Leads shall be selected for a term not to exceed five years.

(3) Notwithstanding the deadline established pursuant to paragraph (1), if the competitive selection process administered pursuant to paragraphs (1) and (2) yields fewer than six applicants, the California Collaborative for Educational Excellence and the department shall reestablish a new competitive process, subject to all other requirements of this subdivision, to solicit a larger pool of applicants.

(b) The Equity Leads selected pursuant to subdivision (a) shall demonstrate a willingness and capacity to do all of the following:

(1) Work collaboratively with the California Collaborative for Educational Excellence, the department, and other lead agencies in the system of support to advance the purpose of the statewide system of support specified in subdivision (b) of Section 52059.5.

(2) Partner with other subject matter experts across the state, including, but not limited to, the Community Engagement Initiative, 21st Century California School Leadership Academy, California Community Schools Partnership Program Regional Technical Assistance Center, Local Literacy Lead Agencies, and Statewide System of Support for Expanded Learning.

(3) Develop and disseminate resources on effective practices for analyzing programs, identifying barriers and opportunities, and implementing actions and services to meet the identified needs of all pupils, including by addressing racial disparities.

(4) Understand the local control and accountability plan and how to use the local control and accountability plan for strategic planning, including, but not limited to, by:

(A) Identifying and analyzing available and relevant data to understand pupil needs and helping practitioners, educators, and interestholders understand the data.

(B) Assisting practitioners in implementing and monitoring changes to practice to meet the needs of all pupils, including by addressing racial disparities in opportunities and outcomes and aligning to the technical assistance provided pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5.

(C) Including diverse and underrepresented pupils, families, and communities in decisionmaking processes in school settings.

(5) Understanding the history of racial inequities in California, including, but not limited to, past policies related to segregation, immigration, education, and public safety and incarceration, and how it currently impacts pupils in California.

(c) The Equity Leads shall have all of the following responsibilities:

(1) Partnering with the local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024, to analyze programs, identify barriers and opportunities, and implement actions and services to meet the identified needs of all pupils, including by addressing racial disparities. This shall include enhancing and expanding existing work in these areas.

(2) Supporting the work of local educational agencies, prioritizing those with schools receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024, in developing and implementing programs and supports that address racial disparities in opportunities and academic outcomes.

(3) Identifying existing resources, including support for educator preparation; recruitment, retention, and professional development activities; instructional coaching; and other efforts currently available to address disparities, including racial disparities, in pupil outcomes, and sharing these resources with local educational agencies, prioritizing those receiving Local Control Funding Formula Equity Multiplier funding pursuant to Section 42238.024.

(4) Monitoring the impact of the implementation of local control and accountability plan goals pursuant to paragraph (7) of subdivision (e) of Section 52064, and reporting on the best practices developed and outcomes.

(d) Commencing with the 2023–24 fiscal year, and for each fiscal year thereafter, the sum of two million dollars (\$2,000,000) is hereby appropriated to the department from the General Fund to be awarded to local educational agencies serving as Equity Leads pursuant to this section.

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

SEC. 80. Section 52074 of the Education Code is amended to read:

52074. (a) The California Collaborative for Educational Excellence is hereby established.

(b) The purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan adopted

pursuant to this article. The California Collaborative for Educational Excellence shall achieve this purpose by facilitating continuous improvement for local educational agencies within California's system of public school support.

(c) The California Collaborative for Educational Excellence shall be governed by a board consisting of the following five members:

- (1) The Superintendent or the Superintendent's designee.
- (2) The president of the state board or the president of the state board's designee.
- (3) A county superintendent of schools appointed by the Senate Committee on Rules.
- (4) A teacher appointed by the Speaker of the Assembly.
- (5) A superintendent of a school district appointed by the Governor.

(d) The governing board of the California Collaborative for Educational Excellence shall select, and direct the administrative agent provided for in subdivision (e) to hire, the executive director of the California Collaborative for Educational Excellence and provide policy and program direction.

(e) The department, in consultation with the executive director of the state board and with the approval of the Department of Finance, shall enter into a memorandum of understanding with a local educational agency, or consortium of local educational agencies, to serve as the administrative agent for the California Collaborative for Educational Excellence. The administrative agent shall operate all aspects of the California Collaborative for Educational Excellence in accordance with the terms of the memorandum of understanding entered into with the state, applicable statutes, and the policy and program direction of the governing board of the California Collaborative for Educational Excellence.

(f) Pursuant to the policy and program direction of the governing board of the California Collaborative for Educational Excellence, the administrative agent shall contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success to carry out the purposes of this article. The areas of expertise, experience, and record of success shall include, but are not limited to, all of the following:

- (1) State priorities as described in subdivision (d) of Section 52060, including the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5.
- (2) Improving the quality of teaching.
- (3) Improving the quality of school district and schoolsite leadership.
- (4) Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

(g) (1) The California Collaborative for Educational Excellence may accept a request or referral to advise and assist a school district, county superintendent of schools, or charter school pursuant to paragraph (2) or in either of the following circumstances:

(A) If the county superintendent of schools of the county in which the school district or charter school is located determines, following the provision of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the geographic lead agency of that county identified pursuant to Section 52073 agrees, that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district or charter school accomplish the goals described in the local control and accountability plan adopted pursuant to this article.

(B) If the Superintendent determines that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district, county superintendent of schools, or charter school accomplish the goals set forth in the local control and accountability plan adopted pursuant to this article.

(2) (A) If a school district receives an emergency apportionment pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3, the school district shall be deemed to have been referred to the California Collaborative for Educational Excellence.

(B) If the California Collaborative for Educational Excellence provides assistance to a school district referred pursuant to this paragraph, the California Collaborative for Educational Excellence shall conduct a systemic review of the school district to identify needs and strategies to improve pupil academic achievement, including, but not limited to, needs identified pursuant to Sections 52052, 52064.5, and 52071. Based on the results of the systemic review, the California Collaborative for Educational Excellence shall coordinate and facilitate the assistance provided to the school district by governmental agencies to provide coherent and effective support consistent with the purpose of the statewide system of support specified in Section 52059.5. The governmental agencies may include, among others, the department, the local county

superintendent, the applicable geographic lead agency, and the County Office Fiscal Crisis and Management Assistance Team. It is the intent of the Legislature that no single governmental agency providing assistance in partnership with other governmental agencies bear the full cost of assistance.

(3) Outside of the processes described in paragraphs (1) and (2), only a school district, county office of education, or charter school that is eligible for technical assistance pursuant to Section 52071, 52071.5, or 47607.3 may request the advice and assistance of the California Collaborative for Educational Excellence. A school district, county office of education, or charter school that requests advice and assistance pursuant to this paragraph shall reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

(4) Notwithstanding paragraphs (1), (2), and (3), the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8 may request the advice or assistance of the California Collaborative for Educational Excellence and shall reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

(h) To the extent authority is provided in the annual Budget Act, a school district at risk of qualifying for state intervention pursuant to subdivision (b) of Section 52072 shall have priority for direct technical assistance from the California Collaborative for Educational Excellence.

(i) In addition to the functions described in subdivision (g), the California Collaborative for Educational Excellence shall do both of the following:

(1) Facilitate professional development activities that increase the capacity of local educational agencies to improve pupil outcomes in alignment with state priorities pursuant to Section 52060 and to improve performance on the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5. The California Collaborative for Educational Excellence shall provide professional development in partnership with state professional associations, nonprofit organizations, and public agencies. The governing board of the California Collaborative for Educational Excellence shall determine the extent of the training that is necessary to comply with this paragraph.

(2) Produce a professional development training calendar, to be posted on the California Collaborative for Educational Excellence's internet website, that publicizes all of the professional development activities offered pursuant to paragraph (1) at the local, regional, and state levels.

(j) The individuals with whom the administrative agent enters into employment contracts to carry out the purposes of this article shall be deemed employees of the administrative agent and eligible for participation in either the State Teachers' Retirement System or the Public Employees' Retirement System, as appropriate to the nature of the work to be performed by the employees.

(k) Receipt of any revenues not appropriated by the Legislature to the California Collaborative for Educational Excellence, including revenues received for assistance provided pursuant to paragraphs (3) and (4) of subdivision (g), shall be subject to approval by the governing board of the California Collaborative for Educational Excellence. The governing board of the California Collaborative for Educational Excellence shall ensure that all activities, regardless of fund source, are aligned with the purpose of the California Collaborative for Educational Excellence, as described in subdivision (b).

SEC. 81. Section 52201 of the Education Code is amended to read:

52201. (a) (1) The purpose of the grant program established under this article is to ensure that California can meet the demand for bilingual teachers necessary for the implementation of dual language and other bilingual education programs as authorized by the California Education for a Global Economy Initiative, approved by the voters as Proposition 58 at the November 8, 2016, statewide general election, and to ensure California is able to meet the demand in preparing bilingual education teachers.

(2) The purpose of this grant program shall also be to increase bilingual teachers in multiple languages to staff bilingual classrooms, such as Spanish, Vietnamese, Mandarin, Cantonese, Tagalog, and Arabic classrooms, and other languages, as represented in instructional programs.

(b) The Legislature hereby establishes the Bilingual Teacher Professional Development Program for teachers seeking to provide instruction in bilingual and multilingual settings.

SEC. 82. Section 52202 of the Education Code is amended to read:

52202. (a) The Bilingual Teacher Professional Development Program shall be administered by the department in consultation with the Commission on Teacher Credentialing. The department shall issue grants to applicants through a competitive process.

(b) (1) The department shall allocate grant funding to eligible local educational agencies, including county offices of education, school districts, charter schools, or a consortia of local educational agencies for purposes of providing professional development

services to teachers or paraprofessionals who satisfy the requirements of subdivision (c). Grant recipients may partner with community colleges, public or private four-year institutions of postsecondary education, and professional organizations or nonprofit organizations with English learner expertise.

(2) The department shall issue a minimum of five grants under the program.

(c) (1) A teacher shall be eligible for professional development services pursuant to subdivision (b) if the teacher possesses a teaching credential or an education specialist credential authorizing the holder to teach pupils with exceptional needs, and does either of the following:

(A) Possesses an authorization to provide instruction to English learners pursuant to Section 44253.3, 44253.4, or 44253.7, and has provided instruction solely in English-only classrooms for three years or more.

(B) Is fluent in a language other than English, and seeks an authorization pursuant to Section 44253.3, 44253.4, or 44253.7 to provide instruction to English learners.

(2) A school paraprofessional employee shall be eligible for professional development services if the employee is fluent in a language other than English, seeks to work with English learners or in a bilingual program, and intends to enter a pathway to become a credentialed teacher who holds a bilingual authorization.

(3) Notwithstanding paragraph (1), participants who are currently enrolled in, or have completed, the Asian Language Bilingual Teacher Education Program shall be eligible for professional development services.

(d) In selecting a grant recipient pursuant to subdivision (b), the department shall ensure that an applicant indicates how it plans to increase the number of teachers who obtain a bilingual authorization as a result of participation in the program and increase the number of teachers with a bilingual authorization who return to teaching in a bilingual or multilingual setting.

(e) In awarding funding to eligible applicants pursuant to subdivision (b), the department shall adopt criteria demonstrating an applicant's ability to provide professional development services. The adopted criteria shall include, but are not limited to, all of the following:

(1) Demonstrated commitment to bilingual and multilingual education and bilingual teacher development.

(2) Demonstrated capability to fully prepare teachers to obtain bilingual authorizations and to improve or update a teacher's knowledge and skills relating to biliteracy, English language acquisition, English language development, pupil assessment in English and other languages, and instruction in the components of a high-quality bilingual or multilingual education program.

(3) The availability of bilingual education staff with demonstrated experience and knowledge of bilingual and multilingual education for purposes of providing professional development programs.

(4) Demonstrated management and support services necessary to efficiently and effectively use funding provided under subdivision (b) to help meet the demand for bilingual teachers.

(5) Matching funds, or other in-kind matching resources, offered by the applicant in support of a professional development program funded pursuant to this article.

(6) Capacity to conduct an evaluation of a professional development program offered by the applicant for the purpose of identifying areas of strength, areas requiring improvement, and recommendations for making improvement.

(f) The department shall ensure grant recipients selected for purposes of this article, to the maximum extent possible, are balanced with regard to geographic regions and urban and rural settings.

(g) The department shall meet quarterly with grant recipients to share promising practices and resources, and to resolve issues of implementation.

(h) (1) By January 1, 2022, grant recipients awarded funds appropriated pursuant to Section 85 of Chapter 15 of the Statutes of 2017 shall provide a final report to the department on the number of participants who were issued bilingual authorizations, the number of previously authorized teachers who have participated in the program and subsequently returned to bilingual teaching assignments, and the number of teachers who are still working at least 50 percent of the time in a bilingual setting.

(2) The project performance period for Bilingual Teacher Professional Development grant funds appropriated pursuant to Section 85 of Chapter 15 of the Statutes of 2017 is January 1, 2018, to June 30, 2021, inclusive.

(i) (1) By July 1, 2026, grant recipients awarded funds appropriated pursuant to Section 119 of the act that added this subdivision shall provide a preliminary report, and, by January 1, 2029, a final report, to the department on the number of participants who

were issued bilingual authorizations, the number of previously authorized teachers who have participated in the program and subsequently returned to bilingual teaching assignments, and the number of teachers who are still working at least 50 percent of the time in a bilingual setting.

(2) The project performance period for Bilingual Teacher Professional Development grant funds appropriated pursuant to Section 119 of the act that added this subdivision is January 1, 2024, to June 30, 2029, inclusive.

SEC. 83. Chapter 15.5 (commencing with Section 53008) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 15.5. Screening for Risk of Reading Difficulties

53008. (a) (1) The Legislature finds and declares that screening pupils for risk of reading difficulties, including dyslexia, is one of many tools that educators can employ to gain information about how to support their pupils' learning. Screening should be considered part of a school's comprehensive instructional strategy, and should be used by educators like other types of formative and summative assessments: to inform individualized instruction, measure a pupil's progress, identify pupil learning needs, and enable parents and educators to discuss pupil needs in a more informed way.

(2) The Legislature further finds and declares that early identification and intervention with evidence-based early literacy instructional strategies and materials improves literacy outcomes for pupils at risk of, and with, reading difficulties, including dyslexia. Dyslexia is the most common learning disability; however, many pupils on the dyslexia spectrum struggle every day to read without proper identification and support. By screening all pupils for risk of reading difficulties early, California can help families and teachers achieve the best learning and life outcomes for all pupils and close academic achievement gaps.

