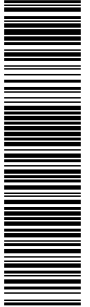


An act to amend Sections 313.1, 313.2, 1240, 1241.5, 2575.2, 2575.3, 8242, 8902, 11300, 11301, 14041.5, 14500, 14501, 14504, 14504.2, 14505, 14506, 14507, 14508, 32526, 33000, 33000.5, 33001, 33043, 33102, 33111, 33112, 33113, 33114, 33115, 33116, 33117, 33117.5, 33117.7, 33118, 33119, 33120, 33121, 33122, 33125, 33126.1, 33126.2, 33126.5, 33127, 33133, 33133.5, 33190, 33191, 33195, 33195.1, 33195.4, 33195.5, 33301, 33302, 33305, 33308.5, 41020, 41020.2, 41020.3, 41020.5, 41203.1, 41404.5, 41585, 42238.15, 42252.1, 42282, 42284, 44258.9, 44259, 44395, 44418, 45037, 45125.1, 46120, 46141, 46146, 46146.5, 46392, 47604.3, 47604.32, 47605, 47605.6, 47605.9, 47607.3, 48000, 51745.6, 51747.5, 52064.5, 52066, 52071, 52071.5, 52072, 52072.5, 53008, 56836.146, 56836.148, 71000, and 76004 of, to amend the heading of Chapter 2 (commencing with Section 33100) of Part 20 of Division 2 of Title 2 of, to amend, repeal, and add Section 47607.2 of, to add Sections 1632, 2575.35, 8903, 33101, 41020.6, 44415.9, 46149, and 76001.5 to, to add the headings of Article 1 (commencing with Section 33111), Article 2 (commencing with Section 33190), and Article 3 (commencing with Section 33195) to Chapter 2.5 of Part 20 of Division 2 of Title 2 of, to add the heading of Chapter 2.5 (commencing with Section 33111) to Part 20 of Division 2 of Title 2 of, to add Article 2 (commencing with Section 33105) to Chapter 2 of Part 20 of Division 2 of Title 2 of, to repeal Sections 33004, 33005, and 33110 of, to repeal the headings of Article 2 (commencing with Section 33110), Article 5 (commencing with Section 33190), and Article 6 (commencing with Section 33195) of Chapter 2 of Part 20 of Division 2 of Title 2 of, to repeal Article 3 (commencing with Section 33140) of Chapter 2 of Part 20 of Division 2 of Title 2 of, and to repeal and add Sections 33303, 41020.8, and 44281 of, the Education Code, to amend Sections 143 and 162 of Chapter 44 of the Statutes of 2021, to amend Section 117 of Chapter 48 of the Statutes of 2023, and to amend Section 81 of Chapter 8 of the Statutes of 2025, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.



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

SECTION 1. In regard to Sections 25 to 76, inclusive, and Section 126 of this act:

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

(1) Each child is a unique person, with unique needs, and the purpose of the educational system of this state is to enable each child to develop all of their own potential, as set forth in Section 33080 Education Code.

(2) In order to support schools, administrators, teachers, and school staff in pursuing this goal, California's state education agencies need to provide clear, coherent direction and assistance.

(3) Studies, research reports, legislative recommendations, and court rulings going back over a century have lamented California's irrational governance structure that lacks coherence.

(4) In 1919, the State Department of Education's "Blue Bulletin" publication predicted conflict between the Superintendent of Public Instruction and the State Board of Education that would be disastrous to educational leadership in the state. A year later, the Legislature issued a responsive report identifying the double-headed governance system as a primary problem of the education system.

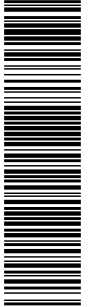
(5) Further, in 1963, the California Attorney General opined: "This analysis of the respective powers and duties of the State Board of Education and Superintendent of Public Instruction once again underscores the long-recognized problem existing in this area. It would be fruitless here to discourse upon the difficulty of requiring a policy-making board appointed by the Governor to have its policies carried out by and through an individual who is elected by the people."

(6) In 2002, the Legislature's Joint Committee to Develop a Master Plan for Education produced a California Master Plan for Education that again recognized that "California's K-12 education system is governed by a fragmented set of entities with overlapping roles that sometimes operate in conflict with one another, to the detriment of educational services offered to students" and recommended assigning management of the State Department of Education to a cabinet-level appointee of the Governor.

(7) In 2007, the Governor's Committee on Education Excellence Technical Report found that "State-level educational roles currently are divided among many different entities without any underlying rationale, often with extensive overlap and conflicts of interest. Not surprisingly, such a system precludes meaningful accountability. Not only are local educators not effectively supported by the state, these state-level conflicts—or even the semblance thereof—impede local effectiveness when the direction given by the state is seen as unclear."

(8) Most recently, the coauthor of TK-12 Education Governance in California: Past, Present, and Future, a report released in December 2025 by Policy Analysis for California Education, concluded "California can no longer postpone reforms that have been overdue for a century. We must take on the challenge of modernizing our governance system now."

(9) Accordingly, aligning the administrative and management functions of the State Department of Education under the State Board of Education that serves as the "governing and policy determining body of the department" pursuant to Section 33301 of the Education Code would enable greater coherence and accountability for pursuing



the purpose of the state's educational system to support all pupils in reaching their full potential.

(b) (1) It is the intent of the Legislature to streamline and strengthen state governance of California's transitional kindergarten through grade 12 education system under the State Board of Education to improve the delivery of education to California's public education pupils, and to empower the Superintendent of Public Instruction to foster needed alignment and coordination of education policies from early childhood through postsecondary education with new governing board roles and responsibilities.

(2) It is further the intent of the Legislature to continue to review codes and statutes to ensure that necessary statutory references are updated as part of the May Revision, subsequent legislation, or both, to align with the changes in roles, responsibilities, and reporting structures pursuant to this act.

SEC. 2. Section 313.1 of the Education Code is amended to read:

313.1. For purposes of this article, the following terms have the following meanings: definitions apply:

(a) ~~(1)~~ "Long-term English learner" means an English learner to which all of the following apply: a pupil who has not attained English language proficiency within seven years of initial classification as an English learner.

(A) Is enrolled in any of grades 6 to 12, inclusive.

(B) Has been enrolled in schools in the United States for six years or more.

(C) Has remained at the same English language proficiency level for two or more consecutive prior years, or has regressed to a lower English language proficiency level, as determined by the English language development test identified or developed pursuant to Section 60810, or a score determined by the Superintendent on any successor test.

(D) For a pupil in any of grades 6 to 9, inclusive, has scored far below basic or below basic on the prior year's English language arts standards-based achievement test administered pursuant to Section 60640, or a score determined by the Superintendent on any successor test.

(2) A pupil for which the required testing results are not available for either subparagraph (C) or (D) of paragraph (1) shall not have that criteria applied and such pupil shall not be excluded based on that criteria.

(b) ~~(1)~~ "English learner at risk of becoming a long-term English learner" means an English learner to which all of the following apply: a pupil who has not attained English language proficiency within six years of initial classification as an English learner.

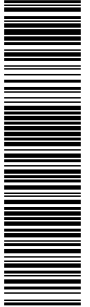
(A) Is enrolled in any of grades 3 to 12, inclusive.

(B) Has been enrolled in schools in the United States for four to five years.

(C) Has scored at the intermediate level or below on the prior year's English language development test identified or developed pursuant to Section 60810, or a score determined by the Superintendent on any successor test.

(D) For a pupil in any of grades 3 to 9, inclusive, has scored in the fourth or fifth year at the below basic or far below basic level on the prior year's English language arts standards-based achievement test administered pursuant to Section 60640, or a score determined by the Superintendent on any successor test.

(2) A pupil for which the required testing results are not available for either subparagraph (C) or (D) of paragraph (1) shall not have that criteria applied and such pupil shall not be excluded based on that criteria.



~~(3) The Superintendent is encouraged to revisit a score determined for any successor test pursuant to subparagraphs (C) and (D) of paragraph (1) of subdivision (a) and subparagraphs (C) and (D) of paragraph (1) of this subdivision after three years of assessment data on the successor test.~~

SEC. 3. Section 313.2 of the Education Code is amended to read:

313.2. (a) The department shall annually ascertain the number of pupils in each school district and school, including a school that is within the jurisdiction of a county office of education and a charter school, who are, or are at risk of becoming, long-term English learners, as those terms are defined in Section 313.1.

(b) The department shall annually ~~provide~~ post the information described in subdivision (a) ~~to school districts and schools and post on the department's Internet Web site the number of long-term English learners and English learners at risk of becoming long-term English learners in the state.~~ internet website.

(c) In addition to the information specified in subdivision (b) of Section 440, the notice of assessment of a child's English proficiency shall also contain all of the following information:

(1) Whether the child is a long-term English learner or English learner at risk of becoming a long-term English learner, as those terms are defined in Section 313.1.

(2) The manner in which the program for English language development instruction will meet the educational strengths and needs of long-term English learners or English learners at risk of becoming long-term English learners.

(3) The manner in which the program for English language development instruction will help long-term English learners or English learners at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards.

(d) A local educational agency or charter school may, to comply with the requirements of subdivision (c), send a notice to parents and guardians that identifies pupils as long-term English learners or English learners at risk of becoming long-term English learners, including pupils in addition to those who meet the definitions in Section 313.1, if all of the following conditions are met:

(1) The definitions used by the local educational agency or charter school are broader than those in Section 313.1 and consequently include all pupils who meet the definitions in Section 313.1.

(2) The notice states that the definitions used by the local educational agency or charter school are broader than those in state law.

(3) The notice includes the information specified in paragraphs (2) and (3) of subdivision (c).

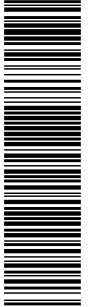
SEC. 4. Section 1240 of the Education Code is amended to read:

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:

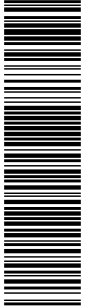
(I) The Superintendent shall include on the list all schools that were most recently identified for comprehensive support and improvement and additional targeted support and improvement pursuant to the federal Every Student Succeeds Act (Public Law 114-95) or identified as low performing under the federal 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.

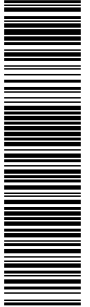
(E) The priority objective of the visits made pursuant to this paragraph shall be to determine the status of all of the following circumstances:

- (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.

(H) For schools that are identified on the list established in the 2024–25 fiscal year pursuant to subparagraph (A), and only in the fiscal years in which that list is used, a county superintendent shall complete the textbook and instructional materials review conducted for purposes of this paragraph and subparagraph (A) of paragraph (3) of subdivision (i) by the eighth week of the school year. The county superintendent shall prioritize reviewing, within the first four weeks of the school year where practicable, schools for which the county superintendent has received information from a survey, a complaint filed pursuant to Section 35186, or any other reliable source that the school does not have sufficient textbooks, as defined in Section 60119 and as specified in subdivision (i), or that a facility of the school 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.

(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.

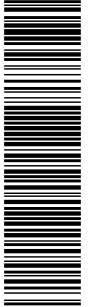
(h) Enforce the course of study.

(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, except as specified in subparagraph (H) of paragraph (2) of subdivision (c).

(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.

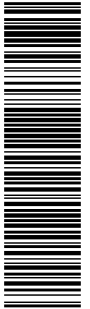
(4) If the county superintendent of schools determines that a school does not have sufficient textbooks or instructional materials in accordance with subparagraph (A) of paragraph (1) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, the county superintendent shall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



(5) If the county superintendent of schools determines that there are insufficient textbooks or instructional materials pursuant to a resolution received in accordance with subparagraph (A) of paragraph (2) of subdivision (a) of Section 60119 and as defined by subdivision (c) of Section 60119, or as a result of receiving a report of an unresolved complaint pursuant to subdivision (e) of Section 35186 or an audit exception pursuant to subdivision (i) of Section 41020, the county superintendent shall do both of the following:

(A) 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.

(B) If the deficiency is not remedied as required pursuant to subparagraph (A), 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 the 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 when determining 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 the 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~~ certification and shall provide notice of that action to the governing board of the county office of education. If a county office of education receives a negative certification, the Superintendent, or the Superintendent's designee, ~~may~~ shall 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.

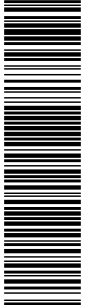
(5) A county office of education having a negative or qualified certification, or classified as qualified or negative by the Superintendent, shall continue to be classified as qualified or negative until the next report required under this subdivision is filed.

(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.

(p) The county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra and of the City and County of San Francisco shall contract with another county office of education to perform the required reviews of



disbursements as described in Sections 42635 and 42636 for any school district under the county superintendent's jurisdiction.

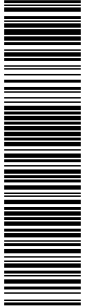
SEC. 5. Section 1241.5 of the Education Code is amended to read:

1241.5. (a) (1) At any time during a fiscal year, the county superintendent may audit the expenditures and internal controls of school districts ~~he or she determines that they determine~~ to be fiscally accountable, and shall conduct this audit in a timely and efficient manner. The county superintendent shall report the findings and recommendation to the governing board of the school district within 45 days of completing the audit. The governing board shall, no later than 15 days after receipt of the report, notify the county superintendent of schools of its proposed actions on the county superintendent's recommendation. Upon review of the governing board report, the county superintendent, at ~~his or her~~ their discretion, may revoke the authority for the district to be fiscally accountable pursuant to Section 42650.

(2) At any time during a fiscal year, the Superintendent may audit the expenditures and internal controls of school districts in the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra and in the City and County of San Francisco, and shall conduct this audit in a timely and efficient manner. The Superintendent shall report the findings and recommendation to the governing board of the school district within 45 days of completing the audit. The governing board shall, no later than 15 days after receipt of the report, notify the Superintendent of its proposed actions on the recommendation. The Superintendent, at their discretion, may put in place a process to direct the county office of education contracted to perform the required review of disbursements pursuant to subdivision (p) of Section 1240 to disapprove an order for payment of funds consistent with subdivision (p) of Section 1240.

(b) At any time during a fiscal year, the county superintendent may review or audit the expenditures and internal controls of any school district in ~~his or her~~ their county if ~~he or she has~~ they have reason to believe that fraud, misappropriation of funds, or other illegal fiscal practices have occurred that merit examination. The review or audit conducted by the county superintendent shall be focused on the alleged fraud, misappropriation of funds, or other illegal fiscal practices and shall be conducted in a timely and efficient manner. The county superintendent shall report the findings and recommendations to the governing board of the school district at a regularly scheduled school district board meeting within 45 days of completing the review, audit, or examination. The governing board of the school district shall, no later than 15 calendar days after receipt of the report, notify the county superintendent of its proposed actions on the county superintendent's recommendations. Upon review of the school district governing board report, the county superintendent, at ~~his or her~~ their discretion, and consistent with law, may disapprove an order for payment of funds consistent with Section 42638.

(c) At any time during a fiscal year, the county superintendent may review or audit the expenditures and internal controls of any charter school in ~~his or her~~ their county if ~~he or she has~~ they have reason to believe that fraud, misappropriation of funds, or other illegal fiscal practices have occurred that merit examination. The review or audit conducted by the county superintendent shall be focused on the alleged fraud, misappropriation of funds, or other illegal fiscal practices and shall be conducted in a timely and efficient manner. The county superintendent shall report the findings and recommendations to the governing board of the charter school at a regularly scheduled



meeting, and provide a copy of the information to the chartering authority of the charter school, within 45 days of completing the review, audit, or examination. The governing board of the charter school shall, no later than 15 calendar days after receipt of the report, notify the county superintendent and its chartering authority of its proposed response to the recommendations.

SEC. 6. Section 1632 is added to the Education Code, to read:

1632. (a) In order for the Superintendent to perform their fiscal oversight responsibilities pursuant to Sections 1240, 1622, and 1630, the Superintendent may request from the county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra and of the City and County of San Francisco and any applicable school district view-only access to the local financial system operated by the county office of education and the school district. Upon receiving a request from the Superintendent, the county superintendent and the school district shall provide access to the Superintendent within 30 calendar days.

(b) The Superintendent may direct the county auditor to withhold payment of any stipend, expenses, benefits, or salaries and wages of the county superintendent, the superintendent of the school district, or members of the governing board of the county office of education or school district, as appropriate, for failure to provide access within 30 calendar days. The payments shall be withheld until access to the local financial system is provided to the Superintendent. If the county superintendent performs the functions of the county auditor, the Superintendent may direct the county superintendent to withhold the payments specified in this subdivision.