(b) On or before January 31, 2024, the state board shall appoint an independent panel of experts for the purpose of creating an approved list of evidence-based, culturally, linguistically, and developmentally appropriate screening instruments for pupils in kindergarten and grades 1 and 2 to assess pupils for risk of reading difficulties, including possible neurological disorders such as dyslexia, pursuant to this section. The state board shall not appoint any person to the panel of experts with a financial interest in the screening instruments under consideration. The state board shall establish a review process, including how screening instruments will be evaluated against the criteria specified in subdivision (g), for the panel to use to evaluate and approve screening instruments. This subdivision does not prohibit the state board from periodically reconstituting this expert panel or updating the review process, nor does it prohibit the expert panel from periodically amending the list of screening instruments described in subdivision (c) at the request of the state board.

(c) (1) The work of the panel of experts appointed by the state board pursuant to subdivision (b) is subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) and all meetings of the panel are subject to the Bagley-Keene Open Meeting Act.

(2) On or before December 31, 2024, the panel of experts appointed by the state board shall, at a regularly scheduled public meeting, vote to approve a list of screening instruments pursuant to the review process and evaluation criteria established by the state board pursuant to subdivision (b). The list shall include screening instruments that are developed both for English-speaking pupils and for non-English speaking pupils, in languages reflecting the primary languages of pupils in the state, to the extent assessments in those languages are available. The panel of experts shall also identify information about the appropriate administration of each screening instrument, including the appropriate grade or grades for administration of each screening instrument.

(d) On or before June 30, 2025, the governing board or body of a local educational agency serving pupils in kindergarten or grades 1 or 2 shall adopt, at a public meeting, one or more screening instruments from the list adopted pursuant to subdivision (c) to assess pupils for risk of reading difficulties pursuant to this section. The screening instrument or instruments adopted shall provide assessments for both English-speaking pupils and non-English speaking pupils, in languages reflecting the primary languages of pupils in the local educational agency, to the extent assessments in those languages are available.

(e) Commencing no later than the 2025–26 school year, and annually thereafter, a local educational agency serving pupils in kindergarten or grades 1 or 2 shall assess each pupil in kindergarten and grades 1 and 2 for risk of reading difficulties using the screening instrument or instruments adopted by the governing board or body of the local educational agency pursuant to subdivision (d), unless the pupil's parent or guardian opts out of the screening in writing. In determining when during the school year to administer each screening instrument, a local educational agency shall consider whether pupils have received sufficient instruction in foundational reading skills to support a valid assessment. Nothing in this section restricts local educational agencies from providing additional pupil screenings or diagnostic evaluations, as appropriate.

(f) If a pupil enrolls for the first time in kindergarten or grades 1 or 2 after the screening instrument or instruments have been administered to all pupils in the given grade in that school year pursuant to subdivision (e), the local educational agency shall assess the pupil using the screening instrument or instruments adopted by the governing board or body of the local educational

agency pursuant to subdivision (d) within 45 calendar days of enrollment, unless the pupil's parent or guardian opts out of the screening in writing, or unless the parent or guardian provides documentation or the local educational agency has documentation that the pupil has had a similar screening in their prior school for their current grade and the parent or guardian was made aware of the results.

(g) (1) To support the adoption of high-quality screening instruments that minimize the overidentification or underidentification of pupils' risk of reading difficulties, and offer meaningful information for followup, the state board shall consider the extent to which a screening instrument addresses the following factors when adopting evaluation criteria pursuant to subdivision (b):

(A) Use of direct measurement, supplemented by other pupil data, to determine if a pupil is at risk of a reading difficulty, including dyslexia.

(B) Measurement of domains that may predict dyslexia and other reading disorders, including, but not limited to, measures of oral language, phonological and phonemic awareness, decoding skills, letter-sound knowledge, knowledge of letter names, rapid automatized naming, visual attention, reading fluency, vocabulary, and language comprehension.

(C) Evidence that the tool is normed and validated using a contemporary multicultural and multilanguage sample of pupils, with outcome data for pupils whose home language is a language other than English as well as those who are native English speakers.

(D) Integration of relevant pupil demographic information, such as home language, English language fluency, and access to prekindergarten education, to more fully understand a pupil's performance.

(E) Guidance and resources for educators regarding how to administer screening instruments, interpret results, explain results to families, including in pupils' primary languages, and determine further educational strategies, assessments, diagnostics, and interventions that should be considered and that are specific to each type of pupil result. Guidance and resources provided pursuant to this subparagraph shall be informed by the English Language Arts/English Language Development Framework for California Public Schools developed pursuant to Section 60207 and the California Dyslexia Guidelines developed pursuant to Section 56335, as well as knowledge of effective interventions for the specific needs of individual pupils, and shall reflect a tiered interventions model aligned with the Multi-Tiered Systems of Support.

(2) Assessments administered pursuant to this section shall not be considered an evaluation or diagnostic tool to establish eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or an evaluation to determine eligibility for a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794). However, assessments administered pursuant to this section shall not be used to delay the child find process required under the federal Individuals with Disabilities Education Act. Additionally, assessments administered pursuant to this section may be used by a local educational agency to recommend that a pupil receive further assessment and evaluation to establish eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act, or to determine eligibility for a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973.

(h) Pupils who do not speak sufficient English to be screened with an English-language instrument shall be screened pursuant to this section in their primary language if a screening instrument in their primary language approved pursuant to subdivision (c) is available. If a screening instrument is not available in at least one language in which a pupil is proficient, before the pupil can be screened, the pupil's risk for reading difficulties shall be evaluated through an analysis of the pupil's developmental history, educational history, and literacy progress, taking into account the pupil's home background and evolving English language abilities, including speaking, listening, reading, spelling, and writing, consistent with the California Dyslexia Guidelines. Components of screening instruments that do not require English language proficiency may be used in this evaluation. When a pupil acquires sufficient English language knowledge and fluency to be able to be assessed using a screening instrument pursuant to this section, or if a screening instrument in their primary language becomes available, the local educational agency shall assess that pupil using the appropriate screening instrument.

(i) A pupil may be exempted from the requirements of this section with the prior written consent of the parent or guardian if any of the following criteria are satisfied:

(1) The pupil has a current identification or diagnosis of a reading difficulty, reading disorder, or other disability.

(2) The pupil is eligible for special education and related services pursuant to the federal Individuals with Disabilities Education Act or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973.

(3) The pupil is in the process of being assessed for eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, and the pupil is being evaluated with diagnostic assessments that make screening pursuant to this section redundant.

(j) A local educational agency shall provide parents or guardians of pupils eligible for screening pursuant to this section with information about the screening, including the date or dates of the screening and instructions for how parents or guardians can opt out of the screening on behalf of their child, no later than 15 calendar days before the administration of the screening instrument or instruments. A local educational agency is encouraged to provide information about screening pursuant to this section with other back-to-school materials at the beginning of the school year.

(k) Pupil results from assessments administered pursuant to this section shall be made available to the pupil's parent or guardian in a timely manner, but no more than 45 calendar days from the date the assessment was administered. These results shall include information about how to interpret the results, as well as the next steps pursuant to subdivision (l), if applicable.

(l) Screening results shall be used as a flag for potential risk of reading difficulties, not as a diagnosis of a disability. Results from a screening instrument shall be used as part of a broader process that further evaluates pupil needs and progress, identifies supports for classroom instruction, enables targeted individual intervention as needed, and allows for further diagnosis if concerns do not resolve. Accordingly, if a pupil is identified as being at risk of having reading difficulties after being screened pursuant to this section, the local educational agency shall provide the pupil with supports and services, appropriate to the specific challenges identified by the screening instrument and other pertinent information about the pupil, which may include, among other supports and services, any of the following:

- (1) Evidence-based literacy instruction focused on the pupil's specific needs.
- (2) Progress monitoring.
- (3) Early intervention in the regular general education program.
- (4) One-on-one or small group tutoring.
- (5) Further evaluation or diagnostic assessment.

(m) Results of an assessment administered pursuant to this section shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, pupil grade promotion or retention, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

(n) Notifications to parents or guardians provided pursuant to this section shall comply with the translation requirements set forth in Section 48985.

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

- (1) "English learner" has the same meaning as defined in subdivision (a) of Section 306.
- (2) "Kindergarten" shall not include transitional kindergarten, as defined in subdivision (d) of Section 48000.
- (3) "Local educational agency" means a school district, county office of education, or charter school.
- (4) "Reading difficulties" means a barrier that impacts a pupil's ability to learn to read or improve reading abilities, including dyslexia.
- (5) "Screening instrument" means a brief tool administered by an appropriately trained school employee, including, but not limited to, a certificated teacher of record, measuring discrete areas to determine pupils at risk of reading difficulties, including dyslexia.

SEC. 84. Section 56195.1 of the Education Code is amended to read:

56195.1. The governing board of a district shall elect to do one of the following described in subdivision (a), (b), or (c):

(a) (1) If of sufficient size and scope, under standards adopted by the board, submit to the superintendent a local plan for the education of all individuals with exceptional needs residing in the district in accordance with Chapter 3 (commencing with Section 56205).

(2) From July 1, 2020, to July 1, 2026, inclusive, the governing board of a district shall not submit a local plan for the education of all individuals with exceptional needs residing in the district under paragraph (1) for the purpose of creating a single district special education local plan area.

(b) In conjunction with one or more districts, submit to the superintendent a local plan for the education of individuals with exceptional needs residing in those districts in accordance with Chapter 3 (commencing with Section 56205). The plan shall include, through joint powers agreements or other contractual agreements, all the following:

(1) Provision of a governance structure and any necessary administrative support to implement the plan.

(2) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the special education local plan area.

(3) Designation of a responsible local agency or alternative administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.

(c) Join with the county office, to submit to the superintendent a local plan in accordance with Chapter 3 (commencing with Section 56205) to assure access to special education and services for all individuals with exceptional needs residing in the geographic area served by the plan. The county office shall coordinate the implementation of the plan, unless otherwise specified in the plan. The plan shall include, through contractual agreements, all of the following:

(1) Establishment of a system for determining the responsibility of participating agencies for the education of each individual with exceptional needs residing in the geographical area served by the plan.

(2) Designation of the county office, of a responsible local agency, or of any other administrative entity to perform functions such as the receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the plan. Any participating agency may perform any of these services required by the plan.

(d) The service area covered by the local plan developed under subdivision (a), (b), or (c) shall be known as the special education local plan area.

(e) This section does not limit the authority of a county office and a district or group of districts to enter into contractual agreements for services relating to the education of individuals with exceptional needs. Except for instructional personnel service units serving infants, until a special education local plan area adopts a revised local plan approved pursuant to Section 56836.03, the county office or district that reports a unit for funding shall be the agency that employs the personnel who staff the unit, unless the combined unit rate and support service ratio of the nonemploying agency is equal to or lower than that of the employing agency and both agencies agree that the nonemploying agency will report the unit for funding.

(f) A charter school that is deemed a local educational agency for purposes of special education pursuant to Article 4 (commencing with Section 47640) of Chapter 6 of Part 26.8 shall participate in an approved local plan pursuant to subdivision (a), (b), or (c). A charter school may submit written policies and procedures to the department for approval by the board that establish compliance with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and implementing regulations, either individually, pursuant to subdivision (a) or with other charter schools pursuant to subdivision (b). The board shall review these policies and procedures, based on the criteria established pursuant to Section 56100. Upon approval by the board, these written policies and procedures shall become the local plan.

(g) The requirements of this section shall not be waived by the board pursuant to Section 56101 or any other law.

(h) The Superintendent shall post all local plans submitted by each special education local plan area on the internet website of the department.

SEC. 85. Section 56836.148 of the Education Code is amended to read:

56836.148. (a) For the 2020–21 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (a) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) Section 56836.144 for the corresponding special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (b) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144 for the corresponding special education local plan area.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (c) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(d) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily

attendance for each special education local plan area computed in subdivision (d) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(e) For purposes of calculating the base funding for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall make the following computations:

(1) For the 2020–21 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (1) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(2) For the 2021–22 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (2) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

(3) For the 2022–23 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (3) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(4) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, multiple the amount of funding per unit of average daily attendance computed in paragraph (4) of subdivision (e) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(f) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall make publicly available the amount of special education funding each local educational agency generates for their special education local plan area pursuant to subdivisions (c) and (d).

(g) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, each special education local plan area shall report to their member local educational agencies no later than 30 days after receiving their apportionment the amount of funding each local educational agency generates pursuant to subdivisions (c) and (d).

(h) For the 2023–24 fiscal year, each special education local plan area shall, at a minimum, allocate special education funding to all of its member local educational agencies equal to the total sum of base grant funding, calculated pursuant to this section, allocated to all of its member local educational agencies in the 2022–23 fiscal year multiplied by the sum of one plus the inflation factor, as defined in paragraph (1) of subdivision (b) of Section 56836.142 for the 2023–24 fiscal year, and then multiplied by the sum of one plus the percent change in funded average daily attendance of its member local educational agencies from the 2022–23 fiscal year to the 2023–24 fiscal year pursuant to Section 56836.144.

(i) Nothing in this section shall prohibit a member local educational agency from allocating funds back to their special education local plan area for purposes of providing regionalized or other programmatic services.

SEC. 86. Section 60642.7 of the Education Code is amended to read:

60642.7. (a) Interim assessments offered by the department to local educational agencies, including those offered pursuant to Section 60642.6, are intended for the purposes of improving teaching and pupil learning. Results of the assessments may be used to provide timely feedback to teachers that they may use to continually adjust instruction to improve learning, for communication with pupils' parents or guardians, and for use by teachers in identifying professional development goals.

(b) Results from the interim assessments offered by the department, including those offered pursuant to Section 60642.6, shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, pupil grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

SEC. 87. Section 60900 of the Education Code is amended to read:

60900. (a) The department shall contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the tests administered pursuant to Chapter 5 (commencing with Section 60600) and Chapter 7 (commencing with Section 60810). The longitudinal data shall be known as the California Longitudinal Pupil Achievement Data System.

(b) The proposals developed pursuant to subdivision (a) shall evaluate and determine whether it would be most effective, from both a fiscal and a technological perspective, for the state to own the system. The proposals shall additionally evaluate and determine the most effective means of housing the system.

(c) The California Longitudinal Pupil Achievement Data System shall be developed and implemented in accordance with all state rules and regulations governing information technology projects.

(d) The system or systems developed pursuant to this section shall be used to accomplish all of the following goals:

(1) To provide school districts and the department access to data necessary to comply with federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

(2) To provide a better means of evaluating educational progress and investments over time.

(3) To provide local educational agencies with the data needed to improve pupil achievement, including college and career readiness.

(4) To provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data between and among the state's educational segments and operational tools, as defined in Section 10861, including, but not limited to, all of the following:

(A) Pupil level data from all grade levels, inclusive of transitional kindergarten programs, as described in Section 48000, that shall be collected separately from kindergarten pupil data, in elementary and secondary schools, including, but not limited to, juvenile court schools, alternative schools, continuation schools, special education schools, and adult educational programs offering a high school diploma or equivalency.

(B) Pupil level data collected in both detention and nondetention settings.

(C) Pupil level data to postsecondary educational institutions and the Student Aid Commission.

(5) To facilitate the ability of the state to publicly report data, as specified in Section 6401(e)(2)(D) of the federal America COMPETES Act (20 U.S.C. Sec. 9871) and as required by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(6) To ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

(e) In order to comply with federal law as delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the local educational agency shall retain individual pupil records for each test taker, including all of the following:

(1) All demographic data collected from the California Assessment of Student Performance and Progress (CAASPP) and English language development tests.

(2) Pupil achievement data from assessments administered pursuant to the CAASPP and English language development testing programs. To the extent feasible, data should include subscore data within each content area.

(3) A unique pupil identification number, to be identical to the pupil identifier developed pursuant to the California School Information Services, that shall be retained by each local educational agency and used to ensure the accuracy of information on the header sheets of the CAASPP tests and the English language development test.

(4) All data necessary to compile reports required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), including, but not limited to, dropout and graduation rates.

(5) Other data elements deemed necessary by the Superintendent, with the approval of the state board, to comply with the federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), after review and comment by the advisory board convened pursuant to subdivision (i). Before the implementation of this paragraph with respect to adding data elements to the California Longitudinal Pupil Achievement Data System for the purpose of complying with the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the department and the appropriate postsecondary educational agencies shall submit an expenditure plan to the Department of Finance detailing any administrative costs to the department and costs to any local educational agency, if applicable. The Department of Finance shall provide to the Joint Legislative Budget Committee a copy of the expenditure plan within 10 days of receipt of the expenditure plan from the department.

(6) To enable the department, the University of California, the California State University, and the Chancellor of the California Community Colleges to meet the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), these entities shall be authorized to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems, to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in

achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(f) To accomplish the goals and requirements set forth in subdivisions (d) and (e), local educational agencies shall submit data according to the processes and timelines established by the department.

(g) The California Longitudinal Pupil Achievement Data System shall have all of the following characteristics:

- (1) The ability to sort by demographic element collected from the CAASPP tests and English language development test.
- (2) The capability to be expanded to include pupil achievement data from multiple years.
- (3) The capability to monitor pupil achievement on the CAASPP tests and English language development test from year to year and school to school.
- (4) The capacity to provide data to the state and local educational agencies upon their request.
- (5) The capability to provide data to support operational tools, as defined in Section 10861.

(h) Data elements and codes included in the system shall comply with Sections 49061 to 49079, inclusive, and Sections 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5 of the California Code of Regulations, with the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), Section 1232h of Title 20 of the United States Code, and related federal regulations.

(i) The department shall convene an advisory board consisting of representatives or designees from the state board, the Department of Finance, the State Privacy Ombudsman, the Legislative Analyst's Office, representatives of parent groups, school districts, and local educational agencies, and education researchers to establish privacy and access protocols, provide general guidance, and make recommendations relative to data elements. The department is encouraged to seek representation broadly reflective of the general public of California.

(j) This section shall be implemented using federal funds received pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes of this section in Item 6110-113-0890 of Section 2.00 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002). The release of these funds is contingent on approval of an expenditure plan by the Department of Finance.

(k) For purposes of this chapter, a local educational agency shall include a county office of education, a school district, and a charter school.

SEC. 88. Section 60900.5 of the Education Code is amended to read:

60900.5. (a) The California College Guidance Initiative (CCGI), as defined in Section 10861, is hereby authorized to provide its services to all local educational agencies.

(b) In furtherance of paragraph (5) of subdivision (b) of Section 10867, the department shall enter into a memorandum of understanding with the CCGI, as authorized in subdivision (a), to accomplish all of the following:

- (1) Share course level data from each local educational agency to validate, as they are submitted to the California Longitudinal Pupil Achievement Data System (CalPADS), if the course meets the requirements of A–G coursework, as defined in Section 10861.
- (2) Share pupil course level data to inform individual pupil accounts on the operational tools.
- (3) Collect additional data elements to ensure proper functioning and to incentivize use of the operational tools.
- (4) Share pupil level data with the Student Aid Commission, postsecondary educational institutions, and programs that support college and career planning, application, and transition, as permitted under the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).
- (5) Notwithstanding subdivision (g) of Section 10860 and subdivision (c) of Section 10863, fully effectuate the intent of the Cradle-to-Career Data System Act pursuant to Chapter 8.5 (commencing with Section 10850) of Part 7 of Division 1 of Title 1.

(c) The department shall provide guidance to local educational agencies through CalPADS to clarify data standards and promote best practices. The department shall refer local educational agencies to CCGI for technical assistance in reconciling discrepancies between A–G coursework, as listed in their local pupil information system, and how those courses are registered in

the course management portal at the office of the President of the University of California, or a successor A–G course management portal.

(d) The department shall notify local educational agencies of the additional use of CalPADS data and advise local educational agencies to include in their annual parent notifications, as required by the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), that the CalPADS data will now:

- (1) Be shared with the CCGI.
- (2) Be used to provide pupils and families with direct access to online tools and resources.
- (3) Enable a pupil to transmit information shared with the CCGI to both of the following:
 - (A) Postsecondary educational institutions for purposes of admissions and academic placement.
 - (B) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(e) The Legislature finds and declares its intent that the CCGI, upon full implementation of this section, provide all of the following services:

- (1) A free college and career planning curriculum and internet website for grades 6 to 12, inclusive, designed to provide touch points three to six times per year.
- (2) Financial aid curriculum for grades 9 to 12, inclusive.
- (3) Support to local educational agencies to plan for and monitor use of planning tools and curriculum.
- (4) Tools to enable pupils and their families to determine if they are on track to meet college qualifications, based on their individual goals, and to allow authorized secondary school counselors to view the progress of individual pupils on meeting California State University and University of California eligibility requirements.
- (5) Validation of data relating to A–G admission requirements in local pupil information systems that is flagged with respect to the University of California Course Management Portal.
- (6) Technical assistance to local educational agencies on data cleanup processes.
- (7) Providing statewide pupil identification numbers to the California Community Colleges, the California State University, the University of California, and the Student Aid Commission so that information stored in local systems will improve matches for research purposes and the Cradle-to-Career Data System.
- (8) Transcripts processed in near real time with the California Community Colleges, the California State University, the University of California, and the Student Aid Commission, using an application programming interface.
- (9) Allow secondary school pupils to give permission to inform public colleges if they are a first-generation college student, homeless, migrant, or economically disadvantaged.
- (10) Provide information on race or ethnicity, grade point average, high school graduation status, and where pupils applied to college to the Student Aid Commission through a faster application programming interface format.
- (11) Prepopulation of California Community Colleges, California State University, and University of California application fields related to statewide pupil identification numbers, transcript data, demographic information, and other data elements that can reduce barriers for pupils.
- (12) Development of new planning tools related to career and technical education pathways, apprenticeships, transfer options, and regional labor markets.
- (13) Potential shift of data provision from local educational agencies to the department.

(f) The scaling of the CCGI is further intended to address all of the following problems and state needs:

- (1) Reduce equity gaps in college-going rates by ensuring that all pupils and their families have the information needed to develop college and career plans, starting in grade 6, and to secure financial aid.
- (2) Enable secondary school counselors to monitor where pupils are applying and support them to complete applications.
- (3) Identify secondary school courses that are incorrectly flagged as fulfilling California State University and University of California eligibility requirements compared to the University of California Course Management Portal.

(4) Reduce structural barriers by allowing pupils to launch college and financial aid applications from a single location, using one set of log on credentials.

(5) Ensure that pupils can easily and quickly transmit academic records to public postsecondary educational institutions when applying for admission.

(6) Share additional information with the Student Aid Commission to validate and reduce the time to determine eligibility for Cal Grant awards.

(7) Reduce the administrative burden on local educational agencies and colleges to transmit and validate records.

(8) Strengthen data that can be used to match pupil records.

(g) On or before September 1, 2022, and on or before September 1 of each year thereafter, the Riverside County Office of Education shall report to the Director of Finance and the Joint Legislative Budget Committee regarding the annual budget for the CCGI as supported through the annual Budget Act. The annual report due on or before September 1, 2022, shall only address any changes to the first annual report provided in March 2022 pursuant to this subdivision. Each annual report thereafter shall include, but not necessarily be limited to, all of the following information:

(1) All other public and private sources of revenue.

(2) How prior fiscal year funds were spent and current fiscal year funds are budgeted to be spent.

(3) A budget change proposal, if any additional funds are being requested for the budget year.

(4) The names and locations of local educational agencies that have partnered with the CCGI, including identification of local educational agencies that were added in the prior fiscal year and are intended to be added in the budget year.

(5) The names of postsecondary educational agencies that have partnered with the CCGI, including identification of postsecondary educational agencies that were added in the prior fiscal year and the budget year and identification of any postsecondary educational agencies that terminated their partnership with the CCGI.

(6) Website analytics on identifying the number of accounts, types of activities completed, and the number of pupils that applied to college via the CCGI.

(7) Information on progress towards meeting the deliverables expected of the CCGI pursuant to subdivision (a).

SEC. 89. Section 69617 of the Education Code is amended to read:

69617. (a) (1) Subject to moneys appropriated by the Legislature for purposes of this section, the commission shall administer the Golden State Teacher Grant Program. Under the program, the commission shall provide one-time grant funds of up to twenty thousand dollars (\$20,000) to each student enrolled, or who has applied for enrollment, on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential, at either a qualifying institution, as defined in subdivision (l) of Section 69432.7, or a professional preparation program approved by the Commission on Teaching Credentialing that has a main campus location or administrative entity that resides in California, including professional preparation programs operated by local educational agencies in California, if the student commits to working at a priority school or a California preschool program for four years within the eight years following the date the student completes the professional preparation program.

(2) Under the program, the commission shall provide one-time grant funds of up to ten thousand dollars (\$10,000) to each student enrolled, or who has applied for enrollment, on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential or 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.

(3) 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.

(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 twenty thousand dollars (\$20,000).

(b) The one-time grant funds issued pursuant to this section shall not exceed the amount appropriated for the Golden State Teacher Grant Program in the Budget Act of 2020 and the Budget Act of 2021.

- (c) (1) A grant recipient shall agree to serve at a priority school or a California preschool program for four years and shall have eight years, upon completion of the recipient's professional preparation program, to meet that obligation. Except as provided in paragraph (4), a grant recipient shall agree to repay the state 25 percent of the total received grant funds annually, up to full repayment of the received grant funds, for each year the recipient fails to do one or more of the following:
- (A) Be enrolled in or have successfully completed a professional preparation program approved by the Commission on Teacher Credentialing.
 - (B) While enrolled in the professional preparation program, maintain good academic standing.
 - (C) Before or upon completion of the professional preparation program, satisfy the state basic skills requirement pursuant to Sections 44252 and 44252.5.
 - (D) Complete the required teaching service or clinical practice following completion of the recipient's professional preparation program.
 - (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 four years shall be certified by the commission.
- (3) Nonperformance of the commitment to earn a preliminary teaching credential or pupil personnel services credential shall be certified by the Commission on Teacher Credentialing to the Student Aid Commission.
- (4) Any exceptions to the requirement for repayment shall be defined by the commission, and may include, but shall not necessarily be limited to, counting a school year towards the required four-year service requirement 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.
- (d) The commission may use up to 1.5 percent of funding appropriated for purposes of this section for outreach and administration.
- (e) The commission shall develop a process by which students interested in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential may submit a request for a preenrollment conditional award notice from the commission. The notice shall provide information regarding the Golden State Teacher Grant Program award amount the student may be eligible to receive upon enrollment in the professional preparation program and formal application to the commission to participate in the Golden State Teacher Grant Program.
- (f) (1) A "priority school" means a school with 55 percent or more of its pupils being unduplicated pupils, as defined in subdivision (b) of Section 42238.02.
- (2) The commission, in coordination with the State Department of Education, shall publish a list of priority schools by April 15 of each year.
- (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 four-year service requirement, even if the school is no longer included on future priority school lists.

(g) (1) The commission may adopt regulations, including any amendments to regulations, necessary for the implementation of the Golden State Teacher Grant Program. The commission may adopt emergency regulations it deems necessary for the implementation of this program, in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). For purposes of the Administrative Procedure Act, including Section 11349.6 of the Government Code, the adoption of those regulations or amendments to those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare, notwithstanding subdivision (e) of Section 11346.1 of the Government Code.

(2) Notwithstanding any other law and without further compliance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), any emergency regulations and amendments to the emergency regulations adopted pursuant to paragraph (1) shall remain in force and effect until June 30, 2025.

(3) No rule, policy, or standard of general application issued by the commission in implementing this section shall be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(h) The commission shall conduct, in partnership with the Commission on Teacher Credentialing, an evaluation of the Golden State Teacher Grant Program to determine the effectiveness of the program in recruiting credential candidates and employing credentialholders at priority schools 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.

(i) The commission shall accept applications for the Golden State Teacher Grant Program beginning on September 1 for the following academic year and shall establish a process and timeline that allows institutions of higher education to provide applicants with grant eligibility determinations before the deadline for enrolling in their professional preparation program.

(j) The commission shall permit grant recipients to receive funds in more than one academic year, provided the total amount of funds granted to any applicant does not exceed twenty thousand dollars (\$20,000).