SEC. 7. Section 2575.2 of the Education Code is amended to read:

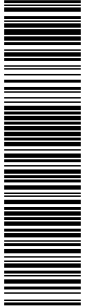
2575.2. (a) (1) For the 2018–19 fiscal year to the 2022–23 fiscal year, inclusive, the Superintendent shall add to the amount to be apportioned pursuant to Section 2575, the sum of two hundred thousand dollars (\$200,000) and the following:

(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~~ For the 2023–24 fiscal year, year to the 2025–26 fiscal year, inclusive, 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.

(h) This section shall become inoperative on July 1, 2026.

SEC. 8. Section 2575.3 of the Education Code is amended to read:

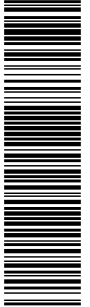
2575.3. (a) Commencing with the 2022–23 fiscal year, the Superintendent shall add to the amounts to be apportioned pursuant to Section 2575, the amount calculated in accordance with the following:

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

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

(3) For the 2024–25 fiscal year and each fiscal year thereafter, and 2025–26 fiscal years, the allowance calculated pursuant to subdivision (b) for the current year local control funding formula assistance status report plus the allowance calculated pursuant to subdivision (b) for the prior two years' local control funding formula assistance status reports, divided by three.

(b) The allowance for each fiscal year shall be equal to the product of the following: one hundred thousand dollars (\$100,000) multiplied by the number of charter schools in the county in which the charter school is located, or for charter schools authorized by the county board of education, the lead agency identified pursuant to



Section 52073 for that county, that are also determined to be in need of differentiated assistance pursuant to subdivision (a) of Section 47607.3.

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

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

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

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

(g) This section shall become inoperative on July 1, 2026.

SEC. 9. Section 2575.35 is added to the Education Code, to read:

2575.35. (a) For purposes of this section, the following definitions apply:

(1) "Community schools" has the same meaning as defined in subdivision (b) of Section 8901.

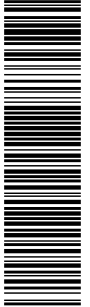
(2) "Universal and targeted assistance county office of education funding" means funding allocated under this section to a county office of education to support all local educational agencies within the county's jurisdiction.

(b) (1) Funds allocated pursuant to this section shall be used to provide universal and targeted assistance, free of cost, to support the continuous improvement of local educational agencies located within the county to improve outcomes under the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066, which includes, but is not limited to, the following:

(A) (i) Providing targeted technical assistance pursuant to Sections 47607.3 and 52071.

(ii) 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 lead agency identified pursuant to Section 52073 of the region in which the county office of education is located, or another county office of education identified by the county office of education that generated the funds, shall provide the technical assistance described in subdivision (c) of Section 52071 to the county office of education that generated the funds.

(iii) For charter schools authorized by the county board of education, that are also determined to be in need of technical assistance pursuant to subdivision (a) of Section 47607.3, the lead agency identified pursuant to Section 52073 for that county shall provide the technical assistance described in subdivision (a) of Section 47607.3 to the charter school in need of assistance. Nothing in this section shall preclude a lead agency identified pursuant to Section 52073 that receives funding pursuant to this section from contracting with a designee, as identified in subdivision (d) of Section



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52071, to provide the technical assistance described in subdivision (a) of Section 47607.3 to the charter school in need of assistance.

(B) Providing support and professional development to local educational agencies, prioritizing those with the highest needs, on improving pupil performance and closing achievement gaps for pupil subgroups identified pursuant to Section 52052.

(C) Providing support to local educational agencies in evaluating their annual 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.

(D) Providing effective assistance and coaching to local educational agencies on the development and implementation of the local control and accountability plan and the annual update to the local control and accountability plan, including assistance related to monitoring the impact of the implementation of local control and accountability plan goals pursuant to Section 52064.

(E) Coordinating and connecting local educational agencies with universal resources available through the statewide system of support, authorized pursuant to Section 52059.5.

(F) Coordinating county-level governmental, nonprofit community-based organizations, and other external partnerships and services to support community schools implementation in their county.

(2) For the 2026–27 fiscal year, county offices of education shall spend the funds allocated pursuant to this section in a manner that prioritizes support of school districts identified for technical assistance pursuant to subdivision (c) or (f) of Section 52071 on the 2025 California School Dashboard.

(c) Commencing with the 2026–27 fiscal year, the department annually shall add to the amounts to be apportioned pursuant to Section 2575, a universal and targeted assistance county office of education funding grant equal to the sum of each of the following amounts:

(1) (A) For the 2026–27 fiscal year only, five hundred thousand dollars (\$500,000).

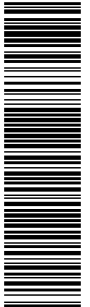
(B) Commencing with the 2027–28 fiscal year, and for each fiscal year thereafter, the amount calculated pursuant to this paragraph for the prior fiscal year shall be adjusted by the percentage change applied pursuant to paragraph (4) of subdivision (a) of Section 2574 for the current fiscal year.

(2) A county office of education's county average daily attendance grant that shall be calculated pursuant to the following:

(A) (i) For the 2026–27 fiscal year only, the statewide funding allocation pursuant to paragraphs (3), (4), and (6) of subdivision (a) of Section 2574 divided by the sum of the statewide funding allocations pursuant to Sections 2575.2 and 2575.3 in the 2025–26 fiscal year multiplied by each county office of education's funding allocation pursuant to paragraphs (3), (4), and (6) of subdivision (a) of Section 2574 in the 2025–26 fiscal year.

(ii) Multiply the amount determined by clause (i) for each county office of education by 0.55.

(B) (i) Commencing with the 2027–28 fiscal year, and for each fiscal year thereafter, the statewide funding allocation pursuant to paragraphs (3), (4), and (6) of subdivision (a) of Section 2574 from the prior fiscal year divided by the statewide sum



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of paragraphs (1), (2), and (3) of this subdivision from the prior year, multiplied by each county office of education's funding allocation pursuant to paragraphs (3), (4), and (6) of subdivision (a) of Section 2574 for the prior fiscal year.

(ii) Multiply the amount determined by clause (i) for each county office of education by 0.55.

(3) A stability grant for each county office of education calculated in accordance with the following:

(A) For the 2026–27 fiscal year only, subtract the sum of paragraphs (1) and (2) for the county office of education from the amount allocated pursuant to Sections 2575.2 and 2575.3 to the county office of education for the 2025–26 fiscal year. If the result is positive, that result is the stability grant amount. If the result is negative, no stability grant shall be added.

(B) Commencing with the 2027–28 fiscal year, and for each fiscal year thereafter, subtract the sum of paragraphs (1) and (2) for the county office of education from the prior fiscal year universal and targeted assistance county office of education funding grant for the county office of education. If the result is positive, multiply the result by 0.87 to determine the stability grant amount. If the result is negative, no stability grant shall be added.

(d) 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, the amounts calculated pursuant to paragraphs (2) and (3) of subdivision (c) shall be allocated to the lead agency identified pursuant to Section 52073 of the region in which the county office of education is located.

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

SEC. 10. Section 8242 of the Education Code is amended to read:

8242. (a) The department, in collaboration with the State Department of Social Services, shall implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates, which vary with the length of the program year and the hours of service.

(1) Parent fees shall be used to pay reasonable and necessary costs for providing additional services.

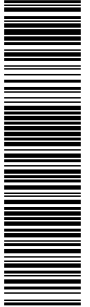
(2) The department may establish any regulations deemed advisable concerning conditions of service and hours of enrollment for children in the programs.

(b) (1) (A) Commencing July 1, 2021, the standard reimbursement rate shall be twelve thousand nine hundred sixty-eight dollars (\$12,968).

(B) Commencing July 1, 2021, the standard reimbursement rate for part-day California state preschool programs shall be five thousand six hundred twenty-one dollars (\$5,621).

(2) Commencing in the 2022–23 fiscal year, the standard reimbursement rates described in paragraph (1) shall be increased by the cost-of-living adjustment granted by the Legislature annually pursuant to Section 42238.15.

(c) (1) Commencing January 1, 2022, contractors who, as of December 31, 2021, received the standard reimbursement rate established in this section shall be reimbursed at the greater of the following:



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(A) The 75th percentile of the 2018 regional market rate survey.

(B) The contract per-child reimbursement amount as of December 31, 2021, as increased by the cost-of-living adjustment pursuant to paragraph (2) of subdivision (b).

(2) Commencing July 1, 2022, subject to available funding, the department may issue temporary rate increases to contractors that exceed the rates specified in paragraph (1) and the reimbursement rate supplements described in Section 51 of Chapter 571 of the Statutes of 2022.

(3) In accordance with federal requirements for Child Care Stabilization Grants appropriated pursuant to the federal American Rescue Plan Act of 2021 (Public Law 117-2), contractors shall provide information via a one-time application or survey in advance of receiving American Rescue Plan Act funds. The department shall specify the timeline and format in which this information shall be submitted, and the information shall include, but not be limited to, all of the following:

(A) Address, including ZIP Code.

(B) Race and ethnicity.

(C) Gender.

(D) Whether the provider is open and available to provide childcare services or closed due to the COVID-19 public health emergency.

(E) What types of federal relief funds have been received from the state.

(F) Use of federal relief funds received.

(G) Documentation that the provider met certifications as required by federal law.

(4) Rate increases shall be subject to federal usage limitations and federal and state program eligibility requirements.

(d) (1) Funding shall be allocated to the State Department of Education, pursuant to paragraph (2), from a portion of funds in Schedule (1) of Item 6100-194-0001 and Schedule (1) of Item 6100-196-0001 of the Budget Act of 2026 to provide a once-per-month, per-child-served cost of care plus rate for providers serving children enrolled in California state preschool programs.

(2) (A) Of the funding described in paragraph (1), funding is hereby allocated to the State Department of Education to provide preschool providers with a monthly cost of care plus rate increase commencing July 1, 2026. The increase per child shall be equal to the amount calculated in clause (iii) of subparagraph (B).

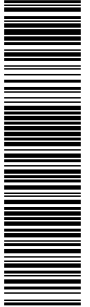
(B) The Department of Finance shall make the following calculations based on data provided by the State Department of Education:

(i) The total cost of providing the statutory cost of living adjustment for preschool programs in the 2026–27 fiscal year pursuant to Section 42238.15 for the preschool programs described in paragraph (1).

(ii) The estimated cost of providing the monthly cost of care plus rates described in subparagraph (E) of paragraph (2) of subdivision (c) of Section 10277.1 of, and paragraph (3) of subdivision (c) of Section 10277.2 of, the Welfare and Institutions Code in the 2026–27 fiscal year based on the estimates of child enrollment for the 2026–27 fiscal year provided by the State Department of Education.

(iii) Divide the amount calculated in clause (i) by the amount calculated in clause (ii).

(d)



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(e) (1) (A) Notwithstanding subdivisions (b) and (c), for the 2023–24 fiscal year and the 2024–25 fiscal year, the cost-of-living adjustment required pursuant to subdivisions (b) and (c) shall instead be zero.

(B) It is the intent of the Legislature that any adjustments in the 2023–24, 2024–25, and 2025–26 fiscal years related to reimbursement for programs funded pursuant to this section will be subject to a ratified agreement, and subject to future legislation providing for appropriations related to the budget bill.

(2) Notwithstanding subdivisions (b) and (c), for the 2025–26 fiscal year, the cost-of-living adjustment required pursuant to subdivisions (b) and (c) shall instead be zero.

(f) Notwithstanding subdivisions (b) and (c), for the 2026–27 fiscal year, the cost-of-living adjustment required pursuant to subdivisions (b) and (c) shall instead be zero.

(e)

(g) Commencing July 1, 2026, the cost-of-living adjustment shall be applied consistently with subdivision (m) of Section 10227.6 of the Welfare and Institutions Code.

SEC. 11. Section 8902 of the Education Code is amended to read:

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

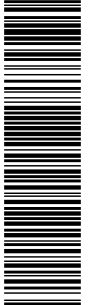
(1) The COVID-19 pandemic has continued to exacerbate conditions associated with poverty, including food insecurity, housing and employment instability, and inadequate health care.

(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~~ is 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~~ department 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, 2032. 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.



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(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 (l), 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.

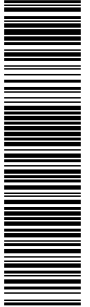
(C) Development of optional centralized planning templates to support interagency planning and the leveraging of funding for the community school initiative, including, but not limited to, funding from the Expanded Learning Opportunities Program, the California state preschool program, Universal Transitional 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, section,~~ and the number of pupils served in those schools, using an allocation formula determined by the ~~Superintendent,~~ department, 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~~, department, with the approval of the state board, shall update as ~~necessary~~, 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~~ department shall update the state board on an annual basis regarding the administration of this ~~chapter section~~ and present to the state board any proposed changes to the application process and administration plan.

(d) The ~~Superintendent~~ department 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 section~~ shall submit an application to the ~~Superintendent~~ department at a time and in a manner, and with any appropriate information, as the ~~Superintendent~~ department 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.

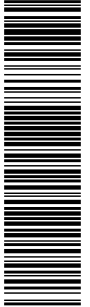
(f) The ~~Superintendent~~ department shall prioritize grant funding to qualifying entities who meet all of the following:

(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~~ 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 dollars (\$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.

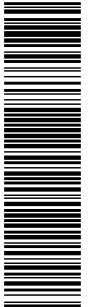
(D) Partnership development and coordination support between the grantee and cooperating agencies.

(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 72 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~~ section. 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 (n). 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~~, 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.

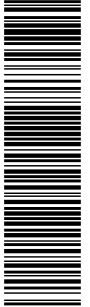
(I) Conducting a comprehensive school and community needs and asset assessment to support a continuous improvement process.

(2) The ~~Superintendent~~ department 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.

(7) The department may allocate any funds returned pursuant to this subdivision for the purposes provided in subdivision (k).

(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.

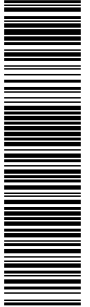
(j) (1) All planning and implementation grants awarded under subdivisions (g) and (h) shall be matched by the qualifying entity or its cooperating agencies with a local match equal to one-third of the grant amount. The local match shall be contributed in cash or as services or resources of comparable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

(2) The ~~Superintendent~~ department 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 and planning grantee applicants meet implementation grant eligibility requirements pursuant to this section.

(3) Beginning July 1, 2024, the ~~Superintendent~~ department shall prioritize awarding implementation grants to planning grantees. Notwithstanding paragraph (2), to the extent that sufficient funding is not available to fund implementation grants for all planning grantee applicants, the department shall use the priorities described in subdivision (f) to determine which planning grantee schools receive implementation grants.

(k) ~~(1) Of the amount identified in paragraph (1) of subdivision (b), at least 18 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 2027–28 fiscal year, through the 2031–32 fiscal year. reappropriation in the 2026–27 fiscal year to provide supplemental one-time funding in addition to the apportionment pursuant to subparagraph (C) of paragraph (1) of subdivision (c) of Section 8903 to support the implementation of new community schools.~~

~~(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~~ department 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~~ partnering 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,~~ department, and participating in overall program evaluation.

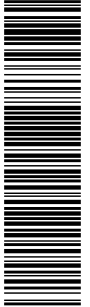
(n) (1) The impact of the grant program in achieving the goals described in this section, including an evaluation of the effectiveness of the opportunities provided, shall be included as part of an annual formative evaluation of the program.

(2) The ~~Superintendent~~ department 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~~ department 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~~ department 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.

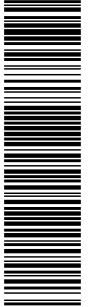
(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (o) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2022–23 fiscal 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. 12. Section 8903 is added to the Education Code, immediately following Section 8902, to read:

8903. (a) (1) The Legislature finds and declares all of the following:

(A) The California Community Schools Partnership Act, established as part of the Budget Act of 2021, is a key initiative of California's historic whole-child transformation of public schools built on the state board-adopted California Community Schools Framework. This model of education incorporates state investments in universal free school meals, universal transitional kindergarten, before and after school learning, and investments in teacher training, coaching, recruitment, and retention, resulting in a cohesive program of instructional quality and removing barriers to learning.

(B) Implementation of the community schools model results in better home-school connections, academic supports, nutrition, after school and summer school enrichment



and care, trauma-informed behavioral and physical health services, and access to social services.

(C) Data indicates that schools that received grants pursuant to the California Community Schools Partnership Act show significant reductions in chronic absenteeism and suspensions, and improvements in test scores and academic achievement, with the largest gains for historically underserved pupils.