(k) 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. 90. Section 69617.5 is added to the Education Code, to read:

69617.5. (a) The Legislature finds that the state's teaching crisis requires immediate and targeted action that also increases diversity among classroom teachers.

(b) Notwithstanding Section 69617, the Commission on Teacher Credentialing may determine that a private postsecondary educational institution is a qualifying institution for purposes of the program established pursuant to Section 69617, if the institution meets all of the following criteria:

(1) The institution offers a professional preparation program approved by the Commission on Teacher Credentialing as of January 1, 2023.

(2) The institution was originally chartered and is currently operating as a nonprofit entity that offers services exclusively online to California residents.

(3) The institution is accredited by the Senior Colleges and Universities Commission of the Western Association of Schools and Colleges.

(4) The institution participates in the federal Pell Grant program (20 U.S.C. Sec. 1070a), and in at least two of the following federal student aid programs:

(A) Federal Work-Study Program (20 U.S.C. Sec. 1087–51).

(B) Federal Stafford Loan Program.

(C) Federal Supplemental Educational Opportunity Grant Program (20 U.S.C. Sec. 1070b).

(5) The institution has a federal student loan cohort default rate below 10 percent.

(6) The institution reports the degree to which enrolled students participating in this program complete the program and become licensed to teach in California within 24 months, and the average time to program completion.

(7) The institution has an established labor union student chapter that provides a pathway to union membership to students upon graduation.

(8) The institution is in compliance with any applicable provisions of the California Private Postsecondary Education Act of 2009 (Chapter 8 (commencing with Section 94800) of Part 59 of Division 10).

(c) The requirements described in subdivision (b) shall be demonstrated in a manner to be determined by the Commission on Teacher Credentialing, which may include consultation with the State Board of Education.

SEC. 91. Section 1596.792 of the Health and Safety Code is amended to read:

1596.792. This chapter, Chapter 3.5 (commencing with Section 1596.90), and Chapter 3.6 (commencing with Section 1597.30) do not apply to any of the following:

(a) Any health facility, as defined by Section 1250.

(b) Any clinic, as defined by Section 1202.

(c) Any community care facility, as defined by Section 1502.

(d) Any family childcare home providing care for the children of only one family in addition to the operator's own children.

(e) Any cooperative arrangement between parents for the care of their children when no payment is involved and the arrangement meets all of the following conditions:

(1) In a cooperative arrangement, parents shall combine their efforts so that each parent, or set of parents, rotates as the responsible caregiver with respect to all the children in the cooperative.

(2) Any person caring for children shall be a parent, legal guardian, stepparent, grandparent, aunt, uncle, or adult sibling of at least one of the children in the cooperative.

(3) There can be no payment of money or receipt of in-kind income in exchange for the provision of care. This does not prohibit in-kind contributions of snacks, games, toys, blankets for napping, pillows, and other materials parents deem appropriate for their children. It is not the intent of this paragraph to prohibit payment for outside activities, the amount of which may not exceed the actual cost of the activity.

(4) No more than 12 children are receiving care in the same place at the same time.

(f) Any arrangement for the receiving and care of children by a relative.

(g) Any public recreation program. "Public recreation program" means a program operated by the state, city, county, special district, school district, community college district, chartered city, or chartered city and county that meets either of the following criteria:

(1) The program is operated only during hours other than normal school hours for kindergarten and grades 1 to 12, inclusive, in the public school district where the program is located, or operated only during periods when students in kindergarten and grades 1 to 12, inclusive, are normally not in session in the public school district where the program is located, for either of the following periods:

(A) For under 20 hours per week.

(B) For a total of 14 weeks or less during a 12-month period. This total applies to any 14 weeks within any 12-month period, without regard to whether the weeks are consecutive.

In determining "normal school hours" or periods when students are "normally not in session," the State Department of Social Services shall, when appropriate, consider the normal school hours or periods when students are normally not in session for students attending a year-round school.

(2) The program is provided to children who are over the age of four years and nine months and not yet enrolled in school and the program is operated during either of the following periods:

(A) For under 16 hours per week.

(B) For a total of 12 weeks or less during a 12-month period. This total applies to any 12 weeks within any 12-month period, without regard to whether the weeks are consecutive.

(3) The program is provided to children under the age of four years and nine months with sessions that run 12 hours per week or less and are 12 weeks or less in duration. A program subject to this paragraph may permit children to be enrolled in consecutive sessions throughout the year. However, the program shall not permit children to be enrolled in a combination of sessions that total more than 12 hours per week for each child.

(h) Extended daycare programs operated by public or private schools, including, but not limited to, expanded learning opportunity programs, as specified in subparagraphs (B) and (C) of paragraph (9) of subdivision (b) of Section 46120 of the Education Code.

(i) Any school parenting program or adult education childcare program that satisfies both of the following:

(1) Is operated by a public school district or operated by an individual or organization pursuant to a contract with a public school district.

(2) Is not operated by an organization specified in Section 1596.793.

(j) Any child daycare program that operates only one day per week for no more than four hours on that one day.

(k) Any child daycare program that offers temporary childcare services to parents and that satisfies both of the following:

(1) The services are only provided to parents and guardians who are on the same premises as the site of the child daycare program.

(2) The child daycare program is not operated on the site of a ski facility, shopping mall, department store, or any other similar site identified by the department by regulation.

(l) Any program that provides activities for children of an instructional nature in a classroom-like setting and satisfies both of the following:

(1) Is operated only during periods of the year when students in kindergarten and grades 1 to 12, inclusive, are normally not in session in the public school district where the program is located due to regularly scheduled vacations.

(2) Offers any number of sessions during the period specified in paragraph (1) that when added together do not exceed a total of 30 days when only schoolage children are enrolled in the program or 15 days when children younger than schoolage are enrolled in the program.

(m) A program facility administered by the Department of Corrections and Rehabilitation that (1) houses both women and their children, and (2) is specifically designated for the purpose of providing substance abuse treatment and maintaining and strengthening the family unit pursuant to Chapter 4 (commencing with Section 3410) of Title 2 of Part 3 of the Penal Code, or Chapter 4.8 (commencing with Section 1174) of Title 7 of Part 2 of that code.

(n) Any crisis nursery, as defined in paragraph (17) of subdivision (a) of Section 1502.

(o) (1) Commencing with the adoption of emergency regulations pursuant to paragraph (3), or no later than July 1, 2019, whichever comes first, a California state preschool program operated by a local educational agency under contract with the State Department of Education and that operates in a school building, as defined by Section 17283 of the Education Code, that meets all of the following conditions:

(A) The program is operated in a local educational agency facility that meets the requirements of the Field Act, as specified in Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365) of Chapter 3 of Part 10.5 of Division 1 of Title 1 of, and Article 7 (commencing with Section 81130) of Chapter 1 of Part 49 of Division 7 of Title 3 of, the Education Code.

(B) The local educational agency facility is constructed consistent with California Building Standards Code pursuant to Title 24 of the California Code of Regulations.

(C) The local educational agency facility meets the requirements for kindergarten classrooms in accordance with Chapter 13 (commencing with Section 14000) of Division 1 of Title 5 of the California Code of Regulations.

(D) The program meets all other requirements of California state preschool programs pursuant to Chapter 19 (commencing with Section 17906) of Division 1 of Title 5 of the California Code of Regulations.

(2) A California state preschool program exempt under this subdivision shall be considered licensed under Division 12 (commencing with Section 101151) of Title 22 of the California Code of Regulations for purposes of establishing a rating on an

early learning quality rating and improvement system matrix pursuant to Section 8203.1 of the Education Code.

(3) (A) No later than October 1, 2017, the Legislative Analyst shall convene a stakeholder process for the purpose of ensuring state preschools operated by local educational agencies are maintaining all existing necessary health and safety requirements.

(B) The stakeholder process shall identify and make recommendations on any health and safety requirements currently required under Title 22 of the California Code of Regulations, but not included in Title 5 of the California Code of Regulations, the Field Act, Title 24 of the California Code of Regulations, the California Plumbing Code, the Education Code, or this code, including, but not limited to, all of the following:

- (i) Adequate outdoor shade structures.
- (ii) Access to age and developmentally appropriate bathroom and drinking water facilities.
- (iii) Appropriate processes for parent notification and resolution of code and regulation violations.

(C) The stakeholder process participants shall include experts on early childhood education health and safety issues from local educational agency and nonlocal educational agency state preschool program providers, and representatives from the State Department of Education, State Department of Social Services, Department of Finance, and legislative staff.

(D) No later than March 15, 2018, the Legislative Analyst shall report to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, and the State Department of Education on recommendations or observations as a result of the stakeholder process. These recommendations or observations shall consider the fiscal impact on the state. No sooner than 30 days after the report is provided, the State Department of Education shall commence a process to adopt emergency regulations pursuant to Section 11346.1 of the Government Code to satisfy the requirements of this paragraph. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(4) For purposes of this subdivision, the following terms have the following meanings:

(A) "California state preschool program" means any classroom that is funded, in whole or in part, by funds received pursuant to Section 8207 of the Education Code.

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

SEC. 92. Section 858 of the Welfare and Institutions Code is amended to read:

858. (a) It is the intent of the Legislature that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall shall have access to rigorous postsecondary academic and career technical education programs that fulfill the requirements for transfer to the University of California and the California State University and prepare them for career entry, respectively.

(b) (1) A county probation department in collaboration with a county office of education, and in partnership with the California Community Colleges or the California State University, or in voluntary partnership the University of California, shall ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall have access to, and can choose to participate in, public postsecondary academic and career technical courses and programs, including courses and programs offered online through asynchronous and synchronous instruction or in-person instruction, and for which they are eligible based on eligibility criteria and course schedules of the in-county, to the extent possible, public postsecondary education campus providing the course or program. County probation departments, in coordination with county offices of education, may use juvenile court school classrooms and computers, in accordance with agreements entered into pursuant to Section 48646 of the Education Code, for the purpose of implementing this section. County probation departments are also encouraged to develop other educational partnerships with local public postsecondary campuses, as is feasible, to provide programs on campus and onsite at the juvenile hall and, to the extent offered by a California community college, the California State University, or the University of California, the probation department, in collaboration with the county office of education, shall ensure that juveniles have access to programs and dual enrollment options offered on campus and onsite at the juvenile hall.

(2) These programs shall be considered part of the current responsibilities of the county probation department to provide and coordinate services for juveniles that enable the juveniles to be law-abiding and productive members of their families and communities.

(c) For purposes of this section, "juvenile" means any person detained in, or committed to, a juvenile hall.

(d) This section does not preclude juvenile court school pupils who have not yet completed their high school graduation requirements from concurrently participating in postsecondary academic and career technical education programs.

SEC. 93. Section 889.2 of the Welfare and Institutions Code is amended to read:

889.2. (a) It is the intent of the Legislature that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a secure youth treatment facility, juvenile ranch, camp, or forestry camp shall have access to rigorous postsecondary academic and career technical education programs that fulfill the requirements for transfer to the University of California and the California State University and prepare them for career entry, respectively.

(b) (1) A county probation department in collaboration with a county office of education, and in partnership with the California Community Colleges or the California State University, or in voluntary partnership the University of California, shall ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a secure youth treatment facility, juvenile ranch, camp, or forestry camp have access to, and can choose to participate in, public postsecondary academic and career technical courses and programs, including courses and programs offered online through asynchronous and synchronous instruction or in-person instruction, and for which they are eligible based on eligibility criteria and course schedules of the in-county, to the extent possible, public postsecondary education campus providing the course or program. County probation departments, in coordination with county offices of education, may use juvenile court school classrooms and computers, in accordance with agreements entered into pursuant to Section 48646 of the Education Code, for the purpose of implementing this section. County probation departments are also encouraged to develop other educational partnerships with local public postsecondary campuses, as is feasible, to provide programs on campus and onsite at the secure youth treatment facility, juvenile ranch, camp, or forestry camp and, to the extent offered by a California community college, the California State University, or the University of California, the probation department, in collaboration with the county office of education, shall ensure that juveniles have access to programs and dual enrollment options offered on campus and onsite at the secure youth treatment facility, juvenile ranch, camp, or forestry camp.

(2) These programs shall be considered part of the current responsibilities of the county probation department to provide and coordinate services for juveniles that enable the juveniles to be law-abiding and productive members of their families and communities.

(c) For purposes of this section, “juvenile” means any person detained in, or committed to, a secure youth treatment facility, juvenile ranch, camp, or forestry camp.

(d) This section does not preclude juvenile court school pupils who have not yet completed their high school graduation requirements from concurrently participating in postsecondary academic and career technical education programs.

SEC. 94. Section 55 of Chapter 13 of the Statutes of 2015 is amended to read:

Sec. 55. (a) For the 2015–16 fiscal year to the 2022–23 fiscal year, inclusive, the Superintendent of Public Instruction shall add two million dollars (\$2,000,000) to the amount to be apportioned pursuant to Sections 2574 and 2575 of the Education Code for the Los Angeles County Office of Education for the purpose of supporting professional development and leadership training for education professionals related to antibias education and the creation of inclusive and equitable schools.

(b) Commencing with the 2023–24 fiscal year, the Superintendent of Public Instruction shall add three million dollars (\$3,000,000) to the amount to be apportioned pursuant to Sections 2574 and 2575 of the Education Code for the Los Angeles County Office of Education for the purpose of supporting statewide professional development and leadership training for education professionals related to antibias education and the creation of inclusive and equitable schools.

SEC. 95. Section 144 of Chapter 44 of the Statutes of 2021, as amended by Section 41 of Chapter 252 of the Statutes of 2021, is amended to read:

Sec. 144. (a) The Legislature finds and declares all the following:

(1) Educators and pupils need access to high-quality online instructional materials to help reduce costs, provide equitable opportunities for pupils, and provide opportunities for the sharing of best practices and collaboration among staff.

(2) The statewide system of support established pursuant to Section 52059.5 of the Education Code should include resources to help identify high-quality online instructional materials, such as free open-source materials and platforms, and provide a repository for local educational agencies and educators.

(b) On or before December 15, 2021, the State Department of Education and the California Collaborative for Educational Excellence, with approval from the executive director of the State Board of Education, shall designate a county office of education to identify and curate a repository of high-quality open educational resources for use by local educational agencies as part of the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. The designated county office of education shall do all of the following:

(1) Develop a transparent process for vetting materials to ensure quality and alignment with state academic standards, which may include, but not be limited to, the creation of standardized rubrics for review of materials.

(2) Curate easy-to-use resources for local educational agencies and educators.

(3) Develop and maintain a repository of identified materials for use by local educational agencies and educators.

(4) Provide guidance and resources for local educational agencies and educators regarding implementation and use of open educational resources, including professional learning opportunities and opportunities for collaboration among peers.

(5) Report data to the California Collaborative for Educational Excellence to allow for an evaluation of the activities performed in increasing access and use of open educational resources by local educational agencies and educators.

(c) The sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for purposes of subdivision (b). This funding shall be available for encumbrance until June 30, 2025.

(d) On or before October 1, 2025, the California Collaborative for Educational Excellence, in consultation with the State Department of Education, shall evaluate and make recommendations to the Department of Finance, the executive director of the State Board of Education, and the appropriate fiscal and policy committees of the Legislature regarding the effectiveness of the online repository and resources developed pursuant to subdivision (b). The California Collaborative for Educational Excellence may enter into a contract with a nonprofit entity to conduct the evaluation and may withhold no more than 3 percent of the amount allocated pursuant to this section for this purpose.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the funds appropriated by subdivision (c) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2019–20 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2019–20 fiscal year.

SEC. 96. Section 121 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 121. (a) (1) For the 2023–24 fiscal year, the sum of three hundred seventy-five million dollars (\$375,000,000) is hereby appropriated from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Voucher Incentive Project to fund zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies over five years beginning in the 2023–24 fiscal year, consistent with this section. This funding shall be available as grants to local educational agencies for encumbrance until June 30, 2029. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(2) For the 2023–24 fiscal year, the sum of one hundred twenty-five million dollars (\$125,000,000) is hereby appropriated from the General Fund to the Energy Commission to fund zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement the vehicle investments described in subdivision (a). This funding shall be available as grants to local educational agencies for encumbrance until June 30, 2029. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(b) It is the intent of the Legislature to appropriate three hundred and seventy-five million dollars (\$375,000,000) in the 2024–25 and 2025–26 fiscal years to the State Air Resources Board, and one hundred twenty-five million dollars (\$125,000,000) in the 2024–25 and 2025–26 fiscal years to the Energy Commission, for purposes of subdivision (a).

(c) The State Air Resources Board and the Energy Commission shall coordinate to offer a single application to cover vehicle purchases, infrastructure investments, and other associated funding requests.

(d) The State Air Resources Board and the Energy Commission shall ensure that the funding provided in this section supports the transition to zero-emission schoolbus fleets by supporting up to the full purchase cost of zero-emission schoolbuses and related schoolbus charging or fueling infrastructure, as well as provide funding support for other associated costs, including workforce development and training.

(e) (1) The State Air Resources Board, in consultation with the Energy Commission, shall prioritize funding zero-emission schoolbuses under this section.

(2) If a local educational agency is able to provide sufficient information to the State Air Resources Board and the Energy Commission to demonstrate significant barriers to the adoption of zero-emission technology at the time of application, and that alternate approaches to decrease internal combustion vehicle use are not appropriate, the State Air Resources Board and the

Energy Commission may fund schoolbuses powered by renewable fuel under this section, to the extent and in the time period that these barriers apply to the local educational agency.

(f) Priority shall be given to grantees serving a high percentage of unduplicated pupils, as defined in Section 42238.02 of the Education Code, grantees operating the oldest internal combustion buses, grantees that are small and rural school districts, and grantees purchasing zero-emission buses with bidirectional charging where available.

(g) The State Air Resources Board and the Energy Commission shall create program guidelines relative to their respective activities. Notwithstanding any other law, the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) shall not apply to the development and approval of the guidelines or other standards or requirements adopted or used by the State Air Resources Board or the Energy Commission in administering these funds.

(h) No less than 90 percent of a grantee's grant award shall be expended for the purchase of zero-emission schoolbuses, as well as the supporting charging infrastructure needed to operate the zero-emission schoolbuses and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades.

(i) Up to 10 percent of a grantee's grant award may be expended to incorporate or supplement funding for the grantee's school transportation program.

(j) (1) Any schoolbuses that are replaced pursuant to this section shall be scrapped no later than 24 months from date of delivery of the replacement vehicles. Grantees shall provide to the State Air Resources Board proof of scrap of the retired internal combustion schoolbus or schoolbuses.

(2) The grant agreement related to the grant award shall require grantees to submit schoolbus and infrastructure information and documentation resulting from the grants provided in this section to the State Air Resources Board and the Energy Commission.

(k) The Department of General Services, in consultation with the Energy Commission and the California Workforce Development Board, shall establish statewide contracts with manufacturers of zero- or low-emission schoolbuses. These contracts shall satisfy the high road standards pursuant to subdivision (r) of Section 14005 of the Unemployment Insurance Code.

(l) As a condition of entering into a statewide contract with the state, a bidder shall incorporate high road job standards designed to achieve all of the following goals:

(1) Support the creation and retention of quality, nontemporary, and full-time jobs that provide high wages, including benefits and access to training.

(2) Support the hiring of displaced workers and individuals facing barriers to employment.

(3) Encourage the development of the state's long-term, climate-sustainable transportation and related infrastructure and manufacturing sectors.

(4) Protect public health by supporting the adoption of specific protections for worker health and safety.

(m) At a minimum, the contract shall include all of the following terms:

(1) All of the bidder's employees performing work to fulfill the contract shall be paid no less than the minimum trainee wage set by the Employment Training Panel for the county in which the work is performed, or the applicable federal, state, or local minimum wage, whichever is greater. To the extent permissible, health care benefits valued at up to two dollars and fifty cents (\$2.50) per hour may be used to meet this wage requirement.

(2) Any person performing work to fulfill the contract shall be placed in the proper employment classification. This requirement includes, but is not limited to, prohibitions on misclassifying a person performing work to fulfill the contract as an independent contractor.

(3) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable federal, state, and local laws pertaining to paid sick leave, including any antiretaliation provisions contained in such laws.

(4) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable safety and health requirements, and shall comply with Sections 6310 and 6311 of the Labor Code, pertaining to protection of employees who file complaints or refuse to work in the face of hazardous conditions.

(5) The bidder and any contractors and subcontractors comply and shall comply with the federal Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.) and all regulations thereunder.

(n) Grants received pursuant to this section shall supplement, not supplant, existing services and funds provided by grantees in support of transportation programs.

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

(1) "Bidder" means a manufacturer of zero-emission schoolbuses that seeks to enter into a statewide contract with the Department of General Services pursuant to this section.

(2) "Energy Commission" means the State Energy Resources Conservation and Development Commission.

(3) "Local educational agency" means any of the following:

(A) A school district, county office of education, or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, with ownership of title for a schoolbus or schoolbuses.

(B) A school district or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, that contracts with a county office of education or private contractor for the maintenance and operation of its schoolbuses.

(C) A county office of education that contracts with a private contractor for maintenance and operation of its schoolbuses.

(D) A joint powers authority currently operating home-to-school transportation programs on behalf of school districts, county offices of education, or charter schools, excluding charter schools classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code.

(4) "Rural school district" means a school district with a school with a locale code of 31, 32, 33, 41, 42, or 43, as classified by the National Center for Education Statistics.

(5) "Small school district" means a school district with fewer than 2,501 units of average daily attendance using the most recently reported annual data in the California Longitudinal Pupil Attendance Data System.

(p) If a participating charter school acquires a schoolbus pursuant to this section and the charter school subsequently ceases operation, the schoolbus shall be made available to the State Air Resources Board for reallocation to other eligible local educational agencies.

(q) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by paragraphs (1) and (2) of subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(r) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 97. Section 123 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 123. (a) (1) The sum of two hundred ninety million twenty-three thousand dollars (\$290,023,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for apportionment to charter schools in the 2022–23 fiscal year, excluding charter schools classified as nonclassroom-based charter schools as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code.

(2) For each eligible charter school, the Superintendent of Public Instruction shall compare the charter school's 2020–21 fiscal year funded average daily attendance as of the first recertification of the 2020–21 fiscal year annual apportionment to its 2021–22 fiscal year funded average daily attendance as of the 2021–22 fiscal year second principal apportionment, adjusted for the amount of average daily attendance computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023 of the Education Code. If the 2020–21 fiscal year average daily attendance exceeds the 2021–22 fiscal year adjusted average daily attendance, then the Superintendent of Public Instruction shall calculate the following for each eligible charter school:

(A) Compute the difference between 2020–21 fiscal year funded average daily attendance and 2021–22 fiscal year funded average daily attendance, adjusted for the amount of average daily attendance computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023 of the Education Code.

(B) Divide the total local control funding formula base, supplemental, and concentration grants calculated for the charter school pursuant to Section 42238.02 of the Education Code for the 2021–22 fiscal year second principal apportionment by the 2021–22 fiscal year funded average daily attendance for that charter school.

(C) Multiply the amount determined in subparagraph (A) by the amount determined in subparagraph (B).

(3) From the funds provided in paragraph (1), the Superintendent of Public Instruction shall allocate the amount computed pursuant to subparagraph (C) of paragraph (2) to each eligible charter school. The Director of Finance may authorize an increase in the amount appropriated pursuant to paragraph (1) if the sum of the amounts calculated pursuant to subparagraph (C) of paragraph (2) for all eligible charter schools exceeds the amount appropriated in paragraph (1). Any such increase authorized by the Director of Finance shall not exceed the difference between the amount calculated pursuant to subparagraph (C) of paragraph (2) for all eligible charter schools and the amount appropriated in paragraph (1).

(b) The allocation pursuant to this section shall only apply to charter schools that are continuing operation in the 2022–23 fiscal year.

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

SEC. 98. Section 124 of Chapter 52 of the Statutes of 2022, as amended by Section 54 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 124. (a) For the 2022–23 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the State Department of Education to allocate in a manner consistent with subdivision (b) to further support the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019, to coordinate and support professional learning opportunities for educators across the state. These funds shall be available through the 2024–25 fiscal year to provide one or more grants consistent with subdivision (b).

(b) (1) The State Department of Education and the California Collaborative for Educational Excellence shall, through a competitive grant process and subject to approval by the executive director of the State Board of Education, select one or more county offices of education or one or more consortia of county offices of education with expertise in developing and providing high-quality professional learning to teachers and paraprofessionals in public schools serving transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to conduct each of the activities described in paragraph (2) in a manner that aligns with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. Applicants may submit an application in partnership with one or more institutions of higher education or one or more nonprofit organizations. The State Department of Education shall prioritize applications from a county office of education or consortium of county offices of education that were part of the consortia awarded a grant as part of the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019.

(2) The State Department of Education and the California Collaborative for Educational Excellence shall ensure that the entities selected pursuant to paragraph (1) are able to deliver professional learning for teachers and paraprofessionals statewide within each of the following areas:

(A) Universal design for learning to improve inclusive practices for all pupils, including pupils with disabilities, in general education settings.

(B) Implement effective language acquisition programs for English learners, which may include integrated language development within and across content areas, building and strengthening capacity to implement the English Learner Roadmap adopted by the State Board of Education in July 2017, and bilingual and biliterate proficiency.

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

(c) The department and the California Collaborative for Education Excellence shall ensure that the selected grantee or grantees do all of the following:

(1) Develop, and deliver free of charge to local educational agencies statewide, professional development and professional learning opportunities that, at a minimum, are publicly available, content focused, standards and research based, incorporate active learning, support and promote collaboration, use models of effective practice, provide coaching and expert support, offer feedback and reflection, and are of sustained duration.

(2) Leverage and use expertise and resources already identified, developed, and available, including, but not limited to, expert leads established pursuant to Section 52073.1 of the Education Code and the special education resource leads established

pursuant to Section 52073.2 of the Education Code, to advance the goals of this section.

(3) Provide professional learning opportunities in a manner that is consistent with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.

(4) Provide ongoing coaching and training for school staff that supports the professional learning opportunities provided pursuant to this section.

(5) Design and develop professional learning opportunities to include early educators.

(6) Work within the statewide system of support to provide professional development and professional learning opportunities.

(7) Provide ongoing training to develop mentors and coaches that support school staff in high-need settings.

(8) Review professional learning opportunities offered pursuant to this section to ensure they are high quality.

(9) In consultation with the department and the California Collaborative for Educational Excellence, evaluate the professional learning opportunities offered or funded pursuant to this section for their effectiveness. The grantee or grantees shall participate in development of the evaluation.

(10) Identify any existing gaps in capacity to deliver high-quality professional learning opportunities on a statewide basis and work with professional learning providers selected pursuant to this section and other partners to address those gaps.

(d) The grantee or grantees shall provide program information to, and as needed by, the State Department of Education, as a condition of receiving funds pursuant to this section.

(e) By September 1 of each year, the State Department of Education and the California Collaborative for Educational Excellence shall report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the process for awarding grants, the name of each grant recipient, the amount awarded to each grant recipient, the activities provided with grant funds, and, if available, the number of schools served and the number of educators served.

(f) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, five million dollars (\$5,000,000) of the appropriation made pursuant to subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, fifteen million dollars (\$15,000,000) of the appropriation made pursuant to subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 99. Section 129 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 129. (a) The following amounts are hereby appropriated from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Greene School Facilities Act of 1998, pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code:

(1) For the 2022–23 fiscal year, one billion three hundred million dollars (\$1,300,000,000) from the General Fund in the 2021–22 fiscal year.

(2) For the 2023–24 fiscal year, one billion nine hundred sixty million five hundred thousand dollars (\$1,960,500,000) from the General Fund.

(b) The funds appropriated in subdivision (a) and the funds intended to be appropriated in subdivision (c) shall be available for encumbrance or expenditure by the State Allocation Board until December 31, 2025.

(c) It is the intent of the Legislature to appropriate an additional eight hundred seventy-five million dollars (\$875,000,000) from the General Fund in the 2024–25 fiscal year to the State Allocation Board to fund projects for the same purposes as described in subdivision (a).

(d) It is the intent of the Legislature for the Office of Public School Construction to process grant applications for apportionment by the State Allocation Board at its current processing capabilities.