(D) Expansion of the community schools model will increase these positive outcomes, especially for schools that have large concentrations of pupils from low-income families, English learners, and youth in foster care.

(2) The California Community Schools Partnership Act Apportionments Program is hereby established.

(b) (1) Commencing with the 2026–27 fiscal year, the sum of one billion dollars (\$1,000,000,000) is hereby appropriated each fiscal year from the General Fund to the department to administer the California Community Schools Partnership Act Apportionments Program in the manner and for the purposes set forth in this section. This amount shall be adjusted each year pursuant to the formula described in subdivision (c) through Item 6100-____-0001 of the annual Budget Act.

(2) Commencing with the 2027–28 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.

(3) Funds pursuant to this section shall be used in accordance with the California Community Schools Framework, as adopted by the state board in January 2022. These funds shall not be used for punitive disciplinary practices or the engagement of campus law enforcement.

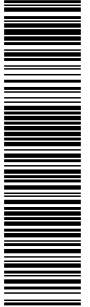
(4) Funds distributed pursuant to paragraph (1) of subdivision (c) shall supplement, not supplant, funding used for services and supports at eligible schoolsites through the local control funding formula pursuant to Section 2574, 2575, or 42238.02, the Expanded Learning Opportunities Program pursuant to Section 46120, or the Literacy Coaches and Reading Specialists Grant Program established pursuant to Section 137 of Chapter 52 of the Statutes of 2022.

(c) Funds appropriated pursuant to subdivision (b) shall be distributed each fiscal year as follows:

(1) (A) To local educational agencies to support a network of their eligible schoolsites to implement new, and provide ongoing support for existing, community schools consistent with subparagraphs (B) and (C).

(B) Commencing with the 2026–27 fiscal year, for each local educational agency with an eligible schoolsite, the department shall make one of the following computations for each eligible schoolsite based on the following as adjusted pursuant to subparagraph (C):

Pupils Enrolled at the Eligible Schoolsite	Amount to be Computed per Eligible Schoolsite
10–24	\$75,000
25–150	\$115,000
151–400	\$190,000
401–1,000	\$230,000



55775

1,001–2,000	\$305,000
2,000+	\$400,000

(C) An eligible schoolsite that receives an implementation grant pursuant to Section 8902 shall, for the term of its implementation grant, have the allocation listed in subparagraph (B) reduced consistent with the following:

(i) If the total amount of a schoolsite's implementation grant, divided by five, is greater than or equal to the amount listed in subparagraph (B) for the number of pupils enrolled, the schoolsite shall instead receive no funding under this paragraph for that fiscal year.

(ii) If the total amount of a schoolsite's implementation grant, divided by five, is less than the amount listed in subparagraph (B) for the number of pupils enrolled, the schoolsite shall instead receive the difference between the total implementation grant amount, divided by five, and the amount specified in subparagraph (B) for the number of pupils enrolled for that fiscal year.

(D) Funds received under this paragraph may be used for activities consistent with the purposes identified in subdivisions (g) and (h) of Section 8902.

(E) On or before November 1, 2026, a local educational agency with an eligible schoolsite shall notify the department of its intent to receive an allocation under this paragraph, in a manner to be determined by the department.

(2) (A) Ten million dollars (\$10,000,000) to the department to contract, subject to the approval of executive director of the state board, with at least five local educational agencies to serve as the state or a regional transformational assistance center to continue the existing technical assistance structure and network described in Section 8902 and to provide support and assistance to local educational agencies and community schools on an ongoing basis. The responsibilities of transformational assistance centers shall be aligned with those identified in paragraph (2) of subdivision (b) of Section 8902.

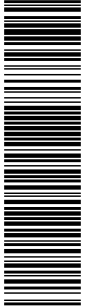
(B) The department shall determine the contract terms, including duration, for each transformational assistance center, subject to the approval of the executive director of the state board. The department shall have the authority to renew the selection of the existing transformational assistance centers or reopen the selection process, at the conclusion of each grant term.

(C) 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.

(D) Of the amount provided in subparagraph (A), two million dollars (\$2,000,000) shall be allocated to the local educational agency serving as the state transformational assistance center. The responsibilities of the state transformational assistance center shall include, but not be limited to, all of the following:

(i) Serve as a lead entity within the statewide system of support and work collaboratively with the California Collaborative for Educational Excellence, the department, lead agencies in the system, and state agencies that support the implementation of community schools.

(ii) Collaborate with the regional transformational assistance centers to facilitate a coordinated and aligned approach for the ongoing implementation of the community schools initiative.



(iii) Collaborate with the department to develop the annual self-certification process and accreditation process required pursuant to subdivision (d).

(d) In order to receive ongoing funding pursuant to paragraph (1) of subdivision (c), a local educational agency shall maintain its community schools pursuant to criteria developed by the regional transformational assistance centers as described below:

(1) (A) On or before December 31, 2029, a local educational agency that establishes a new community school shall submit a progress report to the department. The progress report shall include, at a minimum, a status update regarding planning and an implementation plan that was submitted to the governing board or body of the local educational agency.

(B) The implementation plan shall include a description of how the local educational agency's approach to community schools aligns with the California Community School Framework as adopted by the state board, expands services to pupils, and leverages and braids funds from existing state initiatives, including, but not limited to, the Expanded Learning Opportunities Program, the Children and Youth Behavioral Health Initiative Fee Schedule program, universal school meal programs, and universal transitional kindergarten.

(2) (A) Commencing with the 2029–30 fiscal year, the local educational agency shall submit an annual self-certification to its regional transformational assistance center indicating that it continues to implement community schools in accordance with the criteria developed by the state transformational assistance infrastructure pursuant to the California Community Schools Framework as adopted by the state board.

(B) The self-certification application shall be developed by the state transformational assistance center in collaboration with the department.

(3) (A) In the 2033–34 fiscal year, and every seven years thereafter, the local educational agency shall participate in an accreditation process managed through the state transformational assistance center to ensure quality community school models are implemented with fidelity. Only schoolsites that are accredited shall be eligible to receive ongoing community schools funding under paragraph (1) of subdivision (c).

(B) A local educational agency with a schoolsite that loses its accreditation may be deemed ineligible to continue receiving an apportionment for that schoolsite, subject to the determination of the department. If a schoolsite loses its accreditation, the local educational agency shall be allowed to continue receiving a community schools apportionment for that schoolsite until the schoolsite's current accreditation period expires. A local educational agency shall not receive renewed funding for an unaccredited schoolsite until the schoolsite meets accreditation standards again.

(C) A local educational agency that is interested in establishing a new community school at, or renewing funding for, an eligible schoolsite shall have an opportunity to submit a request to be considered for funding during regular intervals. The details for the requests, including deadlines and timing of the intervals and approval, shall be determined by the department in collaboration with the transformational assistance centers.

(e) A local educational agency may retain up to the lesser of five hundred thousand dollars (\$500,000) or 10 percent of the total funds awarded pursuant to paragraph (1) of subdivision (c) for its eligible schoolsites each fiscal year. These funds shall be used to administer community schools established at eligible schoolsites, manage professional learning and networking, and coordinate services and funding



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

(f) Commencing with the 2029–30 fiscal year, as a condition of receiving funding under paragraph (1) of subdivision (c), a local educational agency shall annually report and publicly present its community school plans, including data and outcomes from the prior year, at each funded eligible schoolsite and at a meeting of the governing board or body of the local educational agency. Additionally, a local educational agency shall publicly post its community schools plan on the local educational agency’s internet website.

(g) A local educational agency receiving funding under paragraph (1) of subdivision (c) or selected to serve as a transformational assistance center under paragraph (2) of subdivision (c) shall commit to providing program and expenditure data to the department, as specified by the department, and participating in program evaluation and improvement efforts.

(h) A local educational agency receiving funding under paragraph (1) of subdivision (c) shall commit to communicating and collaborating with the transformational assistance centers, as often as the transformational assistance centers may reasonably require, to discuss the implementation of community schoolsites, potential challenges facing the local educational agency during implementation, and best practices that can be shared with peer community schoolsites.

(i) A local educational agency that receives funds under paragraph (1) of subdivision (c) for an eligible schoolsite that has closed, as reported pursuant to paragraph (2) of subdivision (f) of Section 60900, shall return any unspent funds received for that closed schoolsite to the department. The local educational agency shall report the total amount of unspent funds in accordance with instructions and forms prescribed and furnished by the department.

(j) The department may allocate any funds returned pursuant to subdivision (i) for the purposes provided in subdivision (c).

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

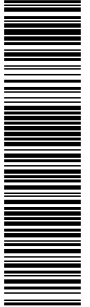
(1) “Eligible schoolsite” means either of the following:

(A) An individual school within a local educational agency with at least 65 percent or greater unduplicated pupils and 10 or more pupils enrolled.

(B) An individual school within a local educational agency receiving a community schools implementation grant pursuant to subdivision (h) of Section 8902.

(2) “Local educational agency” means a school district, county office of education, or charter school that generates a local control funding formula entitlement pursuant to Section 2574, 2575, or 42238.02, excluding a charter school classified as a nonclassroom-based charter school as of the prior fiscal year’s second principal apportionment certification pursuant to Section 47612.5.

(l) 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. 13. Section 11300 of the Education Code is amended to read:

11300. (a) The Legislature finds and declares that middle college high schools have proven to be a highly effective collaborative effort between local school districts or regional occupational centers or programs and community colleges. The goal of the middle college high school is to select at-promise high school pupils who are performing below their academic potential and place them in an alternative high school located on a community college campus in order to reduce the likelihood that they will drop out of school before graduation.

(b) Each middle college high school shall be structured as a broad-based, comprehensive instructional program focusing on college preparatory and school-to-work curricula, career education, work experience, community service, and support and motivational activities.

(c) The specific design of a middle college high school may vary depending on the circumstances of the ~~community college or school district~~, college and the school district or regional occupational center or program. The basic elements of the middle college high school shall include, but not be limited to, the following:

- (1) A curriculum that focuses on college and career preparation.
- (2) A reduced adult-student ratio.
- (3) Flexible scheduling to allow for work internships, community service experience, and interaction with community college student role models.
- (4) Opportunities for experiential internships, work apprenticeships, and community service.

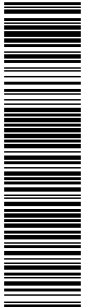
SEC. 14. Section 11301 of the Education Code is amended to read:

11301. (a) The California Community Colleges and the ~~State Department of Education~~ department shall collaborate with each other and with ~~their respective local community colleges and local colleges, school districts~~ districts, and regional occupational centers or programs to ensure the continued success of existing middle college high schools and to promote the establishment of new middle college high schools.

(b) The responsibilities of the California Community Colleges and the ~~State Department of Education~~ department pursuant to subdivision (a) shall include, but need are ~~not be~~ limited to, both of the following:

(1) With respect to existing middle college high schools, monitor the ongoing viability of the programs, assist with the resolution of policy or financial issues that may arise, and track specific outcomes for students and schools, including attendance rates, graduation rates, college entrance and attendance rates, and employment rates for those students who do not attend college.

(2) With respect to the promotion of new middle college high schools, respond to inquiries from ~~school districts~~ districts, regional occupational centers or programs, and community colleges about the establishment of middle college high schools, advise local entities on startup costs and ongoing funding mechanisms for the program, consult with local entities on the organizational structure of, and curriculum development for, the middle college high schools, facilitate the completion of any necessary facilities improvements, communicate with local entities at least biannually about the existence of middle college high schools and the availability of ~~State Department of Education~~



and the department's and the California Community-Colleges Colleges' resources, if any, to assist with the establishment of middle college high schools.

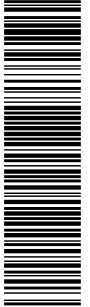
SEC. 15. Section 14041.5 of the Education Code is amended to read:

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.

(3) For the 2023–24 fiscal year, three billion six hundred five million one hundred seventy-three thousand dollars (~~\$3,605,173,000~~) forty-one million six hundred ninety-four thousand dollars (\$3,641,694,000) 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 2024–25 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 2024–25 fiscal year.

SEC. 16. Section 14500 of the Education Code is amended to read:

14500. It is the intent of the Legislature in enacting this chapter to promote accountability over public educational funding by establishing a new program to review and report on financial and compliance audits of ~~school districts and the offices of districts, educational joint powers authorities, county superintendents of schools, and charter schools.~~ districts, educational joint powers authorities, county superintendents of schools, and charter schools. It is further the intent of the Legislature that the Controller shall have the primary responsibility for implementing and overseeing the program.

SEC. 17. Section 14501 of the Education Code is amended to read:

14501. (a) As used in this chapter, “financial and compliance audit” shall be consistent with the definition provided in the “Standards for Audits of Governmental Organizations, Programs, Activities, and Functions” promulgated by the Comptroller General of the United States. Financial and compliance audits conducted under this chapter shall fulfill federal single audit requirements.

(b) ~~As used in~~ For purposes of this chapter, “compliance the following definitions apply:

(1) “Compliance audit” means an audit that ascertains and verifies whether or not funds provided through apportionment, contract, or grant, either federal or state, have been properly disbursed and expended as required by law or regulation regulation, or both both, and includes the verification of each of the following:

(1)

(A) Expenditure of funds in accordance with the local control and accountability plan adopted pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2.

(2)



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(B) The reporting requirements for the sufficiency of textbooks or instructional materials, or both, as defined in Section 60119.

~~(3)~~

(C) Teacher misassignments pursuant to Section 44258.9.

~~(4)~~

(D) The accuracy of information reported on the School Accountability Report Card required by Section 33126. ~~The~~

(2) "Local educational agency" means a school district, educational joint powers authority, charter school, or county superintendent of schools.

(c) The requirements set forth in paragraphs (2) and (3) and this paragraph subparagraphs (B) to (D), inclusive, of paragraph (1) of subdivision (b) shall be added to the audit guide requirements pursuant to subdivision (b) of Section 14502.1.

SEC. 18. Section 14504 of the Education Code is amended to read:

14504. (a) (1) To determine the practicability and effectiveness of the audits and audit guide, the Controller shall, on an annual basis, review and monitor the audit reports performed by independent auditors. ~~The~~

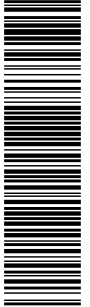
(2) (A) The Controller shall determine whether audit reports are in conformance with reporting provisions of subdivision (a) of Section 14503 and shall notify each local education educational agency, office of the responsible chartering authority, if applicable, the responsible county superintendent of schools, the Superintendent of Public Instruction, Superintendent, the Department of Finance, and the auditor regarding each determination. The local education agency or the county superintendent of schools contracting for the financial and compliance audit shall include a statement that will provide the Controller access to audit working papers, within six months of the audit report due date or the audit report issue date, whichever is later, regarding each determination.

(B) The local educational agency, the chartering authority, the county superintendent of schools, or the Superintendent contracting for the financial and compliance audit shall include a statement that will provide the Controller access to audit working papers.

(b) Commencing with the 2027–28 fiscal year, the audit guide developed by the Controller and adopted by the Education Audit Appeals Panel pursuant to Section 14502.1 shall include an appendix with the Controller's desk review checklist that is used to determine whether audit reports are in conformance with the reporting requirements of subdivision (a) of Section 14503. The Controller's desk review checklist shall focus on elements of reporting that are material, whether qualitative or quantitative, and areas with a higher risk of error or misstatement.

SEC. 19. Section 14504.2 of the Education Code is amended to read:

14504.2. (a) The Controller may perform quality control reviews of audit working papers to determine whether audits are performed in conformity with subdivision (a) of Section 14503. The Department of Finance or the Superintendent may refer an independent auditor of a school district local educational agency to the Controller for a review pursuant to this section if the Department of Finance or the Superintendent finds that an audit of a school district local educational agency was conducted in a manner that may constitute noncompliance with subdivision (a) of Section 14503. The Controller shall communicate the results of his or her the Controller's reviews to the Department of Finance, entity that referred the independent



auditor to the Controller, the independent auditor, and the school district or office of the county superintendent of schools local educational agency for which the audit was performed, and shall review his or her the Controller's findings with the independent auditor.

(b) (1) Prior to the performance of any quality control reviews, the Controller shall develop and publish guidelines and standards for those reviews. Pursuant to the development of those guidelines and standards, the Controller shall provide opportunity for public comment.

(e) (1)

(2) The Controller shall conduct a quality control review establish and publish as part of the audit working papers of the independent auditor who performed the audits for a local education agency for the prior three fiscal years if any of the following circumstances exists: guide a weighted risk-based criteria that considers auditor experience and quality factors in determining which audit engagements shall undergo a quality control review. Criteria shall primarily include, but not be limited to, all of the following:

(A) The local education agency has received an emergency apportionment pursuant to Article 2 (commencing with Section 41320) or Article 2.5 (commencing with Section 41325) of Chapter 3 of Part 24.

(B) The budget of the local education agency is disapproved or the local education agency has received a negative certification on any budget or interim financial report, as defined in Section 42131, during the current or preceding fiscal year.

(C) The responsible county superintendent of schools has otherwise determined that a lack of going concern exists for a local education agency pursuant to Section 42127.6.

(A) Audit reports that were found to have material nonconformance to the reporting provisions of subdivision (a) of Section 14503 through the Controller's review.

(B) Audits conducted by an engagement partner who has not performed audits of local educational agencies in the preceding three years.

(C) Audits that are submitted after the due date established pursuant to subdivision (k) of Section 41020, or an approved extension date, whichever is later.

(2)

(3) If the quality control review of the Controller indicates that the audit was conducted in a manner that may constitute unprofessional ~~conduct~~ conduct, as defined pursuant to Section 5100 of the Business and Professions Code, including, but not limited to, gross negligence resulting in a material misstatement in the audit, the Controller shall refer the case to the California Board of Accountancy. If the California Board of Accountancy finds that the independent auditor conducted an audit in an unprofessional manner, the independent auditor is prohibited from performing any audit of a local ~~education~~ educational agency for a period of three years, in addition to any other penalties that the California Board of Accountancy may impose.

(d)

(c) In any matter that is referred to the California Board of Accountancy under ~~subparagraph (A) of paragraph (1) (3) of subdivision (e), (b)~~, the Controller may suspend the independent auditor from performing any local ~~education~~ educational agency audits pending final disposition of the matter by the California Board of



Accountancy if the Controller gives the independent auditor notice and an opportunity to respond to that suspension. The independent auditor shall be given credit for any period of suspension if the California Board of Accountancy prohibits the independent auditor from performing audits of the local ~~education~~ educational agency under paragraph (3) of subdivision (e). ~~In no event may the (b).~~ The Controller shall not suspend an independent auditor under this subdivision for a period of longer than three years.

(d) The county superintendent of schools, the school district, the charter school, the chartering authority, the Controller, or the Superintendent may refer an independent auditor of a local educational agency to the California Board of Accountancy for action described in paragraph (3) of subdivision (b) if any of the following circumstances exist:

~~(e) The county superintendent of schools or the county board of education may refer an independent auditor of a local education agency to the California Board of Accountancy for action pursuant to subdivision (e) if an~~

(1) An audit of a local ~~education~~ educational agency was conducted in a manner that may constitute unprofessional ~~conduct~~ conduct, as defined by Section 5100 of the Business and Professions Code, including, but not limited to, gross negligence resulting in a material misstatement in the audit.

(2) Material deficiencies are discovered in the quality control review conducted pursuant to this section.

(3) The continuing education requirements of Section 41020 are not met.

SEC. 20. Section 14505 of the Education Code is amended to read:

14505. (a) The governing board of each school district and each office of the county superintendent of schools or body of a local educational agency shall include both of the following ~~two~~ provisions in their contracts for audits:

~~(a)~~

(1) A provision to withhold 10 percent of the audit fee until the Controller certifies that the audit report conforms to the reporting provisions of subdivision (a) of Section 14503.

~~(b)~~

(2) A provision to withhold 50 percent of the audit fee for any subsequent year of a multiyear contract if the prior year's audit report was not certified as conforming to the reporting provisions of subdivision (a) of Section 14503. This provision shall include a statement that a multiyear contract will be null and void if a firm or individual is declared ineligible pursuant to subdivision (c) of Section 41020.5. The amount withheld is not payable unless payment is ordered by the California Board of Accountancy or the audit report for that subsequent year is certified by the Controller as conforming to the reporting provisions of subdivision (a) of Section 14503.

(b) If the Controller has not provided a written certification that the audit report has conformed to the reporting provisions of Section 14503 or a written rejection letter detailing the exceptions noted by the Controller's review with instructions for corrections by the sixth month following the audit issue date, or the audit due date, whichever is later, the governing board or body of the local educational agency may release the amounts withheld in audit fees pursuant to paragraph (1) of subdivision (a).

(c) Within 30 days from the date of receipt of written notification that the Controller refuses to certify an audit report as conforming to the reporting provisions



of subdivision (a) of Section 14503, an auditor or audit firm having a portion of an audit fee withheld pursuant to these provisions may file an appeal in writing with the California Board of Accountancy. ~~The board~~ California Board of Accountancy shall complete an investigation of the appeal within 90 days of the filing date and, on the basis of the investigation, do either of the following:

(1) Order the Controller to provide notification that the audit report conforms to the reporting provisions of subdivision (a) of Section 14503.

(2) Schedule the appeal for a hearing, in which case the final action on the appeal shall be completed by ~~the board~~ California Board of Accountancy within one year from the date of filing the appeal.

(d) If ~~the board~~ California Board of Accountancy orders the Controller to provide notification ~~that the audit report conforms to reporting provisions of subdivision (a) of Section 14503,~~ pursuant to paragraph (1) of subdivision (c), the Controller shall notify the ~~contracting school district~~ local educational agency which shall then release the portion of the audit fee being withheld in accordance with this section.

SEC. 21. Section 14506 of the Education Code is amended to read:

14506. The Controller shall conduct any additional audits ~~which that~~ are necessary to carry out ~~his or her~~ the Controller's duties and responsibilities ~~under pursuant to this code and the Government Code. Nothing in this chapter shall be construed to~~ This chapter does not authorize any a local educational agency, or any a subcontractor or subrecipient, to constrain, in any manner, the Controller from carrying out ~~any~~ additional audits. ~~However, to~~ To the extent that the required financial and compliance audits provide the Controller with the information necessary to carry out ~~his or her~~ the Controller's responsibilities, the Controller shall plan additional audits as appropriate to avoid ~~any~~ unnecessary duplication of audit efforts. In performing ~~these~~ additional audits, the Controller shall, to the extent deemed appropriate under the circumstances, build upon the work performed during the required financial and compliance audit. The Controller shall not bill the ~~school district or the county superintendent of schools~~ local educational agency for the costs of these additional audits.

SEC. 22. Section 14507 of the Education Code is amended to read:

14507. The Controller shall report to the ~~State Department of Education by Superintendent on or before~~ June 30 of each year in order to apprise the ~~department of school districts and offices of county superintendents of schools which Superintendent of those local educational agencies that~~ are not in compliance with the applicable statutes and regulations. The Controller's report shall categorize audit exception by types and shall identify the reasons for the exceptions. The reasons may be the legislative intent or language is unclear or the administrative requirement is not feasible. The Controller shall make recommendations as to what action should be taken by the ~~department. Superintendent.~~ Superintendent. Before issuing the report, the Controller shall allow ~~the school district or the county superintendent of schools~~ each local educational agency that is specified in the report a reasonable period of time to review and comment on the section of the report affecting ~~them.~~ that local educational agency.

SEC. 23. Section 14508 of the Education Code is amended to read:

14508. ~~The Notwithstanding~~ Section 10231.5 of the Government Code, the Controller shall submit a ~~report~~ report, consistent with Section 9795 of the Government Code, to the Legislature on or before ~~June 30~~ August 31 of each year regarding any



recommendations made to the ~~State Department of Education under Superintendent pursuant to~~ Section 14507.

SEC. 24. 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, the following definitions apply:

(A) “Evidence-based” has the same meaning as that term is used in Section 7801(21)(A) of Title 20 of the United States Code.

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

(3) The department may collect, from a local educational agency’s principal apportionment monthly payment pursuant to Section 14041, the difference between the local educational agency’s allocation for the Learning Recovery Emergency Block Grant pursuant to this section, as amended by Assembly Bill 185 of the 2021–22 Regular Session, and the revised allocation pursuant to this section, as amended by Senate Bill 114 of the 2023–24 Regular Session. The department shall report any uncollectible amounts to the Department of Finance and the Legislature by January 31, 2024.

(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.

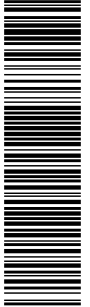
(c) (1) The governing board or body of a local educational agency may expend the one-time funds received pursuant to this section to establish learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery and staff and pupil social and emotional well-being.

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

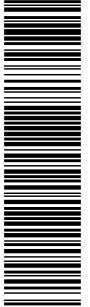
(A) Instructional learning time for the 2022–23 through 2027–28 school years by increasing the number of instructional days or minutes provided during the school year, providing summer school or intersessional instructional programs, or taking any other evidence-based action that increases or stabilizes 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 evidence-based 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.
- (vi) Providing professional development and coaching on either or both of the following:
 - (I) The 2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve.
 - (II) The English Language Arts/English Language Development Framework for California Public Schools: Kindergarten Through Grade Twelve.
 - (C) Integrating evidence-based 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.
 - (F) Conducting the needs assessment pursuant to subdivision (d).
- (d) (1) A local educational agency that has received or will receive apportioned funds pursuant to this section shall develop a needs assessment regarding the use and expenditure of funds for the 2025–26, 2026–27, and 2027–28 school years.
 - (2) The local educational agency shall ensure that the needs assessment:
 - (A) Identifies pupils in the greatest need of learning recovery supports and the interventions that the local educational agency has selected to address those pupils' needs pursuant to paragraph (2) of subdivision (c).
 - (B) Includes a review of each of the following metrics:
 - (i) Assessment of academic performance in English language arts and mathematics, including, at least:
 - (I) Across schoolsites, as applicable, and at the local educational agency level based on the performance of pupil groups identified in the “Very Low” or “Low” status levels on the California School Dashboard.
 - (II) All pupils within the local educational agency whose scale score places them in the lowest achievement level or on the low end of the second lowest achievement level.
 - (ii) Assessment of chronic absenteeism, including at least:
 - (I) Across schoolsites, as applicable, and at the local educational agency level based on the performance of pupil groups identified in the “Very High” or “High” status levels on the California School Dashboard or, for high schools, at comparatively low levels of performance based on reports on the department’s internet website.



(II) All pupils reported as chronically absent. Local educational agencies are encouraged to conduct further analysis focused on pupils who have high rates of unexcused absences.

(3) A local educational agency may include local metrics as part of the needs assessment that identify pupils who have experienced learning loss or low academic performance, such as formative or interim assessments or similar tools, or evidence of disengagement from school, such as current-year absenteeism data or any metrics the local educational agency uses to identify pupils in need of reengagement services.

(4) The department shall provide written technical assistance for schools and local educational agencies that describes how to use local metrics in conjunction with the metrics required pursuant to paragraph (2).

(5) A local educational agency may contract with a third party to develop or otherwise support the development of the needs assessment.

(6) A local educational agency is encouraged to contract, or otherwise partner with, community-based organizations with a track record of success in serving high-needs pupils to deliver the services or programs authorized by this section.

(7) It is the intent of the Legislature that the department provide assistance to local educational agencies by providing information, including data reports, necessary to facilitate and assist the local educational agency's development of the needs assessment pursuant to this subdivision and integration of the needs assessments conducted pursuant to 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) in planning pursuant to this section.

(e) (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.

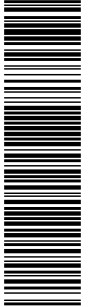
(2) If a charter school ceases to operate before December 15, 2029, a final expenditure report, using the template developed by the department, shall be due to the department within 60 days of the effective date of closure and the department shall collect any unspent amounts.

(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.

(f) (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.

~~(g) It is the intent of the Legislature to allocate three hundred seventy-eight million six hundred fifty thousand dollars (\$378,650,000) per year for the 2026–27 and 2027–28 fiscal years to the department for transfer to the Learning Recovery Emergency Fund created pursuant to Section 32525.~~

~~(h)~~

(g) (1) For the 2025–26 fiscal year, the sum of three hundred seventy-eight million six hundred fifty thousand dollars (\$378,650,000) is hereby appropriated from the General Fund to the department for transfer to the Learning Recovery Emergency Fund created in Section 32525, to be allocated by the Superintendent to local educational agencies operating in the 2025–26 fiscal year pursuant to the methodology specified in subdivision (b).

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to paragraph (1) 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 2025–26 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 2025–26 fiscal year.

(h) (1) For the 2026–27 fiscal year, the sum of seven hundred fifty-seven million three hundred thousand dollars (\$757,300,000) is hereby appropriated from the General Fund to the department for transfer to the Learning Recovery Emergency Fund created in Section 32525, to be allocated by the Superintendent to local educational agencies operating in the 2026–27 fiscal year pursuant to the methodology specified in subdivision (b).

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to paragraph (1) 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 2024–25 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 2024–25 fiscal year.

SEC. 25. Section 33000 of the Education Code is amended to read:

33000. There is in the state government a State Board of Education, consisting of ~~10 members, who~~ 11 members, as follows:



(a) (1) Until January 15, 2027, 10 members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

(2) Commencing January 15, 2027, nine members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

(b) A student member pursuant to Section 33000.5.

(c) Commencing January 15, 2027, the Superintendent.

SEC. 26. Section 33000.5 of the Education Code is amended to read:

33000.5. (a) ~~Notwithstanding Sections 33000 and 33001, the~~ The Governor shall ~~also~~ appoint a student member to the state board with the advice and consent of two-thirds of the Senate.

(b) The term of office of the student member is one year, and shall begin on August 1. An individual may serve only one term as a student member.

(c) Notwithstanding Section 1020 of the Government Code, the student member shall be, at the time the student member's one-year term commences, a student enrolled in good standing in grade 12 in a public high school. The student member shall be selected from three students recommended by the state board pursuant to subdivision

(d). The student member shall be a voting member with the full rights and duties of the other 10 members of the state board.

(d) The process for selecting the student member shall be as follows:

(1) Each year, the state board shall notify every school district that applications are being accepted for the student member's position.

(2) A screening committee of the state board shall select 12 semifinalists for the student member's position. Those semifinalists shall be presented to the California Association of Student Councils, which shall select a maximum of six final candidates for presentation to the state board.

(3) Each year, the state board shall select three finalists for the Governor's consideration and may rank the finalists according to its preference.

SEC. 27. Section 33001 of the Education Code is amended to read:

33001. (a) The term of office of the members of the ~~board board~~, except for the Superintendent and the student member, is four years, and they shall hold office until the appointment and qualification of their successors. The terms of the members of the board in office when this section takes effect shall expire as follows:

Three members January 15, 1960.

Two members January 15, 1961.

Three members January 15, 1962.

Two members January 15, 1963.

~~The~~

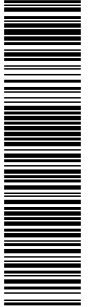
(b) The terms shall expire in the same relative order as to each member as the term for which ~~he~~ the member holds office before this section takes effect.

(c) One of the members whose term expires January 15, 2027, as determined by the Governor, shall convert to the Superintendent.

SEC. 28. Section 33004 of the Education Code is repealed.

~~33004. The Superintendent shall be secretary and shall act as executive officer of the state board. The Superintendent shall have charge of all its correspondence and shall keep a record of its proceedings.~~

SEC. 29. Section 33005 of the Education Code is repealed.



~~33005. The board shall appoint an acting secretary, who shall also act as executive officer of the board in the absence of the Superintendent of Public Instruction from the state, or in case of his incapacity for duty.~~

SEC. 30. Section 33043 of the Education Code is amended to read:

33043. (a) (1) The Governor may appoint a total of six deputies to the executive director of the state board. A deputy to the executive director appointed pursuant to this section shall be exempt from state civil service pursuant to subdivision (f) of Section 4 of Article VII of the California Constitution.

~~(b)~~

(2) It is the intent of the Legislature that appointments to these exempt positions do not result in an increase in the amount appropriated to the state board in the annual Budget Act or a net increase in the expenditures of the state board.

(3) This subdivision shall become inoperative on January 1, 2027.

(b) Deputies appointed pursuant to subdivision (a) on or before December 31, 2026, shall be transferred to the department and shall report to the Education Commissioner established pursuant to Section 33302.

(c) Except as deemed necessary by the executive director of the state board, all employees of the state board who, as of January 1, 2027, are serving in the state civil service, other than as temporary employees, and engaged in the performance of a function transferred to the Education Commissioner, shall be transferred to the department. The status, positions, and rights of those employees shall not be affected by the transfer, and shall be retained by them as officers and employees of the department pursuant to the State Civil Service Act, except as to positions exempt from civil service.