(e) The Department of General Services may charge administrative costs incurred to implement this section against the funds appropriated pursuant to subdivision (a), which shall be subject to the approval of the Department of Finance and shall not exceed fifteen million dollars (\$15,000,000). These funds may be used to reimburse administrative costs incurred to implement this section by the State Department of Education and the Controller. These funds shall be subject to the encumbrance or expenditure availability specified in subdivision (b).

SEC. 100. Section 132 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 132. (a) The sum of six hundred million dollars (\$600,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, including for freshly prepared onsite meals, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets. Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of one hundred thousand dollars (\$100,000).

(2) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated proportionally to local educational agencies based on the number of reimbursable meals served in October 2021 by the local educational agency.

(3) Allowable uses of funds allocated pursuant to paragraphs (1) and (2) to increase a school's capacity to prepare meals and improve the nutritional quality of food served through a federal school meal program and to reduce waste include all of the following:

(A) Cooking equipment, including, but not limited to, electrical support and facility upgrade requirements, combination ovens, dishwashers, steamers, or tilting skillets.

(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, liquid beverage dispensers, reusable utensils, food trays, and cups, or mobile carts.

(C) Refrigeration and storage, including, but not limited to, system upgrades, walk-in refrigerators, freezers, or blast chillers.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(E) Supporting infrastructure system needs for items described in subparagraphs (A) to (D), inclusive.

(F) Training and professional development for local educational agency food service staff on expanding meal offerings, including, but not limited to, breakfast and supper, and promoting nutritious foods, which may include training on minimally processed, freshly prepared onsite meals, locally and sustainably grown foods, plant-based foods, restricted diet foods, food preparation, healthy food marketing, reducing food waste, and changing the school lunchroom environment.

(G) To provide additional compensation for additional work relating to serving universal school meals that may include minimally processed, locally and sustainably grown foods, a plant-based or restricted diet food option, or a plant-based milk option.

(4) When acquiring new cooking equipment pursuant to paragraph (3), local educational agencies receiving funds are encouraged, to the extent practicable, to acquire energy-saving electric and induction equipment rather than equipment that uses fossil fuels.

(5) (A) After allocations are made pursuant to paragraphs (1) to (3), inclusive, the remaining funds may be allocated to local educational agencies for planning and implementation of facility improvements and equipment upgrades to increase capacity for freshly prepared onsite meal preparation. Allowable uses for this funding shall include the allowable uses described in paragraph (3), as well as costs for planning and costs associated with implementing freshly prepared onsite preparation of reimbursable school meals, serving fresh and nutritious reimbursable school meals using California-grown food, or expanding reimbursable meal options for pupils with restricted diets.

(B) To be eligible for funding under this paragraph, a local educational agency shall attest that no less than 40 percent of reimbursable federal National School Lunch Program and federal School Breakfast Program meals, including the entree, prepared each week, beginning in the 2023–24 school year, shall be freshly prepared onsite meals.

(C) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on the number of reimbursable meals served in October 2021 by the local educational agency.

(c) The State Department of Education shall coordinate with the Department of Food and Agriculture to identify ways by which funding for freshly prepared onsite reimbursable meals may complement local educational agency programs enabled by California Farm to School Incubator Grants.

(d) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, on or before June 30, 2025, on how it used the funding to improve the quality of school meals, increased participation in subsidized school meal programs, and, if applicable, increased the capacity for freshly prepared onsite meals.

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

(1) "Federal school meal program" means the federal National School Lunch Program, the federal School Breakfast Program, the Seamless Summer Option, or the Summer Food Service Program.

(2) "Food service staff" means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.

(3) "Freshly prepared onsite meal" means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in the local educational agency's central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking or preparing both fresh, raw, whole ingredients and ready-made products. The State Department of Education, in the reasonable exercise of its discretion, may interpret this definition and provide guidance to local educational agencies to support the implementation of this section, consistent with the intent of this section.

(4) "Local educational agency" means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(5) "Nutritious" means, at a minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

(6) "Plant-based food option" means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(7) "Restricted diet food option" means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(f) It is the intent of the Legislature that pupils be provided fresh and nutritious meals using minimally processed, locally grown, and sustainable food, and be provided meal options for those pupils with restricted diets.

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

SEC. 101. Section 133 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 133. (a) (1) The sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation, in consultation with the Department of Food and Agriculture, to local educational agencies to expend on implementing any of the following school food best practices as part of reimbursable meals served through the federal National School Lunch Program and federal School Breakfast Program:

(A) Procuring California-grown or produced, sustainably grown, or whole or minimally processed foods to support equity in the procurement practices of local educational agencies.

(B) Using California-grown, whole or minimally processed foods in plant-based or restricted diet meals for pupils.

(C) Procuring plant-based or restricted diet food options for use in meals for pupils.

(D) Freshly preparing meals onsite.

(2) Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(3) Notwithstanding any other law, additional funding reallocated to this program pursuant to Provision 7 of Item 6100-203-0001 of Section 2.0 of the Budget Act of 2022 shall be available for the same uses and subject to the same conditions for

encumbrance, allocation, and reporting as the funding provided in paragraph (1).

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of fifty thousand dollars (\$50,000).

(2) The department shall, to the extent possible, consolidate the application for these funds with the application for the kitchen infrastructure and training program provided for in Section 132 of Chapter 52 of the Statutes of 2022.

(3) (A) The State Department of Education, in consultation with the Department of Food and Agriculture, shall develop eligibility criteria for California-grown, or whole or minimally processed, sustainably grown food, and plant-based or restricted diet food options from California producers that may be minimally processed and can be purchased by local educational agencies with funds pursuant to this section.

(B) These criteria shall consider supporting local economies, environmental sustainability, animal welfare, and fair labor practices, and may be demonstrated through certifications or other recognitions as appropriate.

(C) The State Department of Education shall develop these criteria no later than January 1, 2023.

(4) (A) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated proportionately to local educational agencies based on the number of meals served in October 2021 by the local educational agency.

(B) After allocations are made pursuant to subparagraph (A), the remaining funds shall be allocated proportionately based on a local educational agency's total enrollment of pupils who are eligible for free or reduced-price meals.

(c) A local educational agency that receives funding under this section shall do both of the following:

(1) Certify that it will use the moneys for the costs incurred by the local educational agency for food products purchased on or after the date the local educational agency received notification from the State Department of Education of the amount to be distributed to the local educational agency, as provided by this section, in meals that are served as part of the United States Department of Agriculture's child nutrition programs.

(2) Satisfy the eligibility requirements developed pursuant to paragraph (3) of subdivision (b).

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

(1) "California-grown" means agricultural products that have been produced in the state, as specified in paragraph (1) of subdivision (a) of Section 43100 of the Food and Agricultural Code.

(2) "Freshly prepared onsite meal" means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in the local educational agency's central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking or processing with both fresh, raw, whole ingredients and ready-made products. The State Department of Education, in the reasonable exercise of its discretion, may interpret this definition and provide guidance to local educational agencies to support the implementation of this section, consistent with the intent of this section.

(3) "Local educational agency" means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(4) "Plant-based food option" means a food that contains no animal products or byproducts, including meat, poultry, fish, dairy, or eggs, and that is recognized by the United States Department of Agriculture as a meat alternate for purposes of the federal National School Lunch Program.

(5) "Restricted diet food option" means a food prepared in response to a pupil with at least one dietary restriction, including, but not limited to, religious dietary restrictions or restrictions prescribed by a physician.

(6) The State Department of Education, in consultation with the Department of Food and Agriculture, may define "whole or minimally processed" pursuant to subparagraph (A) of paragraph (3) of subdivision (b).

(e) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, with a final report due on or before June 30, 2025, on how it used the funding to increase California-grown or produced, sustainably grown, or whole or minimally processed foods in school meals, which could include plant-based and restricted diets, as well as ongoing plans for sustaining these procurement practices. The State Department of Education and the Department of Food and Agriculture shall collaborate on developing the reporting template. The State Department of Education shall share the summary of statewide reporting with the Department of Food and Agriculture and shall coordinate to document best practices and elements of a sustainable food procurement plan for school meals.

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

SEC. 102. Section 134 of Chapter 52 of the Statutes of 2022, as amended by Section 56 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 134. (a) For the 2022–23 fiscal year, the sum of three billion three hundred sixty million eight hundred eighty-five thousand dollars (\$3,360,885,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools to:

(1) Obtain standards-aligned professional development and instructional materials, in the following subject areas:

(A) Visual and performing arts.

(B) World languages.

(C) Mathematics.

(D) Science, including environmental literacy.

(E) English language arts, including early literacy.

(F) Ethnic studies.

(G) Financial literacy, including the content specified in Section 51284.5 of the Education Code.

(H) Media literacy.

(I) Computer science.

(J) History-social science.

(2) Obtain instructional materials and professional development aligned to best practices for improving school climate, including training on deescalation and restorative justice strategies, asset-based pedagogies, antibias, transformative social-emotional learning, media literacy, digital literacy, physical education, and learning through play.

(3) Develop diverse book collections and obtain culturally relevant texts, including leveled texts, in both English and pupils' home languages, to support pupils' independent reading. It is the intent of the Legislature that these book collections and culturally relevant texts be used to provide support for pupils through the establishment of site-based school and classroom libraries that are culturally relevant to pupils' home and community experiences and be available in English, pupils' home language, or a combination of more than one language.

(4) Operational costs, including but not limited, to retirement and health care cost increases.

(5) As related to the COVID-19 pandemic, acquire personal protective equipment, masks, cleaning supplies, COVID-19 tests, ventilation upgrades, and other similar expenditures, if they are necessary to keep pupils and staff safe from COVID-19 and schools open for in-person instruction.

(b) The Superintendent of Public Instruction shall apportion funds proportionally to county offices of education, school districts, charter schools, and the state special schools on the basis of an equal amount per unit of average daily attendance for kindergarten and grades 1 to 12, inclusive, as those numbers were reported as of the second principal apportionment for the 2021–22 fiscal year. The average daily attendance for each state special school shall be deemed to be 97 percent of the enrollment as reported in the California Longitudinal Pupil Achievement Data System as of the 2021–22 Fall 1 Submission.

(c) Funding appropriated pursuant to this section shall be available for encumbrance through the 2025–26 fiscal year. Local educational agencies are encouraged, but not required, to proportionally use resources received pursuant to this section for the purposes noted in paragraphs (1) to (5), inclusive, of subdivision (a) and to support arts and music education programs.

(d) For purposes of this section, standards-aligned instructional materials includes, but is not limited to, books for school and classroom libraries.

(e) The governing board or body of each school district, county office of education, or charter school receiving funds pursuant to this section shall discuss and approve a plan for the expenditure of funds received pursuant to this section at a regularly

scheduled public meeting. It is the intent of the Legislature that each school district, county office of education, or charter school expend any resources received pursuant to this section consistent with their governing board- or body-approved plan.

(f) The requirements of this section shall not be waived by the State Board of Education pursuant to Section 33050 of the Education Code or any other law.

(g) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), one hundred forty-nine million forty thousand dollars (\$149,040,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2022–23 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2022–23 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), two billion eight hundred eighty-one million two hundred nineteen thousand dollars (\$2,881,219,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(3) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), three hundred thirty million six hundred twenty-six thousand dollars (\$330,626,000) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 103. Section 136 of Chapter 52 of the Statutes of 2022 is amended to read:

Sec. 136. (a) The sum of fourteen million dollars (\$14,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the county offices of education selected to develop model curricula for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies, pursuant to Sections 33540.2, 33540.4, 33540.6, and 51226.9 of the Education Code. The funding shall be split equally among the four model curricula, and shall supplement funding appropriated pursuant to Section 156 of Chapter 44 of the Statutes of 2021.

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

SEC. 104. Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 57 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 137. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the Literacy Coaches and Reading Specialists Grant Program, which is hereby established, in the manner and for the purposes set forth in this section. Funds appropriated for this purpose are available for encumbrance through June 30, 2027.

(b) (1) Of the amount appropriated in subdivision (a), two hundred twenty-five million (\$225,000,000) shall be allocated by the Superintendent of Public Instruction to local educational agencies for schools eligible pursuant to paragraph (2), to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support. Local educational agencies may opt not to participate in the program described pursuant to this subdivision by informing the State Department of Education, by September 30, 2022, and via a form provided by the State Department of Education, of their intent to decline program funds for their eligible schoolsites. Local educational agencies who receive funding pursuant to this section may also be eligible for the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) Of the amount identified in paragraph (1), the department shall compute an amount per pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, at each eligible schoolsite, such that no local educational agency shall receive less than four hundred fifty thousand dollars (\$450,000) per eligible schoolsite. Grant amounts shall be determined using 2021–22 school enrollment data determined as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification. Local

educational agencies receiving an allocation of funds pursuant to this paragraph are encouraged to use these funds over the full grant period, through June 30, 2027. For purposes of allocations and apportionments under this paragraph, a locally funded charter school shall be included with the chartering authority.

(3) On or before June 30, 2024, a recipient local educational agency shall submit an interim report to the State Department of Education, and a final report on or before June 30, 2027, detailing how it used funds awarded pursuant to this subdivision. The State Department of Education shall create a reporting template for the purposes of this requirement no later than December 31, 2022. Specifically, these reports shall include:

- (A) How funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools.
- (B) How funds were used to develop and implement school literacy programs.
- (C) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.
- (D) How the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists past the award period.
- (E) Other metrics as determined by the State Department of Education.

(4) On or before July 30, 2024, and again on or before July 30, 2027, the Superintendent of Public Instruction shall provide the interim and final reports submitted by recipient local educational agencies to the grantee selected pursuant to subdivision (c) for an independent evaluation pursuant to subdivision (c) of Section 115 of the act amending this section.

(5) On or before December 31, 2025, and again on or before December 31, 2028, the Superintendent of Public Instruction shall provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature summarizing the data collected pursuant to paragraph (3) of this section and paragraph (3) of subdivision (b) of Section 115 of the act amending this section.

(c) (1) Of the funds appropriated pursuant to subdivision (a), twenty-five million dollars (\$25,000,000) shall be available for the Superintendent of Public Instruction, in collaboration with the Commission on Teacher Credentialing, and subject to the approval of the executive director of the State Board of Education, to select a county office of education, through a competitive process, to develop and provide training for educators to become literacy coaches and reading and literacy specialists. The Superintendent of Public Instruction shall prioritize applicants with demonstrated success in improving literacy, especially among underperforming pupil subgroups, as well as for those planning on partnering with institutions of higher education with demonstrated success in providing statewide professional development for expert literacy practice. Applicants who participate in the training established pursuant to this subdivision may also participate in the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) The grantee selected pursuant to paragraph (1) shall consider the preparation program standards set by the Commission on Teacher Credentialing for reading and literacy in developing the standards for educator training developed pursuant to this subdivision.