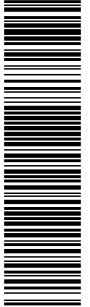
SEC. 31. The heading of Chapter 2 (commencing with Section 33100) of Part 20 of Division 2 of Title 2 of the Education Code is amended to read:

CHAPTER 2. ESTABLISHMENT OF THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

SEC. 32. Section 33101 is added to the Education Code, to read:

33101. There shall be an Office of the Superintendent of Public Instruction, which shall be made up of the Superintendent, the Superintendent's deputy and three associate superintendents of public instruction appointed by the state board under Section 2.1 of Article IX of the California Constitution, one additional deputy and one employee selected by the Superintendent under Section 4 of Article VII of the California Constitution, and necessary clerical and expert assistants operating under the supervision and control of the Superintendent. The Superintendent may transfer up to five employees of the department who, on the effective date of this section, are serving in the state civil service, other than as temporary employees, to carry out necessary clerical duties and serve as expert assistants in the Office of the Superintendent of Public Instruction. The status, positions, and rights of those persons shall not be affected by the transfer, and shall be retained by them as employees of the Office of the Superintendent of Public Instruction, except as to positions exempt from civil service. The Superintendent may fix the compensation of all statutory and other employees as provided by law, except as otherwise provided.

SEC. 33. Section 33102 of the Education Code is amended to read:



33102. The actual and necessary traveling expenses of the ~~Superintendent of Public Instruction, his Superintendent, and the Superintendent's~~ deputy and assistants, shall be ordered and paid out of the appropriation made for the ~~Department of Education, Office of the Superintendent of Public Instruction.~~

SEC. 34. Article 2 (commencing with Section 33105) is added to Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 2. Deputies and Associate Superintendents

33105. The duties of the Deputy Superintendent of Public Instruction and of the associate superintendents of public instruction appointed by the state board under Section 2.1 of Article IX of the California Constitution shall be such as are assigned to them by the Superintendent.

33106. The annual salaries of the Deputy Superintendent of Public Instruction and of the associate superintendents of public instruction appointed by the state board under Section 2.1 of Article IX of the California Constitution shall be fixed by the Superintendent with the approval of the Director of Finance.

33107. (a) (1) In addition to the positions authorized by Section 2.1 of Article IX of the California Constitution, the Governor, with the recommendation of the Superintendent, shall appoint five deputy superintendents of public instruction and five associate superintendents of public instruction who shall be exempt from state civil service.

(2) Appointments to these exempt positions shall not result in any net increase in the expenditures of the department.

(3) This subdivision shall become inoperative on January 1, 2027.

(b) Deputies appointed pursuant to this section on or before December 31, 2026, shall be transferred to the department and shall report to the Education Commissioner established pursuant to Section 33302.

SEC. 35. The heading of Article 2 (commencing with Section 33110) of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code is repealed.

~~Article 2. Powers and Duties~~

SEC. 36. Section 33110 of the Education Code is repealed.

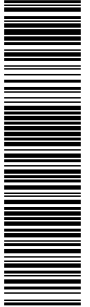
~~33110. The Superintendent of Public Instruction may employ one Deputy Superintendent of Public Instruction and necessary clerical and expert assistants, and may fix the compensation of all statutory and other employees as provided by law, except as otherwise provided.~~

SEC. 37. The heading of Chapter 2.5 (commencing with Section 33111) is added to Part 20 of Division 2 of Title 2 of the Education Code, to read:

CHAPTER 2.5. EDUCATION COMMISSIONER

SEC. 38. The heading of Article 1 (commencing with Section 33111) is added to Chapter 2.5 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 1. Powers and Duties



SEC. 39. Section 33111 of the Education Code is amended to read:

33111. ~~The Superintendent of Public Instruction~~ Education Commissioner shall execute, under direction of the State Board of Education, the policies which have been decided upon by the board and shall direct, under general rules and regulations adopted by the State Board of Education, the work of all appointees and employees of the board.

SEC. 40. Section 33112 of the Education Code is amended to read:

33112. ~~The Superintendent of Public Instruction shall:~~ Education Commissioner shall do all of the following:

(a) Superintend the schools of this state.

(b) Prepare, have printed, and furnish to teachers and to all officers charged with the administration of the laws relating to the public schools the blank forms and books necessary to the discharge of their duties, including blank teachers' certificates to be used by county and city and county boards of education.

(c) Authenticate with his or her official seal all drafts or orders drawn by him or her, and all papers and writings issued from his or her office.

(d) Have bound, at the state bindery, all valuable school reports, journals, and documents in his or her office, or received by him or her.

(e) Deliver over, at the expiration of his or her term of office, on demand, to his or her successor, all property, books, documents, maps, records, reports, and other papers belonging to his or her office, or which may have been received by him or her for the use of his or her office.

(f) Designate and appoint, or terminate the designation and appointment of, any officer or employee of the department to have the powers and liabilities of a deputy, including designation pursuant to Section 7.9 of the Government Code, which appointment and termination of appointment shall be effective when filed in writing in the office of the Secretary of State.

(g) Annually inform the governing boards of school districts, in a manner prescribed by the ~~superintendent,~~ Education Commissioner, of the provisions of Section 60510.5.

SEC. 41. Section 33113 of the Education Code is amended to read:

33113. ~~The Superintendent of Public Instruction~~ Education Commissioner shall prescribe regulations under which contracts, agreements, or arrangements may be made with agencies of the federal government for funds, services, commodities, or equipment to be made available to schools under the jurisdiction of the State Board of Education and the ~~Superintendent of Public Instruction.~~ Education Commissioner.

SEC. 42. Section 33114 of the Education Code is amended to read:

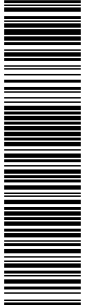
33114. All such contracts, agreements or arrangements shall be entered into in accordance with regulations prescribed by the ~~Superintendent of Public Instruction~~ Education Commissioner and in no other manner.

SEC. 43. Section 33115 of the Education Code is amended to read:

33115. ~~The Superintendent of Public Instruction~~ Education Commissioner may enter into an agreement with the government of the United States or any agency thereof relative to the establishment of courses of study in aeronautics in the technical schools of the public school system, except the California State University.

SEC. 44. Section 33116 of the Education Code is amended to read:

33116. ~~The Director of~~ Education Commissioner may enter into agreements with any agency of the federal government for the education of persons in the service



of the federal government in schools under the jurisdiction of the Department of Education. All money received from an agency of the federal government for the education of persons in any such school is hereby appropriated for the support of such school in addition to such other funds as may be appropriated therefor by the Legislature.

SEC. 45. Section 33117 of the Education Code is amended to read:

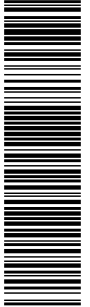
33117. ~~The Director of Education~~ Commissioner may enter into agreements with agencies of the federal government, county superintendents of schools, county boards of education, any school district, and state college foundations or other auxiliary organizations, including those established pursuant to Section 90000 for the performance of any services for those agencies by any school under the jurisdiction of the State Department of Education. All money received under any agreement, except recovery of contributions to the Public Employees' Retirement Fund, is hereby appropriated for the support of the school in addition to other funds as may be appropriated therefor by the Legislature.

SEC. 46. Section 33117.5 of the Education Code is amended to read:

33117.5. (a) Adult education programs and regional occupational programs operated by school districts and county offices of education that have contracted with ~~the Superintendent of Public Instruction~~ Education Commissioner pursuant to subdivision (b) shall provide services to welfare recipients referred by county welfare departments in accordance with subdivision (c) of Section 11322.8 and paragraph (3) of subdivision (b) of Section 11325.22 of the Welfare and Institutions Code. These services shall include an evaluation of the individual's educational and training needs for purposes of subdivision (c) of Section 11322.8 and paragraph (3) of subdivision (b) of Section 11325.22 of the Welfare and Institutions Code and the preparation of a related education and training plan reflecting these needs. The plan shall specify the educational and training services to be provided and the length of time services are to be provided, and shall assure access to those services.

(b) ~~The Superintendent of Public Instruction~~ Education Commissioner shall identify school districts or county offices of education that can best accommodate welfare recipients for whom vocational education, adult education, and English as a second language is specified in contracts required by Sections 11321.4 and 11325.21 of the Welfare and Institutions Code. ~~The superintendent~~ Education Commissioner shall enter into contracts with each consenting district or county office, where necessary, so that the contracting district, independent regional occupation program, or county office shall provide at least 10 weekly hours of open entry-open exit skills training and education for welfare recipients who need this training to enable counties to meet their goals for plans developed pursuant to Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code. If a program is unable to provide at least 10 hours of instruction to these participants, even though funds are available, the appropriate district or county office of education shall report to ~~the superintendent~~ Education Commissioner the reasons why sufficient hours of instruction were not provided. ~~The superintendent~~ Education Commissioner should provide technical assistance to those districts or county offices of education to resolve the problems that prohibit an adequate number of hours of instruction from being offered.

(c) Allocations to the ~~Superintendent of Public Instruction~~ Education Commissioner of funds available under Section 202 (c)(1)(C) and Section 262(c)(1)(C)



of the federal Job Training Partnership Act shall be used for purposes of this section to the extent the ~~superintendent~~ Education Commissioner determines necessary.

The ~~Superintendent of Public Instruction~~ Education Commissioner shall allocate these funds directly to service delivery areas for allocation to those providers of educational and training services delivered in accordance with this section. The ~~Superintendent of Public Instruction~~ Education Commissioner shall allocate to community college districts and the Chancellor's Office of the California Community Colleges such funds as are determined necessary pursuant to Section 71050. The ~~Superintendent of Public Instruction~~ Education Commissioner may allocate these funds to service delivery areas which have agreements with private schools and organizations to provide educational and training services under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code. These funds shall be allocated in accordance with the coordination criteria of the coordination and special services plan as provided in Section 10524 of the Unemployment Insurance Code, and according to the priority order of eligible persons for these funds as provided in Sections 15010 and 15011 of the Unemployment Insurance Code.

(d) As a condition for the funding of education and training services to participants under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, as provided in subdivisions (a) to (c), inclusive, education providers and county welfare departments shall discuss and jointly certify that they agree upon the delivery of education and training services for program participants.

SEC. 47. Section 33117.7 of the Education Code is amended to read:

33117.7. The ~~Superintendent of Public Instruction~~ Education Commissioner shall use 30 percent of the funds available under Section 202(c)(1)(C) and Section 262(c)(1)(C) of the federal Job Training Partnership Act to support the work-based learning component of a school-to-career program. These funds shall be expended as authorized by the federal act and shall be targeted for activities that create and support paid internships in the private sector, with an emphasis on small businesses, and paid work experience in the public sector or private nonprofit sector, for youth.

SEC. 48. Section 33118 of the Education Code is amended to read:

33118. The ~~Superintendent of Public Instruction~~ Education Commissioner shall, not later than the 25th day of July in each year, prepare an estimate of the amount of state school money that will be apportioned to each county or city and county during the current school year, and furnish a certified copy of the estimate to each county or city and county superintendent of schools.

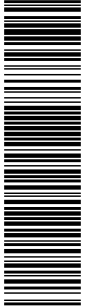
SEC. 49. Section 33119 of the Education Code is amended to read:

33119. Other than for persons in the state civil service, the length of, and the time for, vacations of teachers, officers, and employees of the schools for the deaf, the school for the blind, and orientation centers for the blind shall be prescribed by the ~~Director of Education~~, Education Commissioner, except that the length of vacations for teachers at orientation centers for the blind shall not exceed 30 days.

SEC. 50. Section 33120 of the Education Code is amended to read:

33120. The ~~Director of Education~~ Commissioner may conduct experimental work in education through various media, including radio and television.

SEC. 51. Section 33121 of the Education Code is amended to read:



33121. The ~~Director of Education~~ Commissioner may develop aural and visual curriculum materials, evolve means and methods, and prescribe standards, for the use of such materials in the public elementary and secondary schools.

SEC. 52. Section 33122 of the Education Code is amended to read:

33122. The ~~Director of Education~~ Commissioner shall employ such persons as are necessary for the coordination and the supervision of services for hard-of-hearing children.

SEC. 53. Section 33125 of the Education Code is amended to read:

33125. The ~~Director of Education,~~ Education Commissioner, subject to such conditions as the State Board of Education may establish, may purchase annuity contracts for the employees of the California School for the Deaf provided for in Chapter 1 (commencing with Section 59000) of Part 32 of Division 4 of this title, the California School for the Blind provided for in Chapter 2 (commencing with Section 59100) of Part 32 of Division 4 of this title, and the diagnostic schools for neurologically handicapped children provided for in Chapter 3 (commencing with Section 59200) of Part 32 of Division 4 of this title, and shall reduce the salary of any such employee for whom such contract is purchased in the amount of the cost thereof; provided that each of the following conditions are met:

(a) The annuity contract is under an annuity plan which meets the requirements of subdivision (b) of Section 403 of the Internal Revenue Code of 1954 of the United States.

(b) The employee makes application to the ~~director~~ Education Commissioner for such purchase and reduction of salary.

(c) All provisions of the Insurance Code applicable to the purchase of such annuities are satisfied.

SEC. 54. Section 33126.1 of the Education Code is amended to read:

33126.1. (a) The department shall develop and recommend for adoption by the state board a standardized template intended to simplify the process for completing the school accountability report card and make the school accountability report card more meaningful to the public.

(b) The standardized template shall include all of the following:

(1) Fields for the insertion of data and information by the department and by local educational agencies.

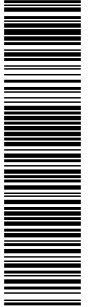
(2) A field to report the determination of the sufficiency of textbooks and instructional materials, pursuant to Section 60119.

(3) A summary statement of the condition of school facilities, as required by Section 17014, Section 17032.5, subdivision (a) of Section 17070.75, and subdivision (b) of Section 17089. The department shall provide examples of summary statements of the condition of school facilities that are acceptable and those that are unacceptable.

(4) A description of data available on the DataQuest Internet Web site of the department, including the Uniform Resource Locator for that Internet Web site.

(5) A description of admission requirements for California's public universities, including the Uniform Resource Locator for the University of California Internet Web site providing information about the courses offered by each school that are approved as meeting those requirements.

(6) A statement concerning the availability of Internet access at public libraries and other locations that are publicly accessible.



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(c) When the template for a school is completed, it should enable parents and guardians to compare the manner in which local schools compare to other schools within that district as well as other schools in the state.

(d) In conjunction with the development of the standardized template, the department shall furnish standard definitions for school conditions included in the school accountability report card. The standard definitions shall comply with the following:

(1) Definitions shall be consistent with the definitions already in place or under the development at the state level pursuant to existing law.

(2) Definitions shall enable schools to furnish contextual or comparative information to assist the public in understanding the information in relation to the performance of other schools.

(3) Definitions shall specify the data for which the department will be responsible for providing and the data and information for which the local educational agencies will be responsible.

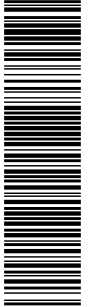
(e) By February 1, 2008, the department shall report to the Legislature and the Governor on remaining data elements in the school accountability report card and the feasibility of combining elements, linking to other reporting of data elements, and other possible alternatives for improving the usability and readability of the school accountability report card. The report shall include a survey of the conditions for which the department has valid and reliable data at the state, district, or school level. The report shall provide a timetable for the inclusion of conditions for which standard definitions or valid and reliable data do not yet exist through the department.

(f) The ~~Superintendent~~ Education Commissioner shall recommend and the state board shall appoint 13 members to serve on a broad-based advisory committee of local administrators, educators, parents, and other knowledgeable parties to develop definitions for the school conditions for which standard definitions do not yet exist. The state board may designate outside experts in performance measurements in support of activities of the advisory board.

(g) The state board shall approve available definitions for inclusion in the template as well as a timetable for the further development of definitions and data collection procedures. Each year the state board shall adopt the template for the current year's school accountability report card. Definitions for all school conditions shall be included in the template.

(h) The department annually shall post the completed and viewable template on the Internet. The template shall be designed to allow schools or districts to download the template from the Internet. The template shall further be designed to allow local educational agencies, including individual schools, to enter data into the school accountability report card electronically, individualize the report card, and further describe the data elements. The department shall establish model guidelines and safeguards that may be used by school districts with secured access only for those school officials authorized to make modifications.

(i) The department shall maintain current Internet links with the Internet Web sites of local educational agencies to provide parents and the public with easy access to the school accountability report cards maintained on the Internet. In order to ensure the currency of these Internet links, local educational agencies that provide access to



school accountability report cards through the Internet shall furnish current Uniform Resource Locators (URLs) for their Internet Web sites to the department.

(j) A school or school district that chooses not to utilize the standardized template adopted pursuant to this section shall report the data for its school accountability report card in a manner that is consistent with the definitions adopted pursuant to subdivision (c).

(k) The department shall provide recommendations for changes to the California Basic Educational Data System, or a successor data system, and other data collection mechanisms to ensure that the information will be preserved and available in the future.

(l) The department shall monitor the compliance of local educational agencies with the requirements to prepare and to distribute school accountability report cards, including, but not limited to, the requirements contained in this section, subdivision (c) of Section 35256, and Section 35258.

SEC. 55. Section 33126.2 of the Education Code is amended to read:

33126.2. (a) ~~The Superintendent~~ Education Commissioner may recommend additional data elements for inclusion in the Academic Performance Index. Data elements may be incorporated in the Academic Performance Index only after those elements have been determined by the state board to be valid and reliable for the purpose of measuring school performance, and only if their inclusion would not be likely to result in a valid claim against the state for reimbursement pursuant to Section 6 of Article XIII B of the California Constitution.

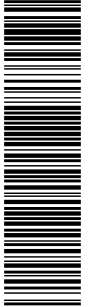
(b) ~~The Superintendent~~ Education Commissioner shall additionally review, and the state board shall consider, any empirical research data that becomes available concerning barriers to equal opportunities to succeed educationally for all California pupils, regardless of socioeconomic background. Upon obtaining this information, the state board shall evaluate whether there is any need to revise the school accountability report card.

SEC. 56. Section 33126.5 of the Education Code is amended to read:

33126.5. ~~The State Allocation Board, in cooperation with the Superintendent of Public Instruction,~~ Education Commissioner, shall develop and maintain an automated school facilities inventory that is capable of indicating the statewide percentage of facility utilization and projecting school facility needs five years in advance, in order to permit the board to study alternative proposals for the allocation of funds for new construction, maintenance, and rehabilitation.

SEC. 57. Section 33127 of the Education Code is amended to read:

33127. (a) The Superintendent, the Controller, and the Director of Finance shall develop, on or before March 1, 1989, standards and criteria to be reviewed and adopted by the state board, and to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget. During the development of the standards and criteria, the Superintendent shall convene a committee composed of representatives from school districts, county offices of education, state agencies, the Legislature, and appropriate labor and professional organizations. The committee may review and comment on the proposal standards and criteria before their adoption. In addition, the standards and criteria shall be used to monitor the fiscal stability of local educational agencies as provided for in Sections 1240.1, 1240.2, 1621, 1623, 33131, 42127, and 42127.1.



(b) The Superintendent, the Controller, and the Director of Finance shall update the standards and criteria developed pursuant to subdivision (a) on or before September 1, 2005. The updated standards and criteria shall be reviewed and adopted pursuant to the procedure established by subdivision (a) and are applicable to local educational agency budgets commencing with the 2006–07 fiscal year and each fiscal year thereafter.

(c) The Superintendent, the Controller, and the Director of Finance shall update the standards and criteria developed pursuant to subdivision (a) on or before January 1, 2014, to address the requirements of Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28. The updated standards and criteria shall be reviewed and adopted pursuant to the procedure established by subdivision (a) and are applicable to local educational agency budgets commencing with the 2014–15 fiscal year and each fiscal year thereafter.

(d) After January 1, 2014, until December 31, 2026, to the extent necessary, any revisions or updates to the standards and criteria shall be developed by the Superintendent, the Controller, and the Director of Finance pursuant to the procedure established by subdivision (a). The revisions or updates shall specify the fiscal year in which the revisions or updates are applicable.

(e) (1) Commencing January 1, 2027, to the extent necessary, any revisions or updates to the standards and criteria shall be developed by the Education Commissioner, the Controller, and the Director of Finance. The revisions or updates shall specify the fiscal year in which the revisions or updates are applicable.

(2) For purposes of paragraph (1), the Education Commissioner shall convene a committee composed of representatives from school districts, county offices of education, state agencies, the Legislature, and appropriate labor and professional organizations. The committee may review and comment on the proposal standards and criteria before their adoption.

SEC. 58. Section 33133 of the Education Code is amended to read:

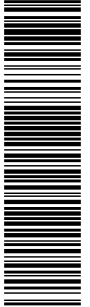
33133. (a) ~~The Superintendent of Public Instruction~~ Education Commissioner shall develop information, and submit this information to the State Board of Education for its approval. This information shall be for distribution to school districts and, to the extent feasible, for posting on the State Department of Education internet website, to strengthen and promote the opportunity for quality involvement by parents and guardians in schoolsite councils whose composition meets the requirements of Section 52012. In developing the information, ~~the Superintendent of Public Instruction~~ Education Commissioner may use documents currently available from nonprofit organizations, such as EdSource and the California Parent Teacher Association, or state and local government agencies.

(b) The information shall be provided to each school district and county office of education and may be made available for parents and guardians who are members of schoolsite councils whose composition meets the requirements of Section 52012 and shall cover at least the following topics:

(1) Operation of schoolsite advisory bodies, including bylaws, group responsibilities, and roles.

(2) Public meeting notice requirements.

(3) Information about the total budget of a school district and how funds are distributed to schoolsite advisory bodies, including, but not limited to, the amount of funds distributed to schoolsites.



(4) Information about the school district and state standards of expected pupil achievement in core academic subjects for each grade level.

(5) Instruction on how to interpret data from the pupil performance measures selected by the school district.

(6) A definition of “significant gains made by pupils” toward meeting the standards of expected pupil achievement.

(7) Research-based information about curriculum and teaching strategies that will improve pupil performance.

(8) The right to information under the California Public Records Act set forth in Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code.

(9) Information regarding the educational and training needs for pupils, as identified and expressed by local employers, former pupils of the school district, and postsecondary education institutions.

(c) In addition to the composition set forth in Section 52012, a schoolsite council at the middle school level may, but is not required to, include pupil representation.

SEC. 59. Section 33133.5 of the Education Code is amended to read:

33133.5. (a) ~~The Superintendent~~ Education Commissioner shall create a poster that notifies children of the appropriate telephone number to call to report child abuse or neglect.

(b) ~~The Superintendent~~ Education Commissioner may partner with other local, state, and federal agencies as well as nonprofit entities for purposes of the design and content of the poster.

(c) The poster shall incorporate the additional following elements:

(1) It shall include a note that directs a child to dial “911” in case of emergency.

(2) It shall be no smaller than 8.5 inches by 11 inches.

(3) It shall be produced in five languages, which shall be English, Spanish, and the top three languages other than English and Spanish that are spoken in the state as determined by the ~~Superintendent~~ Education Commissioner.

(d) ~~On or before July 1, 2017, the Superintendent~~ The Education Commissioner shall post on the department’s Internet Web site all five versions of the poster for public download.

(e) The Legislature encourages school districts, charter schools, and private schools to post the appropriate version or versions of the poster in an area of the school where pupils frequently congregate.

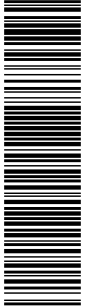
SEC. 60. Article 3 (commencing with Section 33140) of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code is repealed.

SEC. 61. The heading of Article 5 (commencing with Section 33190) of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code is repealed.

~~Article 5. Verification of Private School Instruction~~

SEC. 62. The heading of Article 2 (commencing with Section 33190) is added to Chapter 2.5 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 2. Verification of Private School Instruction



SEC. 63. Section 33190 of the Education Code is amended to read:

33190. Every person, firm, association, partnership, or corporation offering or conducting private school instruction on the elementary or high school level shall between the first and 15th day of October of each year, commencing on October 1, 1967, file with the ~~Superintendent of Public Instruction~~ Education Commissioner an affidavit or statement, under penalty of perjury, by the owner or other head setting forth the following information for the current year:

- (a) All names, whether real or fictitious, of the person, firm, association, partnership, or corporation under which it has done and is doing business.
- (b) The address, including city and street, of every place of doing business of the person, firm, association, partnership, or corporation within the State of California.
- (c) The address, including city and street, of the location of the records of the person, firm, association, partnership, or corporation, and the name and address, including city and street, of the custodian of such records.
- (d) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership, or corporation.
- (e) The school enrollment, by grades, number of teachers, coeducational or enrollment limited to boys or girls and boarding facilities.
- (f) That the following records are maintained at the address stated, and are true and accurate:
 - (1) The records required to be kept by Section 48222.
 - (2) The courses of study offered by the institution.
 - (3) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each.
- (g) Criminal record summary information has been obtained pursuant to Section 44237.

Whenever two or more private schools are under the effective control or supervision of a single administrative unit, such administrative unit may comply with the provisions of this section on behalf of each of the schools under its control or supervision by submitting one report.

Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for any school to expressly or impliedly represent by any means whatsoever, that the State of California, the ~~Superintendent of Public Instruction~~, Education Commissioner, the State Board of Education, the State Department of Education, or any division or bureau of the department, or any accrediting agency has made any evaluation, recognition, approval, or endorsement of the school or course unless this is an actual fact.

The ~~Superintendent of Public Instruction~~ Education Commissioner shall prepare and publish a list of private elementary and high schools to include the name and address of the school and the name of the school owner or administrator.

SEC. 64. Section 33191 of the Education Code is amended to read:

33191. (a) Commencing October 1, 1985, the affidavit or statement filed with the ~~Superintendent of Public Instruction~~ Education Commissioner pursuant to Section 33190 shall, under penalty of perjury, include a statement manifesting compliance with the provisions of Section 44237.

(b) In the case of any private school where the instructor also serves as the administrator of the school, the affidavit or statement shall be made available upon



request to the parents or guardians of all pupils currently enrolled in the school and to any parent or guardian considering whether to enroll his or her child in the school.

SEC. 65. The heading of Article 6 (commencing with Section 33195) of Chapter 2 of Part 20 of Division 2 of Title 2 of the Education Code is repealed.

~~Article 6. Verification of Heritage School Operation~~

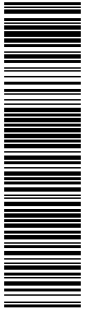
SEC. 66. The heading of Article 3 (commencing with Section 33195) is added to Chapter 2.5 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 3. Verification of Heritage School Operation

SEC. 67. Section 33195 of the Education Code is amended to read:

33195. (a) Every person, firm, association, partnership, or corporation operating a heritage school as defined in Section 33195.4 shall, between the 1st and 31st day of January of each year, commencing on January 1, 2011, file with the ~~Superintendent~~ Education Commissioner an electronic registration form, under penalty of perjury, by the owner or other head setting forth the following information for the current year:

- (1) All names, whether real or fictitious, of the person, firm, association, partnership, or corporation under which it has done and is doing business.
 - (2) The address, including city and street, of the location at which the heritage school delivers services to pupils.
 - (3) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership, or corporation.
 - (4) The school enrollment, by grade span, number of teachers, and coeducational or enrollment limited to boys or girls.
 - (5) That the following records are maintained at the address stated, and are true and accurate:
 - (A) The courses of study offered by the institution.
 - (B) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each faculty member.
 - (6) Criminal record summary information that has been obtained pursuant to Section 44237.
 - (7) The heritage school telephone number.
 - (8) Acknowledgment that the director of the heritage school and all employees are mandated reporters and subject to the requirements established by the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code) and, consistent with that act, certification that:
 - (A) The employer is aware that it is encouraged to provide its employees with training in the duties imposed by the act.
 - (B) Employees have signed a statement provided by the employer that the employees have knowledge of the act and will comply with its provisions.
 - (C) Employees have been notified by the employer of their reporting obligations and confidentiality rights, pursuant to Section 11165.9 of the Penal Code.
- (b) If two or more heritage schools are under the effective control or supervision of a single administrative unit, the administrative unit shall comply with the provisions



of this section by submitting an electronic registration form on behalf of every heritage school under its effective control or supervision.

(c) Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for a school to expressly or impliedly represent, that the State of California, the ~~Superintendent~~, Education Commissioner, the state board, the department or a division or bureau of the department, or an accrediting agency has made an evaluation, recognition, approval, or endorsement of the school or course, unless this is an actual fact.

(d) Filing pursuant to this section does not grant a heritage school a right to receive state funding.

SEC. 68. Section 33195.1 of the Education Code is amended to read:

33195.1. (a) Commencing January 1, 2011, the electronic registration form filed with the ~~Superintendent~~ Education Commissioner pursuant to Section 33195 shall, under penalty of perjury, include a statement manifesting compliance with the following paragraph:

(1) A person, firm, association, partnership, or corporation offering or conducting heritage school instruction shall not employ a person who would be prohibited from employment by a public school district pursuant to any provision of this code because of his or her conviction for any crime.

(b) In the case of any heritage school where an instructor also serves as the administrator of the school, the electronic registration form shall be made available upon request to the parents or guardians of all pupils currently enrolled in the school and to any parent or guardian considering whether to enroll his or her child in the school.

SEC. 69. Section 33195.4 of the Education Code is amended to read:

33195.4. For purposes of this article, "heritage school" means a school that serves children who are at least 4 years and 9 months of age and no older than 18 years of age, who attend a public or private full-time day school, that does all of the following:

- (a) Specifies regular hours of operation.
- (b) Offers education or academic tutoring, or both, in a world language.
- (c) Offers education on the culture, traditions, or history of a country other than the United States.
- (d) Offers culturally enriching activities, including, but not limited to, art, dancing, games, or singing, based on the culture or customs of a country other than the United States.

(e) Maintains membership in a state or national cultural or language association.

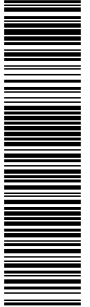
(f) Complies with relevant local government regulations, where applicable.

(g) Does not operate out of a residential home.

(h) Complies with the requirements of Section 33195 and maintains in its possession a copy of the registration form electronically filed with the ~~Superintendent~~ Education Commissioner. The heritage school shall make this form available upon request, including to the State Department of Social Services, to verify exemption from child care licensure.

SEC. 70. Section 33195.5 of the Education Code is amended to read:

33195.5. (a) The Heritage Enrichment Resource Fund is hereby established in the State Treasury. Moneys deposited in the fund may be expended by the



Superintendent Education Commissioner upon appropriation by statute, for the purposes of this article.

(b) The electronic registration form to be filed pursuant to this article shall be filed together with a fee determined by the Superintendent Education Commissioner to be sufficient to cover, but not exceed, the costs of the department in implementing this article. The fees shall be deposited into the Heritage Enrichment Resource Fund. The fee shall be received by the Superintendent Education Commissioner no later than January 31 of each year in which the registration form is filed.

SEC. 71. Section 33301 of the Education Code is amended to read:

33301. The Department of Education shall be administered through:

(a) The State Board of Education which shall be the governing and policy determining body of the department.

(b) ~~The Director of Education~~ Education Commissioner, in whom all executive and administrative functions of the department are vested and who is the executive officer of the State Board of Education.

SEC. 72. Section 33302 of the Education Code is amended to read:

33302. (a) ~~The Department of Education shall be conducted under the control of an executive officer known as the Director of Education.~~ Education Commissioner, whom shall be appointed by the Governor, and shall hold office at the pleasure of the Governor. The commissioner shall be exempt from civil service consistent with subdivision (f) of Section 4 of Article VII of the California Constitution.

(b) The Education Commissioner has the power of general supervision over, and is directly responsible to the state board and the Governor for, the operations of the department. The commissioner may issue those orders as the commissioner deems appropriate to exercise any power or jurisdiction, or to assume or discharge any responsibility, or to carry out or effect any of the purposes vested by law in the department.

(c) Commencing January 1, 2027, the Education Commissioner shall succeed and is vested with all the grant and contract approval authority vested in the executive director of the state board as of that date.

(d) Commencing January 1, 2027, the deputies appointed pursuant to Section 33043 and the deputies and associate superintendents appointed pursuant to Section 33143, as those sections read on June 30, 2026, shall report to the Education Commissioner established pursuant to this section until such time that the positions are reappointed pursuant to Section 33303.

SEC. 73. Section 33303 of the Education Code is repealed.

~~33303. The Superintendent of Public Instruction is ex officio Director of Education.~~

SEC. 74. Section 33303 is added to the Education Code, to read:

33303. (a) Commencing January 1, 2027, the Governor may appoint a total of 16 deputies to the Education Commissioner who are exempt from state civil service.

(b) Appointments to these exempt positions shall not result in any net increase in the expenditures of the department.