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

(1) "Eligible schoolsite" means an elementary schoolsite operated by a local educational agency with an unduplicated pupil percentage of 97 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive, based on 2021–22 Fall 1 census day pupil data submitted through the California Longitudinal Pupil Achievement Data System. The unduplicated pupil percentage for a schoolsite shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite's total enrollment for kindergarten and grades 1 to 3, inclusive.

(2) "Employ" means that a local educational agency, to the extent feasible, will hire a new literacy coach, reading specialist, or both, train existing staff to become a literacy coach, or support existing staff in obtaining a reading specialist credential or authorization. Funds shall not be used to support the salaries of existing literacy coaches and reading specialists.

(3) "Local educational agency" means an elementary or unified school district, county office of education, or charter school.

(4) "School" and "schoolsite" means an elementary school of a local educational agency.

(5) "School literacy program" means a program that includes all of the following:

- (A) A school literacy plan that includes goals and actions to improve literacy acquisition for pupils in preschool, if applicable, and kindergarten or any of grades 1 to 3, inclusive. The plan shall identify metrics to measure progress toward the goals and actions.

(B) At least one literacy coach or reading and literacy specialist per school to support educators and pupils in improving literacy instruction and pupil outcomes.

(C) Increased access to evidence-based literacy instruction, through strategies, including, but not limited to, any of the following:

(i) Providing bilingual reading specialists to support dual language acquisition and English language development programs.

(ii) Developing and implementing culturally responsive curriculum and instruction.

(iii) Providing professional development for educators and school leaders in literacy instruction and the use of data to identify and support struggling pupils.

(iv) Providing professional development for educators and school leaders regarding implementation of the curriculum framework for English Language Arts/English Language Development adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(v) Establishing an evidence-based family literacy initiative, which may include, but is not limited to, any of the following:

(I) Family literacy plans that identify literacy and biliteracy goals, benchmarks, and roles for all family members.

(II) Family literacy home visiting programs, including, but not limited to, "promotora" family literacy outreach specialists. Local educational agencies may establish literacy and biliteracy home visits to engage families in how to best support their pupils and every family member in reaching their literacy goals.

(III) Extended-day, summer, or weekend family institutes related to literacy and biliteracy. Local educational agencies are encouraged to work with in-house expanded learning programs to establish literacy and biliteracy support programs and literacy enrichment programs during after school, weekend, and summer hours.

(IV) Public library family literacy partnerships, including, but not limited to, digital tools to support whole family literacy.

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

SEC. 105. The Legislature finds and declares all of the following:

(a) The governing board or body of a local educational agency may, pursuant to Section 51225.3 of the Education Code, adopt course requirements for high school graduation that exceed the state graduation requirements.

(b) Various provisions of Article 3 (commencing with Section 51220) of Chapter 2 of Part 28 of Division 4 of Title 2 of the Education Code describe when local educational agencies should waive, or consider waiving, locally adopted graduation requirements that exceed the state graduation requirements.

(c) Pupils enrolled in high school during the COVID-19 pandemic may struggle to complete requirements for a high school diploma, especially if local graduation requirements exceed state graduation requirements.

(d) Earning a high school diploma is critical to both a pupil's life outcomes and the long-term economic viability of the state.

(e) Therefore, it is the intent of the Legislature that local educational agencies review existing statutory authority that allows them to waive local graduation requirements that exceed state graduation requirements for pupils in the graduating class of 2022–23, as appropriate.

SEC. 106. (a) No later than December 31, 2023, the State Department of Education shall issue guidance through management bulletins or similar letters of instruction on how the tool for strengthening teacher-child interactions and supporting quality improvement, funded pursuant to Provision 6 of Item 6100-194-0001 and Provision 5 of Item 6100-196-0001 of Section 2.00 of the Budget Act of 2023, shall be implemented at the local level for the California state preschool program and included in monitoring processes. The guidance shall also include changes, if any, to Section 17711 of Title 5 of the California Code of Regulations.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5 of the Education Code, until regulations are filed

with the Secretary of State to implement subdivision (a), the State Department of Education shall implement subdivision (a) through management bulletins or similar letters of instruction issued on or before December 31, 2023.

(c) The State Department of Education shall initiate a rulemaking action to adopt regulations implementing subdivision (a) on or before December 31, 2024.

SEC. 107. (a) It is the intent of the Legislature that costs and barriers to admittance for well-prepared individuals into an educator preparation program and entry into the teaching profession be mitigated to the greatest extent possible. By recognizing competencies demonstrated through coursework and reducing the number of tests required to obtain a credential, transcript reviews can streamline the preparation process for candidates who have completed coursework that meets California requirements for basic skills and subject matter competence.

(b) In order to achieve the goals described in subdivision (a), on or before September 30, 2023, the Commission on Teacher Credentialing shall examine and determine how it can ensure that transcripts will be reviewed for all candidates requiring determinations of basic skills or subject matter competence in order to complete their credentialing requirements. No later than November 15, 2023, the Commission on Teacher Credentialing shall provide the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or the executive director's designee, and the Director of Finance with recommendations on ways in which efficient transcript review can be provided to all candidates who require determinations. The recommendations shall include, but not be limited to, all of the following:

(1) The identification of any statutory or regulatory changes necessary for the Commission on Teacher Credentialing or its designees to conduct transcript reviews for educator preparation programs and candidates.

(2) Strategies to collaborate with the full range of institutions of higher education that have educator preparation programs as well as county offices of education that provide credentialing assistance to provide transcript reviews to program candidates, and to communicate the alternative pathways to meeting the basic skills and subject matter requirements to prospective educators.

(3) Strategies to support review by the Commission on Teacher Credentialing of transcripts where needed to ensure that every candidate who requires a review can be served efficiently and effectively.

(4) Detailed cost estimates and timelines associated with the implementation of the proposed recommendations.

SEC. 108. The Commission on Teacher Credentialing shall exempt a credential candidate who received a waiver pursuant to Executive Order N-66-20, Section 67 of Chapter 110 of the Statutes of 2020, or Section 120 of Chapter 44 of the Statutes of 2021 from the requirement, and any accompanying regulations, of completing a teaching performance assessment pursuant to subdivision (a) of Section 44225, paragraph (3) of subdivision (b) of Section 44259, and Section 44320.2 of the Education Code for preliminary multiple subject credential candidates and preliminary single subject credential candidates if either or both of the following criteria is met:

(a) The candidate completed a commission-approved induction program on or before June 30, 2025.

(b) The candidate completed two years of service with satisfactory teacher evaluations on or before June 30, 2025.

SEC. 109. As a result of the decline in Education Protection Account revenue for the 2022–23 fiscal year and the resulting nontransfer of funds into the Education Protection Account for the 2022–23 fiscal year fourth-quarter payment, the Superintendent of Public Instruction shall recover a local educational agency's overpayment of Education Protection Account funds from the second principal apportionment payment made pursuant to Section 14041 of the Education Code for deposit into the Education Protection Account. The fourth-quarter Education Protection Account payment for the 2022–23 fiscal year shall be made by the Controller as soon as practical, but not later than August 15, 2023.

SEC. 110. (a) The Superintendent of Public Instruction shall award, subject to approval by the executive director of the State Board of Education, grants on a competitive basis to eligible local educational agencies pursuant to the requirements of the Stronger Connections Grant Program pursuant to the federal Bipartisan Safer Communities Act (Public Law 117-159). Grant funding for the purposes of this section is appropriated in Item 6100-103-0890 of the Budget Act of 2023.

(b) Grant funding awarded to local educational agencies shall be used to establish safe, healthy, and supportive learning opportunities and environments in schools. Allowable grant activities may include, but are not limited to, all of the following

(1) Implementation of high-quality integrated academic, behavioral, and social emotional learning practices or services aligned to the Multi-Tiered System of Support. Grant funds may be used to strengthen existing or develop new Multi-Tiered System of Support services or practices in schools.

(2) Activities that support safe and healthy students such as school-based mental health services, drug and violence prevention activities, antibullying and antiharassment programs, suicide prevention programs, and other activities specified pursuant to

Section 4108 of the federal Every Student Succeeds Act (Public Law 114–95).

(3) School preparedness and school safety efforts that are part of a multifaceted, comprehensive school climate plan designed to implement pupil safety, health, wellbeing, and academic development.

(c) (1) The Superintendent of Public Instruction shall develop, subject to approval by the executive director of the State Board of Education, the Request for Application process.

(2) Priority for grant awards under this section shall be given to eligible applicants that propose to use grant funds for either of the following purposes:

(A) To strengthen or build upon existing Multi-Tiered Systems of Support practices and services, as described in Section 41490 of the Education Code.

(B) To begin implementing new Multi-Tiered Systems of Support practices and services at schools.

SEC. 111. By no later than March 15, 2024, the Legislative Analyst's Office shall provide recommendations to the Department of Finance, the State Board of Education, and the relevant fiscal and policy committees of the Legislature for changes to the local control and accountability plan for county offices of education or, to the extent feasible, recommendations for alternative reporting requirements outside of local control and accountability plan. The objectives of the recommended changes shall be to:

(1) Increase the transparency of county office of education operations and programs, and their goals, for purposes of pupil, parent, staff, and public consumption.

(2) Provide methods to shorten and simplify the local control and accountability plan.

(3) Increase transparency of county office of education responsibilities and activities, including all of the following:

(A) Goals and outcomes for pupils enrolled in county office of education-operated juvenile court schools pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 of the Education Code, and county office of education-operated county community schools pursuant to Chapter 6.5 (commencing with Section 1980) of Part 2 of Division 1 of Title 1 of the Education Code.

(B) County office of education statewide, regional, and countywide activities.

(C) Measuring access to educational opportunities for juveniles under the custody of the county.

(4) Identify methods to display funds apportioned under the local control funding formula, all other state funds, all local funds, and all federal funds.

(5) Track investments and their impacts to improve the outcomes of pupils enrolled in county-operated programs.

SEC. 112. (a) For the 2023–24 fiscal year, the Superintendent of Public Instruction shall allocate funding appropriated in Provision 3 of Item 6100-488 of the Budget Act of 2023 to the Commission on Teacher Credentialing to establish the Diverse Education Leaders Pipeline Initiative program, as set forth in this section.

(b) The purpose of the program is to train, place, and retain diverse and culturally responsive administrators in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to improve pupil outcomes and meet the needs of California's education workforce. The program shall have the following goals:

(1) Increasing diversity among public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to promote school environments that better represent and reflect the diversity of the pupils served.

(2) Cultivating culturally responsive public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, through professional development that centers diversity, equity, and inclusion.

(3) Mitigating or removing administrator credentialing costs for aspiring public school administrators for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, and administrator preparation programs.

(4) Promoting improved academic and school climate outcomes for all pupils, especially historically underserved pupil subgroups.

(5) Tracking and publicly reporting recruitment, retention, and demographic data for all educators in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to inform policy, legislation, and practice.

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

(1) "Administrator candidate" means an individual with a teaching or services credential eligible to pursue an administrative services credential, including individuals who will apply or who have applied to administrator programs.

(2) "Grant recipient" means a local educational agency or a consortium of local educational agencies that is awarded a grant pursuant to this section.

(3) "Institution of higher education" means a California postsecondary college or university accredited by the Commission on Teacher Credentialing to offer a preparation program for an administrative services credential.

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

(5) "Nonprofit educational service provider" means either of the following:

(A) A California nonprofit entity accredited by the Commission on Teacher Credentialing to offer a preparation program for an administrative services credential.

(B) A California nonprofit entity in partnership with a local educational agency or institution of higher education accredited by the California Commission on Teacher Credentialing to offer a preparation program for an administrative services credential.

(d) The Commission on Teacher Credentialing shall develop criteria for the awarding of competitive grants and an application process, request necessary data from participating local educational agencies, and award grants consistent with this section. Successful applicants shall demonstrate an understanding of how diverse and culturally competent school leadership affects pupil academic success and social-emotional well-being, family engagement, and the retention of a diverse educator workforce.

(e) Grant recipients awarded funding pursuant to this section shall demonstrate a commitment to administrator diversity and culturally responsive school leadership, as evidenced by programmatic pedagogy, curriculum, coursework, mission statements, or any other relevant data, and shall receive an amount of up to thirty thousand dollars (\$30,000) per administrator candidate.

(f) (1) Permissible uses of funding allocated pursuant to this section include, but are not limited to, all of the following:

(A) Coaching, training, and mentoring activities for current administrators and administrator candidates to serve and educate diverse pupil populations, engage diverse families, and support and retain a diverse educator workforce.

(B) Developing support systems for a diverse administrator workforce that reflects a local educational agency community's diversity.

(C) Paying for or reimbursing administrator program costs.

(D) Paying for or reimbursing administrator credentialing costs.

(2) In performing these activities, a grant recipient may partner with an institution of higher education or a nonprofit educational service provider as applicable.

(g) An administrator candidate shall agree in writing to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate or another public school in California for a period of at least two school years. The administrator candidate shall also commit in the written agreement to annually report to their sponsoring local educational agency where they are employed and their current contact information until they have completed their service requirement.

(h) If a candidate is unable to complete a school year of service, that school year may still be counted toward the required two complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.

(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year.

(3) The candidate was not able to serve as an administrator due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the succeeding school year.

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

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

(i) (1) If the Commission on Teacher Credentialing is informed that more than 10 percent of sponsored candidates in a local educational agency's yearly program cohort failed to earn an administrator credential or failed to meet their commitment pursuant

to this section, the Commission on Teacher Credentialing shall confirm with the grant recipient the applicable grant amount to be recovered from the grant recipient based on the number of candidates who failed to earn a credential or meet their administrator commitment above a 10-percent attrition rate.

(2) The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate served at least one year at a public school in California.