SEC. 75. Section 33305 of the Education Code is amended to read:

33305. Wherever in Article 2 (commencing with Section 11180), Chapter 2, Part 1, Division 3 of Title 2 of the Government Code, the term "head of the department,"



or similar designation occurs, it shall, for the purposes of Section 33304, of this code mean the ~~Director of Education~~. Education Commissioner.

SEC. 76. Section 33308.5 of the Education Code is amended to read:

33308.5. (a) Program guidelines issued by the State Department of Education shall be designed to serve as a model or example, and shall not be prescriptive. Program guidelines issued by the department shall include written notification that the guidelines are merely exemplary, and that compliance with the guidelines is not mandatory.

(b) ~~The Superintendent of Public Instruction~~ Education Commissioner shall review all program guidelines prepared by the State Department of Education prior to issuance to local education agencies. ~~The superintendent~~ Education Commissioner shall approve the proposed guidelines only if ~~he or she~~ the Education Commissioner determines that all of the following conditions are met:

- (1) The guidelines are necessary.
- (2) The department has the authority to issue the guidelines.
- (3) The guidelines are clear and appropriately referenced to, and consistent with, existing statutes and regulations.

SEC. 77. Section 41020 of the Education Code is amended to read:

41020. (a) It is the intent of the Legislature to encourage sound fiscal management practices among local educational agencies for the most efficient and effective use of public funds for the education of children in California by strengthening fiscal accountability at the school district, county, and state levels.

~~(b) (1) Not later than the first day of May~~

(b) A local educational agency shall post the local educational agency's annual financial and compliance audits on its internet website.

(c) (1) (A) On or before May 1 of each fiscal year, each county superintendent of schools the governing board of each school district or educational joint powers authority shall either provide for an audit of all funds under their jurisdiction and control and the governing board of each local educational agency shall either provide for an audit of the books and accounts of the local educational agency, the control of that school district or educational joint powers authority, including an audit of income and expenditures by source of funds, or shall make arrangements with the county superintendent of schools having jurisdiction over the local educational agency school district or educational joint powers authority to provide for that auditing.

~~(2)~~

(B) A contract to perform the audit of a local educational agency school district or educational joint powers authority that has a disapproved budget or has received a negative certification on any budget or interim financial report during the current fiscal year or either of the two preceding fiscal years, or for which the county superintendent of schools has otherwise determined that a lack of going concern exists, is not valid unless approved by the responsible county superintendent of schools and the governing board of the local educational agency school district or educational joint powers authority.

(2) (A) On or before May 1 of each fiscal year, the governing body of each charter school shall either provide for an audit of all funds under the control of the charter school, including an audit of income by source of funds, or shall make arrangements with the chartering authority to provide for that auditing. Except as



provided in clause (ii) of subparagraph (B), an independent audit shall be separately conducted and reported for each charter school.

(B) (i) All charter schools shall be audited and subject to the applicable provisions of this section.

(ii) Notwithstanding subparagraph (A), financial data for charter schools that are included in the school district or county office of education audit shall be presented separately in one of the following manners:

(I) As a major fund, when applicable.

(II) As a supplementary balance sheet and statement of revenues, expenditures, and changes in fund balance.

(III) As supplementary combining statements for charter schools that are accounted for in the general fund or when multiple charter schools are included in the charter school fund.

(3) (A) On or before May 1 of each fiscal year, each county superintendent of schools shall either provide for an audit of all funds under their jurisdiction and control, including an audit of income and expenditures by source of funds, or shall make arrangements with the Controller to provide for that auditing.

(B) If a county superintendent of schools does not provide for an audit of a county office of education or for a school district that is the only school district in that county by the deadline established pursuant to subparagraph (A), the Superintendent may direct the county auditor to withhold payment of any stipend, expenses, benefits, or salaries and wages of the county superintendent of schools or members of the governing board of the applicable school district, as appropriate. The payments shall be withheld until the county superintendent of schools has provided documentation to the Superintendent that an audit has been provided for. If the county superintendent of schools performs the functions of the county auditor, the Superintendent may direct the county superintendent of schools to withhold those payments.

~~(3)~~

(d) If the governing board of a local educational agency school district or educational joint powers authority, the governing body of a charter school, or a county superintendent of schools, pursuant to paragraphs (1) to (3), inclusive, of subdivision (c), has not provided for an audit of the books and accounts of the local educational agency by April 1, the county superintendent of schools having jurisdiction over the local educational agency shall provide for the audit of the local educational agency. one of the following shall apply, as applicable, and in sufficient time to ensure compliance with the due dates established in this section:

(1) For a school district or an educational joint powers authority, the county superintendent of schools having jurisdiction over the school district or educational joint powers authority shall provide for the audit.

(2) For a charter school, the chartering authority having jurisdiction over the charter school shall provide for the audit.

(3) For a county superintendent of schools, the Controller shall provide for the audit.

~~(4)~~

(e) An audit conducted pursuant to this section shall comply fully with the Government Auditing Standards issued by the Comptroller General of the United States.



(5) For purposes of this section, "local educational agency" does not include community colleges.

~~(e) Each audit conducted in accordance with this section shall include all funds of the local educational agency, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the local educational agency. Each audit shall also include an audit of pupil attendance procedures. Each audit shall include a~~

(f) Each audit conducted in accordance with this section shall include all of the following:

(1) All funds, books, and accounts of the local educational agency, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the local educational agency.

(2) An audit of pupil attendance procedures and other applicable compliance items as detailed in the audit guide adopted pursuant to Section 14502.1.

(3) A determination of whether funds were expended pursuant to a local control and accountability plan or an approved annual update to a local control and accountability plan pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4, 4 or, for a charter school, Section 47606.5.

~~(d)~~

(g) All audit reports for each fiscal year shall be developed and reported using a format established by the Controller after consultation with the Superintendent and the Director of Finance.

~~(e)~~

(h) (1) The cost of the audits an audit provided for by the a county superintendent of schools for a school district or educational joint powers authority shall be paid from the county school service fund and the county superintendent of schools shall transfer the pro rata share of the cost chargeable to each school district or educational joint powers authority from school district or educational joint powers authority funds.

(2) The cost of an audit provided for by a chartering authority for a charter school shall be paid by the chartering authority and the chartering authority shall collect the pro rata share of the cost chargeable to each charter school from charter school funds.

(3) The cost of an audit provided for by the Controller for a county superintendent of schools shall be paid by the Controller and the Controller shall collect the pro rata share of the cost chargeable to each county superintendent of schools from the respective county school service fund.

~~(2)~~

(4) The cost of the an audit provided for by a governing board or body of a local educational agency shall be paid from local educational agency funds. The audit of the funds under the jurisdiction and control of the a county superintendent of schools shall be paid from the county school service fund.

~~(f)~~

(i) (1) The audits shall be made by a certified public accountant or a public accountant, licensed by the California Board of Accountancy, and selected by the local educational agency, as applicable, from a directory of certified public accountants and public accountants deemed by the Controller as qualified to conduct audits of local educational agencies, which shall be published by the Controller not later than on or before December 31 of each year.



(2) Commencing with the 2003–04 fiscal year and except as provided in subdivision (d) of Section 41320.1, it is unlawful for a public accounting firm to provide audit services to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous fiscal years. The Education Audits Appeal Audit Appeals Panel may waive this requirement if the panel finds that no otherwise eligible auditor is available to perform the audit.

(3) It is the intent of the Legislature that, notwithstanding paragraph (2), the rotation within public accounting firms conform to provisions of the federal Sarbanes-Oxley Act of 2002 (~~Public Law 107-204~~; 15 (15 U.S.C. Sec. 7201 et seq.), and upon release of the report required by the act of the Comptroller General of the United States addressing the mandatory rotation of registered public accounting firms, the Legislature intends to reconsider paragraph (2). In determining which certified public accountants and public accountants shall be included in the directory, the Controller shall use the following criteria:

(A) The certified public accountants or public accountants shall be in good standing as certified by the Board of Accountancy.

(B) The certified public accountants or public accountants, as a result of a quality control review conducted by the Controller pursuant to Section 14504.2, shall not have been found to have conducted an audit in a manner constituting noncompliance with subdivision (a) of Section 14503.

(4) (A) (i) Commencing with the 2027–28 fiscal year, and every two years thereafter, in order to be added to, or remain on, the Controller’s directory of certified public accountants and public accountants deemed qualified to conduct audits of local educational agencies, audit engagement partners and certified public accountants or public accountants responsible for local educational agency audits and audit staff who perform audit procedures of local educational agencies shall complete 16 hours of continuing education that, at a minimum, covers both of the following:

(I) Training on the specific requirements included in the most current Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting.

(II) Training on compliance topics that include, but are not limited to, pupil attendance, independent study, charter schools, school calendars, instructional minutes, and, if applicable, nonclassroom-based instruction.

(ii) Continuing education hours taken as part of the California Board of Accountancy license renewal requirements may be used to meet the requirements of clause (i) if the continuing education is specific to local educational agencies and includes the training content described in subclauses (I) and (II) of clause (i).

(B) Commencing with the 2027–28 fiscal year, in order to be added to, or remain on, the Controller’s directory of certified public accountants and public accountants deemed qualified to conduct audits of local educational agencies, audit engagement partners, certified public accountant firms, and certified public accountants or public accountants responsible for local educational agency audits shall comply with both of the following:

(i) (I) Have demonstrated experience conducting financial and compliance audits for local educational agencies.



(II) Notwithstanding subclause (I), audit engagement partners, certified public accountant firms, and certified public accountants or public accountants may perform a financial and compliance audit for a local educational agency during their first year of conducting those audits, provided the audit report receives a preissuance review, consistent with applicable professional standards on quality control, performed by an auditor that has demonstrated experience in conducting financial and compliance audits for local educational agencies.

(ii) Have maintained compliance with the California Board of Accountancy requirements to keep applicable licenses in active status and good standing.

(C) The continuing education hours and prior experience required pursuant to this paragraph shall be evidenced by a certification to the Controller from the certified public accountant firm, the certified public accountant or public accountant, or the audit staff that the requirements have been met.

(5) The requirements of this subdivision shall apply to audits of local educational agencies regardless of whether the local educational agency is a governmental agency or a nonprofit organization.

(6) (A) A local educational agency and an auditor that is under contract with the local educational agency shall notify the chartering authority or the county superintendent of schools, as applicable, the Superintendent, and the Controller in the event that the auditor's contract with the local educational agency is terminated or otherwise denied for renewal. The notification shall include the reason for the termination or denial for renewal and shall be made within 30 calendar days of the effective date of that termination or nonrenewal.

(B) (i) Before accepting a new engagement for a local educational agency, auditors shall request the local educational agency to provide authorization for predecessor auditors to respond fully and without limitation to the successor auditor's inquiries and request to examine work papers related to subparagraph (C).

(ii) If the local educational agency refuses to authorize predecessor auditors to respond, or limits the response, the auditor shall inquire about the reasons and consider the implications of that refusal or limitation in deciding whether to accept the engagement.

(iii) If the local educational agency provides permission for predecessor auditors to respond fully, the successor auditor shall make the following inquiries of the predecessor auditors:

(I) Their knowledge of information that might bear on the integrity of management of the local educational agency.

(II) Whether there were any disagreements with management of the local educational agency regarding matters of accounting principles, financial reporting, compliance, or audit scope.

(III) Whether there were any communications to management of the local educational agency regarding fraud, illegal acts, noncompliance, or internal control matters.

(IV) The predecessor auditor's understanding of the reason for the change of auditors.

(V) Any information relevant to the successor auditor's risk assessments for the period being audited.



(C) The successor auditor may request to inspect work papers as needed to gain full context of any risks identified through inquiry or to perform necessary procedures on beginning balances.

~~(g)~~

(j) (1) The auditor's report shall include each of the following:

(A) A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Chapter 3 (commencing with Section 14500) of Part 9 of Division 1 of Title 1.

(B) A summary of audit exceptions and management improvement recommendations.

(C) An evaluation by the auditor on whether there is substantial doubt about the ability of the local educational agency to continue as a going concern for a reasonable period of time. This evaluation shall be based on the Statement on Auditing Standards No. 59, as issued by the American Institute of Certified Public Accountants regarding disclosure requirements relating to the ability of the entity to continue as a going concern.

(2) To the extent possible, a description of correction or plan of correction shall be incorporated in the audit report, describing the specific actions that are planned to be taken, or that have been taken, to correct the problem identified by the auditor. The descriptions of specific actions to be taken or that have been taken shall not solely consist of general comments such as "will implement," "accepted the recommendation," or "will discuss at a later date."

~~(h) (1) Not later than December 15, a report of each local educational agency audit for the preceding fiscal year shall be filed with the county superintendent of schools of the county in which the local educational agency is located, the department, and the Controller. The~~

(k) (1) On or before January 31 of each year, a report of each local educational agency audit for the preceding fiscal year shall be filed with specified entities, as follows:

(A) For school districts and educational joint powers authorities, with the county superintendent of schools of the county in which the local educational agency is located, the Superintendent, and the Controller.

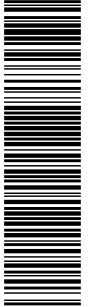
(B) For charter schools, with its chartering authority, the Superintendent, the Controller, and the county superintendent of schools of the county in which the charter school is located, unless the county board of education of the county in which the charter school is located is the chartering authority.

(C) For county superintendents of schools, with the Superintendent and the Controller.

(2) The Superintendent shall make any adjustments necessary in future apportionments of all state funds to correct any audit exceptions revealed by those audit reports: reports pursuant to Section 41344.

~~(2) The audit report referenced in paragraph (1) for the 2020–21 fiscal year shall instead be filed no later than January 31, 2022.~~

~~(3) The extension for the audit report referenced in subdivision (m) of Sections 47605 and 47605.6 for the 2020–21 fiscal year shall instead be filed no later than January 31, 2022.~~



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~~(i) (1) Commencing with the 2002–03 audit of local educational agencies pursuant to this section and subdivision (d) of Section 41320.1, each county superintendent of schools shall be responsible for reviewing the audit exceptions contained in an audit of a local educational agency under their jurisdiction related to attendance, inventory of equipment, internal control, and any miscellaneous items, and determining whether the exceptions have been either corrected or an acceptable plan of correction has been developed.~~

~~(2) Commencing with the 2004–05 audit of local educational agencies pursuant to this section and subdivision (d) of Section 41320.1, each county superintendent of schools shall include in the review of audit exceptions performed pursuant to this subdivision those audit exceptions related to use of instructional materials program funds, teacher misassignments pursuant to Section 44258.9, and information reported on the school accountability report card required pursuant to Section 33126, and shall determine whether the exceptions are either corrected or an acceptable plan of correction has been developed.~~

~~(j) Upon submission~~

~~(l) (1) Pursuant to this section and subdivision (d) of Section 41320.1, upon submission of the final audit report to the governing board of each local educational agency school district or educational joint powers authority and subsequent receipt of the audit by the county superintendent of schools having jurisdiction over the local educational agency, the county office of education school district or educational joint powers authority, the county superintendent of schools shall do all of the following:~~

~~(1)~~

~~(A) Review audit exceptions related to attendance, inventory of equipment, internal control, teacher misassignments pursuant to Section 44258.9, audit exceptions related to instructional materials and information reported on the school accountability report card pursuant to Section 33126, and other miscellaneous exceptions. Attendance exceptions or issues shall include, but not be limited to, those related to local control funding formula allocations pursuant to Section 42238.02, as implemented by Section 42238.03, and independent study.~~

~~(2) (A)~~

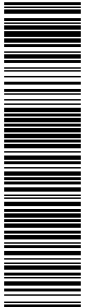
~~(B) If a description of the correction or plan of correction has not been provided as part of the audit required by this section, the county superintendent of schools shall notify the local educational agency school district or educational joint powers authority and request the governing board of the local educational agency school district or educational joint powers authority to provide to the county superintendent of schools a description of the corrections or plan of correction by March on or before April 15.~~

~~(B) In audit reports for the 2020–21 fiscal year, the description of the corrections or plan of correction referenced in subparagraph (A) shall instead be filed no later than April 15, 2022.~~

~~(3)~~

~~(C) Review the description of correction or plan of correction and determine its adequacy. If the description of the correction or plan of correction is not adequate, the county superintendent of schools shall require the local educational agency school district or educational joint powers authority to resubmit that portion of its response that is inadequate.~~

~~(k) (1)~~



(2) Each county superintendent of schools shall certify to the Superintendent and the Controller, ~~not later than May 15, on or before June 15 of each year,~~ that the county superintendent of schools' staff has reviewed all audits of ~~local educational agencies school districts or educational joint powers authorities~~ under the county superintendent of schools' jurisdiction for the prior fiscal year, that all exceptions that the county superintendent of schools was required to review were reviewed, and that all of those exceptions, except as otherwise noted in the certification, have been corrected by the ~~local educational agency school district or educational joint powers authority~~ or that an acceptable plan of correction has been submitted to the county superintendent of schools. In addition, the county superintendent of schools shall identify, by ~~local educational agency, school district or educational joint powers authority~~ any attendance-related audit exception or exceptions involving state funds, and require the ~~local educational agency school district or educational joint powers authority~~ to which the audit exceptions were directed to submit appropriate reporting forms for processing by the Superintendent.