(j) Upon confirming the amount to be recovered from the grant recipient pursuant to subdivision (i), the Commission on Teacher Credentialing shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the Commission on Teacher Credentialing. If the grant recipient fails to make the required payment within 60 days, the Commission on Teacher Credentialing shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the Commission on Teacher Credentialing from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(k) An amount recovered by the Commission on Teacher Credentialing or deducted by the Controller pursuant to subdivision (j) shall be deposited into the Proposition 98 Reversion Account.

(l) Grant recipients may recover from a sponsored candidate who fails to earn an administrator credential, or who fails to complete the period of placement, the amount of grant funding invested in the administrator candidate's training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the administrator candidate served at least one year, but less than two years, at a public school in California.

(m) On or before June 30, 2027, the Commission on Teacher Credentialing shall submit a report on the Diverse Education Leaders Pipeline Initiative program to the Department of Finance and the appropriate policy and fiscal committees of both houses of the Legislature. The report shall include an evaluation of the program, including, but not limited to, all of the following information:

(1) The number of local educational agencies awarded a grant and the number of institutions of higher education and nonprofit educational service providers that were included in grantee partnerships.

(2) The number of administrator candidates supported by the grant award and the number of individuals who obtained an administrative services credential and employment as an administrator as a result of the program.

(3) Any relevant demographic data for each participating local educational agency, including the racial, ethnic, and gender demographics and first language of each administrator candidate supported by the grant award.

(4) The types of culturally relevant support provided to administrator candidates and administrators to improve retention and the education, engagement, and retention of diverse pupils, families, and educators.

(5) Where applicable, the impact of the program on pupil academic and school climate outcomes in participating local educational agencies.

SEC. 113. 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. 114. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 115. (a) The sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to augment the Literacy Coaches and Reading Specialists Grant Program, established pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section. Funds appropriated for this purpose are available for encumbrance through June 30, 2028.

(b) (1) Of the amount appropriated in subdivision (a), two hundred forty-eight million dollars (\$248,000,000) shall be allocated by the Superintendent of Public Instruction to local educational agencies for schools eligible pursuant to paragraph (2), to develop school literacy programs, employ and train literacy coaches and reading and literacy specialists, and develop and implement interventions for pupils in need of targeted literacy support. Local educational agencies may opt not to participate in the program described pursuant to this subdivision by informing the State Department of Education, by September 30, 2023, and via a form provided by the State Department of Education, of their intent to decline program funds for their eligible schoolsites. Local educational agencies who receive funding pursuant to this section may also be eligible for the Reading and Literacy Supplementary Authorization Incentive Grant Program.

(2) Of the amount identified in paragraph (1), the State Department of Education shall compute an amount per pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, at each eligible schoolsite, in a manner that also ensures that no local educational agency shall receive less than four hundred fifty thousand dollars (\$450,000) per eligible schoolsite. Grant amounts shall be determined using 2022–23 school enrollment data determined as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification. Local educational agencies receiving an allocation of funds pursuant to this paragraph are encouraged to use these funds over the full grant period, through June 30, 2028. For purposes of allocations and apportionments under this paragraph, a locally funded charter school shall be included with the chartering authority.

(3) On or before June 30, 2025, a recipient local educational agency receiving funds pursuant to this section shall submit an interim report to the State Department of Education, and a final report on or before June 30, 2028, detailing how it used funds awarded pursuant to this subdivision. The State Department of Education shall use the existing reporting template described in paragraph (3) of subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, for the purposes of this requirement. Specifically, these reports shall include all of the following:

- (A) How funds were used to employ literacy coaches and reading and literacy specialists for its eligible schools.
- (B) How funds were used to develop and implement school literacy programs.
- (C) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.
- (D) How the local educational agency plans to continue to fund literacy coaches and reading and literacy specialists beyond the award period.
- (E) Other metrics as determined by the State Department of Education.

(4) On or before July 30, 2025, and again on or before July 30, 2028, the Superintendent of Public Instruction shall provide the interim and final reports submitted by recipient local educational agencies to the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, for the independent evaluation pursuant to subdivision (c).

(5) On or before December 31, 2025, and again on or before December 31, 2028, the Superintendent of Public Instruction shall provide a comprehensive report to the Department of Finance, State Board of Education, and the appropriate policy and fiscal committees of both houses of the Legislature summarizing the data collected pursuant to paragraph (3) of this subdivision and paragraph (3) of subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section.

(c) (1) Of the funds appropriated pursuant to subdivision (a), two million dollars (\$2,000,000) shall be available to the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, to provide additional training for educators to become literacy coaches and reading and literacy specialists, consistent with the training developed for the Literacy Coaches and Reading Specialists Grant program pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, and to contract for an independent evaluation pursuant to paragraph (2).

(2) The grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, shall, in consultation with, and subject to the approval of, the executive director of the State Board of Education and the Superintendent of Public Instruction, issue a request for proposals and contract for an independent evaluation of the effectiveness of the funding provided pursuant to this section, as well as the funding appropriated pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section. The grantee shall use up to five hundred thousand dollars (\$500,000) of the funding appropriated pursuant to paragraph (1) for the independent evaluation.

(3) The evaluation conducted pursuant to paragraph (2) shall include an examination of the following:

- (A) Data collected from recipient local educational agencies pursuant to subdivision (b) of this section and subdivision (b) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, including, but not limited to, the following:
 - (i) How funds were used to employ literacy coaches and reading and literacy specialists.
 - (ii) How funds were used to develop and implement school literacy programs.
 - (iii) How expenditures impacted pupils' literacy achievement, including for pupil subgroups.

(iv) How the local educational agencies plan to continue to fund literacy coaches and reading and literacy specialists beyond the award period.

(B) How the trainings developed and provided by the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, impacted the training of literacy coaches and literacy and reading specialists.

(4) On or before June 30, 2029, the grantee selected pursuant to subdivision (c) of Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section, shall provide the evaluation report to the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or their designee, the Superintendent of Public Instruction, and the Director of Finance.

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

(1) "Eligible schoolsite" means an elementary schoolsite operated by a local educational agency with an unduplicated pupil percentage of 95 percent or greater for pupils enrolled in kindergarten and grades 1 to 3, inclusive, based on 2022–23 Fall 1 census day pupil data submitted through the California Longitudinal Pupil Achievement Data System that did not receive funding pursuant to Section 137 of Chapter 52 of the Statutes of 2022, as amended by Section 104 of the act adding this section. The unduplicated pupil percentage for a schoolsite shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite's total enrollment for kindergarten and grades 1 to 3, inclusive.

(2) "Local educational agency" means an elementary or unified school district, county office of education, or charter school.

(3) "School" and "schoolsite" means an elementary school of a local educational agency.

(4) "School literacy program" means a program that includes all of the following:

(A) A school literacy plan that includes goals and actions to improve literacy acquisition for pupils in preschool, if applicable, and kindergarten or any of grades 1 to 3, inclusive. The plan shall identify metrics to measure progress toward the goals and actions.

(B) At least one literacy coach or reading and literacy specialist per school to support educators and pupils in improving literacy instruction and pupil outcomes.

(C) Increased access to evidence-based literacy instruction through strategies, including, but not limited to, any of the following:

(i) Providing bilingual reading specialists to support dual language acquisition and English language development programs.

(ii) Developing and implementing culturally responsive curriculum and instruction.

(iii) Providing professional development for educators and school leaders in literacy instruction and the use of data to identify and support struggling pupils.

(iv) Providing professional development for educators and school leaders regarding implementation of the curriculum framework for English language arts and English language development adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(v) Establishing an evidence-based family literacy initiative, which may include, but is not limited to, any of the following:

(I) Family literacy plans that identify literacy and biliteracy goals, benchmarks, and roles for all family members.

(II) Family literacy home visiting programs, including, but not limited to, "promotora" family literacy outreach specialists. Local educational agencies may establish literacy and biliteracy home visits to engage families in how to best support their pupils and every family member in reaching their literacy goals.

(III) Extended-day, summer, or weekend family institutes related to literacy and biliteracy. Local educational agencies are encouraged to work with in-house expanded learning programs to establish literacy and biliteracy support programs and literacy enrichment programs during after school, weekend, and summer hours.

(IV) Public library family literacy partnerships, including, but not limited to, digital tools to support whole family literacy.

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

SEC. 116. (a) On or before June 30, 2024, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2023.

(b) The funds appropriated in subdivision (a) shall only be available to the extent that revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code are less than the estimated amount reflected in the Budget Act of 2023, as determined by the Director of Finance.

(c) On or before June 30, 2024, the Director of Finance shall determine if the revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code exceed the estimated amount reflected in the Budget Act of 2023 and shall reduce Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2023 by the amount of that excess.

(d) In making the determinations pursuant to subdivisions (b) and (c), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2023.

(e) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, of the Director of Finance's intent to notify the Controller of the necessity to release funds appropriated in subdivision (a) or to make the reduction pursuant to subdivision (c), and the amount needed to address the property tax shortfall determined pursuant to subdivision (b) or the amount of the reduction made pursuant to subdivision (c). The Controller shall make the funds available pursuant to subdivision (a) not sooner than five days after this notification and the State Department of Education shall work with the Controller to allocate these funds to local educational agencies as soon as practicable.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2023–24 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2023–24 fiscal year.

SEC. 117. (a) The sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund to the State Department of Education to create, in consultation with the executive director of the State Board of Education, a Literacy Roadmap to help educators apply the state's curriculum framework to classroom instruction, navigate the resources and professional development opportunities available to implement effective literacy instruction, and improve literacy outcomes for all pupils with a focus on equity. The Literacy Roadmap shall:

(1) Include models of effective practice that incorporate the five themes of the English language arts and English language development framework: Meaning Making, Language Development, Effective Expression, Content Knowledge, and Foundational Skills.

(2) Describe to local educators, site leaders and local educational agency administrators, and members of governing boards or bodies of local educational agencies, how they can use the English language arts and English language development framework, along with other existing resources, to offer evidence-based literacy instruction in the classroom, including explicit instruction in phonics, phonemic awareness, and other decoding skills, as well as development of vocabulary, comprehension, writing, speaking, and listening skills.

(3) Provide practical direction for literacy instruction and intervention across content areas in alignment with the state-adopted standards for all pupils, including English learners, pupils with disabilities, pupils struggling with reading, and early learners.

(b) In performing this work, the State Department of Education, in consultation with the executive director of the State Board of Education, shall solicit the input of literacy experts and practitioners in the development of the Literacy Roadmap.

(c) The State Department of Education shall post the Literacy Roadmap on its internet website and use the statewide system of support and other initiatives to disseminate the Literacy Roadmap statewide.

SEC. 118. (a) For the 2023–24 fiscal year, the sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Superintendent of Public Instruction for allocation to the Sacramento County Office of Education to, in consultation with the executive director of the State Board of Education and the State Department of Education, update distance learning curriculum and instructional guidance for mathematics in alignment with the state-adopted mathematics framework.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2023–24 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2023–24 fiscal year.

SEC. 119. (a) For the 2023–24 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for purposes of the Bilingual Teacher Professional Development Program, established pursuant to Article 5 (commencing with Section 52200) of Chapter 7 of Part 28 of Division 4 of Title 2 of the Education Code, to be available for grants totaling four million dollars (\$4,000,000) each fiscal year, from the 2023–24 fiscal year to the 2027–28 fiscal year, inclusive. These funds shall be available for encumbrance or expenditure through June 30, 2029.

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

SEC. 120. (a) For the 2023–24 fiscal year, the sum of seven million dollars (\$7,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to be made available to support local educational agencies electing to implement the restorative justice best practices developed and posted on the State Department of Education's internet website on or before June 1, 2024, pursuant to Section 49055 of the Education Code. The amount appropriated in this subdivision shall be available for expenditure and encumbrance until June 30, 2027.

(b) The Superintendent of Public Instruction shall develop an application, application process, award objectives, and criteria upon which an application will be considered for funding. The application and criteria shall remain in use until all available funds have been awarded, or through the end of the 2026–27 fiscal year, whichever occurs first. Each local educational agency applying for funding shall be eligible to receive a grant of up to one hundred thousand dollars (\$100,000).

(c) An applicant seeking a grant pursuant to this section shall submit an application to the Superintendent of Public Instruction at a time, in a manner, and with any appropriate information, as the Superintendent of Public Instruction may reasonably require.

(d) The Superintendent of Public Instruction shall review each local educational agency's program application to ensure that the applicant will use awarded funds to implement the restorative justice best practices developed by the State Department of Education, and that the objectives of this section will be carried out.

(e) On or before April 1 of each year until the fiscal year following final disbursement of the grant funds, the Superintendent of Public Instruction shall provide an update to the fiscal committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance, detailing the number of participating local educational agencies, the amount of each grant awarded, and the amount of any funding remaining.

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

SEC. 121. (a) For the 2023–24 fiscal year, the sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for the State Board of Education to appoint an independent panel of experts for the purpose of creating an approved list of screening instruments to assess pupils for risk of reading difficulties, as described in Section 53008 of the Education Code.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2023–24 fiscal year and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2023–24 fiscal year.

SEC. 122. (a) For the 2023–24 fiscal year, the sum of one hundred thousand dollars (\$100,000) is hereby appropriated from the General Fund to the State Department of Education to contract with the independent evaluator selected pursuant to Section 127 of Chapter 44 of the Statutes of 2021 and Section 37 of Chapter 252 of the Statutes of 2021 to extend the evaluation of the technical assistance provided pursuant to Sections 47607.3, 52071, and 52071.5 of the Education Code. This extension shall include an examination and quantitative analysis of California School Dashboard data using the same methodology that was

developed for purposes of the evaluation report that was submitted to the Legislature pursuant to Section 127 of Chapter 44 of the Statutes of 2021 and Section 37 of Chapter 252 of the Statutes of 2021. The contract executed to implement this section shall be exempt from the Public Contract Code and the State Contracting Manual, shall not be subject to Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code, and shall not be subject to the approval of the Department of General Services. Contracts awarded pursuant to this subdivision shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(b) On or before July 1, 2024, the Superintendent of Public Instruction shall provide a report with the results of the quantitative analysis conducted pursuant to subdivision (a) to the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or their designee, and the Director of Finance.

SEC. 123. For the 2023–24 fiscal year, the sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to, in consultation with the executive director of the State Board of Education, award one million dollars (\$1,000,000) as a grant to the community-based organization Beyond Differences to support local educational agencies with the implementation of high quality integrated academic, behavioral, and social-emotional learning practices.

SEC. 124. 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.