(2) For audit reports for the 2020–21 fiscal year, the deadline for certification referenced in paragraph (1) shall instead be filed no later than June 15, 2022.

(3) In the audit of a school district or educational joint powers authority for a subsequent year, the auditor shall review the correction or plan or plans of correction submitted by the school district or educational joint powers authority to determine if the exceptions have been resolved. If an exception has not been resolved, the auditor shall restate the exception in the audit report. After receiving a finding in an audit report, the Superintendent shall either consult with the school district or educational joint powers authority to resolve the exception or require the county superintendent of schools to follow up with the school district or educational joint powers authority.

(m) (1) (A) Each chartering authority shall be responsible for reviewing the audit exceptions contained in an audit of a charter school under its jurisdiction and determining whether the exceptions have been either corrected or an acceptable plan of correction has been developed.

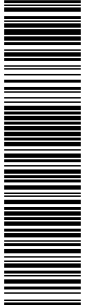
(B) If a description of the corrections or plan of correction has not been provided as part of the audit required by this section, the chartering authority shall notify the charter school and request the governing body of the charter school to provide to the chartering authority a description of the correction or plan of correction on or before April 15.

(C) The chartering authority shall review the description of the correction or plan of correction and determine its adequacy. If the description of the correction or plan of correction is not adequate, the chartering authority shall require the charter school to resubmit that portion of its response that is inadequate.

(2) (A) Except as provided in subparagraph (B), each chartering authority shall certify to the county superintendent of schools of the county in which the charter school is located, on or before May 15 of each year, that the chartering authority has done all of the following for the prior fiscal year:

(i) Reviewed all audits of charter schools under its jurisdiction.

(ii) Reviewed all exceptions that the charter school was required to review were reviewed, and that all of those exceptions, except as otherwise noted in the certification, have been corrected by the charter school or that an acceptable plan of correction has been submitted to the chartering authority.



(iii) Ensured that the charter schools they authorize have corrected or developed a plan of correction for exceptions identified in the audit report.

(iv) Identified any attendance-related audit exception or exceptions involving state funds and required the charter school to submit appropriate reporting forms for processing by the Superintendent.

(B) If the county board of education of the county in which the charter school is located is the chartering authority, the county board of education shall instead certify to the Superintendent, on or before May 15 each year, that the county superintendent of schools has done all of the following for the prior fiscal year:

(i) Reviewed all audits of charter schools under its jurisdiction.

(ii) Reviewed all exceptions that the charter school was required to review were reviewed, and that all of those exceptions, except as otherwise noted in the certification, have been corrected by the charter school or that an acceptable plan of correction has been submitted to the chartering authority.

(iii) Ensured that the charter school they authorize have corrected or developed a plan of correction for exceptions identified in the audit report.

(iv) Identified any attendance-related audit exception or exceptions involving state funds and required the charter school to submit appropriate reporting forms for processing by the Superintendent.

(H)

(3) (A) In the audit of a local educational agency charter school for a subsequent year, the auditor shall review the correction or plan or plans of correction submitted by the local educational agency charter school to determine if the exceptions have been resolved. If an exception has not been resolved, the auditor shall immediately notify the appropriate county office of education and the department and restate the exception in the audit report. After receiving that notification, the department shall either consult with the local educational agency to resolve the exception or require the county superintendent of schools to follow up with the local educational agency.

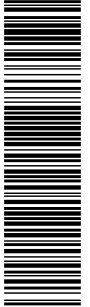
(B) (i) Except as provided in subparagraph (C), if the exceptions identified in subparagraph (A) have not been corrected, the auditor shall restate the exception in the audit report.

(ii) After receiving a finding in an audit report pursuant to paragraph (1) of subdivision (k), the county superintendent of schools shall either consult with the charter school to resolve the exception or require the chartering authority to follow up with the charter school.

(C) (i) Notwithstanding subparagraph (B), if the exceptions identified in subparagraph (A) have not been corrected and the county board of education of the county in which the charter school is located is the chartering authority, the auditor shall immediately notify the Superintendent and restate the exception in the audit report.

(ii) After receiving an audit report pursuant to paragraph (1) of subdivision (k), the Superintendent shall consult with the charter school to resolve the exception or shall require the county board of education as the chartering authority to follow up with the charter school.

(4) (A) In the audit of a county superintendent of schools for a subsequent year, the auditor shall review the correction or plan or plans of correction submitted by the county superintendent of schools to determine if the exceptions have been resolved.



(B) If the exceptions identified in subparagraph (A) have not been resolved, the auditor shall immediately notify the Superintendent and restate the exception in the audit report.

(n) (1) The Superintendent shall review the audit exceptions contained in an audit of a county superintendent of schools and shall determine whether the exceptions have been corrected or an acceptable plan of correction has been developed.

(2) After receiving a final audit report of a county superintendent of schools or the county board of education, the Superintendent shall do all of the following:

(A) Review audit exceptions, including attendance exceptions or issues, that shall include, but not be limited to, those related to local control funding formula allocations pursuant to Chapter 12.5 (commencing with Section 2574) of Part 2 of Division 1 of Title 1 and those related to independent study.

(B) Notify the county superintendent of schools and request the county superintendent of schools to provide to the Superintendent a description of the corrections or plan of correction on or before April 15.

(C) Review the description of correction or plan of correction and determine its adequacy. If the description of the correction or plan of correction is not adequate, require the county superintendent of schools to resubmit that portion of its response that is inadequate.

(m)

(o) (1) The Superintendent is responsible for ensuring that local educational agencies have either corrected or developed plans of correction for any one or more of the following:

(A) All federal and state compliance audit exceptions identified in the audit.

(B) Exceptions that the county superintendent of schools certifies as of ~~May~~ April 15 have not been corrected.

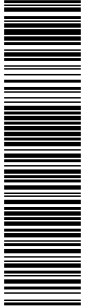
(C) Repeat audit exceptions that are not assigned to a county superintendent of schools to correct.

(2) In addition, the Superintendent is responsible for ensuring that county superintendents of schools and each county board of education that serves as the governing board or body of a local educational agency either correct all audit exceptions identified in the audits of county superintendents of schools and of the local educational agencies for which the county boards of education serve as the governing boards or develop acceptable plans of correction for those exceptions.

(3) The Superintendent shall report ~~annually~~ annually, on or before November 1, to the Controller on the Superintendent's actions to ensure that school districts, county superintendents of schools, and each county board of education that serves as the governing board of a school district have either corrected or developed plans of correction for any of the exceptions noted pursuant to paragraph (1).

(n)

(p) To facilitate correction of the exceptions identified by the audits issued pursuant to this section, the Controller shall require auditors to categorize audit exceptions in each audit report in a manner that will make it clear to ~~both chartering authorities, the county superintendent of schools~~ schools, and the Superintendent which exceptions they are responsible for ensuring the correction of by a local educational agency. In addition, the Controller annually shall select a sampling of chartering authorities and county superintendents of schools, perform a followup of the audit



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resolution process of those county superintendents of schools, and report the results of that followup to the ~~Superintendent~~ Superintendent, the chartering authorities and the county superintendents of schools that were reviewed.

(o)

(q) County superintendents of schools shall adjust subsequent local property tax requirements to correct audit exceptions relating to local educational agency tax rates and tax revenues.

(p)

(r) If a governing board or body of a local educational agency, chartering authority, or county superintendent of schools fails or is unable to make satisfactory arrangements for the audit pursuant to this section, the Controller shall make arrangements for the audit and the cost of the audit shall be paid from local educational agency funds or the county school service fund, as the case may be.

(q)

(s) Audits of regional occupational centers and programs are subject to this section.

(r)

(t) This section does not authorize examination of, or reports on, the curriculum used or provided for in any local educational agency.

(s)

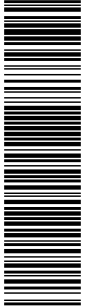
(u) Notwithstanding any other law, a nonauditing, management, or other consulting service to be provided to a local educational agency by a certified public accounting firm while the certified public accounting firm is performing an audit of the agency pursuant to this section shall be ~~in accord with Government Accounting Standards, Amendment No. 3, as published~~ accordance with the generally accepted government auditing standards promulgated by the United States General Accounting Government Accountability Office.

(v) For purposes of this section, "local educational agency" means a school district, educational joint powers authority, county superintendent of schools, or charter school.

SEC. 78. Section 41020.2 of the Education Code is amended to read:

41020.2. (a) ~~(1) If a the governing board of a school district governing board or educational joint powers authority has entered into a contract for an independent audit of its financial statements in accordance with Section 41020 and the audited financial statements have not been filed with the county superintendent of schools on or before the due date established under Section 41020, the county superintendent of schools may shall investigate the causes for the delay and initiate one of the following actions described in subdivision (c) that will provide the required audited financial statements in the most effective manner: manner.~~

(2) If the governing body of a charter school has entered into a contract for an independent audit of its financial statements in accordance with Section 41020 and the audited financial statements have not been filed with the chartering authority on or before the due date established under Section 41020, the chartering authority shall investigate the causes for the delay and initiate one of the actions described in subdivision (c) that will provide the required audited financial statements in the most effective manner.



(3) If the county superintendent of schools has entered into a contract for an independent audit of its financial statements in accordance with Section 41020 and the audited financial statements have not been filed with the Superintendent and the Controller on or before the due date established under Section 41020, the Superintendent shall investigate the causes for the delay and initiate one of the actions described in subdivision (c) that will provide the required audited financial statements in the most effective manner.

~~(H)~~

(b) (1) (A) The county superintendent of schools may, after consultation with the school district governing board of the school district or educational joint powers authority and the auditors under contract to the district, school district or educational joint powers authority, and with the consent of the Controller's office and the Superintendent, grant an appropriate extension for the completion of the audit and the filing of the audited financial statements. An extension does not waive the legal deadline, deadline established under Section 41020, but permits the filing of the report after the deadline. An extension shall be appropriate if the extension adheres to all of the following requirements:

(B) (i) The chartering authority may, after consultation with the governing body of the charter school and the auditors under contract to the charter school, and with the consent of the county superintendent of schools, the Controller's office, and the Superintendent, grant an appropriate extension for the completion of the audit and the filing of the audited financial statements. An extension does not waive the deadline established under Section 41020, but permits the filing of the report after the deadline.

(ii) If a charter school has an approved audit extension pursuant to this subparagraph, a failure to file an audit on or before the legal deadline shall not be a cause for or contributing justification for charter nonrenewal or revocation. Failure to file an audit with the chartering authority on or before the legal deadline due to the inability of a charter school to contract for an audit due to market conditions of available auditors shall not be a cause for or contributing justification for charter nonrenewal or revocation.

(C) The Controller may, after consultation with the county board of education and the auditors under contract to the county board of education for the county office of education or for a charter school where the county board of education of the county in which the charter school is located is the chartering authority, and with the consent of the Superintendent, grant an appropriate extension for the completion of the audit and the filing of the audited financial statements. An extension does not waive the deadline established under Section 41020, but permits the filing of the report after the deadline.

(2) An extension granted pursuant to this subdivision shall be appropriate if the extension adheres to all of the following requirements:

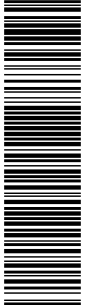
(A) The local educational agency and the auditor have certified that the audit cannot be completed on time due to unforeseen circumstances or complex situations.

~~(A)~~

(B) An extension shall be the shortest amount of time reasonable given the extenuating circumstances justifying the extension.

~~(B)~~

(C) Extensions shall be in increments of no longer than ~~45~~ 30 calendar days.



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~~(C)~~

~~(D) Extensions shall not exceed a total of 90 calendar days from the due date established pursuant to Section 41020. be granted past March 31 of the year following the deadline established under Section 41020.~~

~~(2) The county~~

~~(3) (A) As applicable pursuant to subdivision (a), the county superintendent of schools or the chartering authority may, after consultation with the school district governing board, governing board or body of a school district, educational joint powers authority, or charter school, the auditors under contract to the school district, educational joint powers authority, or charter school, and the Controller's office, contract with another qualified certified public accountant or public accountant to obtain the required audited financial statements and charge the cost of the audit to the funds of the district, school district, educational joint powers authority, or charter school. The county superintendent of schools or the chartering authority, or the Controller shall, to the extent feasible, assist the district school district, educational joint powers authority, or charter school in initiating action to avoid payment to the auditors under contract who did not complete the original audit.~~

~~(B) As applicable pursuant to subdivision (a), the Controller may, after consultation with the county superintendent of schools, the auditors under contract to the county superintendent of schools, and the Superintendent, contract with another qualified certified public accountant or public accountant to obtain the required audited financial statements and charge the cost of the audit to the funds of the county superintendent of schools. The Controller shall, to the extent feasible, assist the county superintendent of schools in initiating action to avoid payment to the auditors under contract who did not complete the original audit.~~

~~(3) The county~~

~~(4) As applicable pursuant to subdivision (a), the county superintendent of schools schools, the chartering authority, or the Superintendent may request the Controller's office to investigate the situation and initiate action as provided in subdivision ~~(b)~~. (c).~~

~~(b)~~

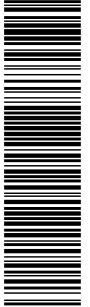
~~(c) (1) If the audited financial statements required by Section 41020 have not been filed by a school district or county superintendent of schools a local educational agency with the Controller's office on or before the due date established under Section 41020, the Controller's office shall determine the most advantageous method of obtaining the required audited financial statements. The Controller's office may may, after consultation with the governing board or body of the local educational agency and the auditor under contract with the local educational agency, do any of the following:~~

~~(1)~~

~~(A) Accept the action of the county superintendent of schools schools, the chartering authority, or the Superintendent permitted by subdivision ~~(a)~~. (b).~~

~~(2)~~

~~(B) Conduct the audit and prepare the auditor's report, utilizing using the staff available within that office and charge the cost of the audit to the next regular apportionment from the State School Fund to the district or county superintendent of schools. local educational agency.~~



(3)

(C) Contract with any qualified certified public accountant or public accountant, utilizing using the appropriate contracting procedures, for the conduct of the audit and preparation of the audited financial statements and charge the cost of the audit to the next regular apportionment from the State School Fund to the ~~district or county superintendent of schools.~~ local educational agency.

(4) Grant a

(D) Consistent with the limits described in paragraph (2) of subdivision (b), grant a reasonable extension of the time for filing the report if, in the judgment of the Controller's office, this will provide the required audited financial statements within the shortest time period. The extension of the time for filing does not waive the ~~legal deadline,~~ deadline established under Section 41020, but permits the filing of the report after the deadline.

The

(2) The Controller's office shall consult with the ~~district governing board, the county superintendent of schools, and governing board or body of the local educational agency,~~ the auditors under contract to the ~~district or local educational agency,~~ and the county superintendent of schools or the chartering authority, as applicable, before making the determination of the method to be used in obtaining the audited financial statements. The Controller's office shall, to the extent feasible, assist the ~~district or county superintendent~~ local educational agency in initiating action to avoid payment to the auditors under contract who did not complete the original audit.

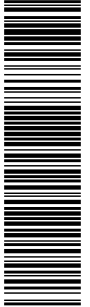
(e)

(d) Notwithstanding any extension granted under ~~paragraph (1) of subdivision (a) or paragraph (4) of subdivision (b),~~ subdivision (b) or subparagraph (D) of paragraph (1) of subdivision (c), the Controller's office may determine at any time after the due date for filing of audit reports established by Section 41020 that the audited financial statements not yet filed with that office are delinquent and that the audit will be performed under ~~paragraph (2) or (3) of subdivision (b).~~ subparagraph (B) or (C) of paragraph (1) of subdivision (c).

(e) If an extension has not been requested or granted and the audited financial statements required by Section 41020 have not been filed by a local educational agency with the Controller's office on or before the due date established under Section 41020, the local educational agency and the auditors under contract with the local educational agency shall notify the chartering authority, the county superintendent of schools, the Superintendent, and the Controller that the audit filing is delayed, the reasons for the delay, and the estimated filing date. The notification shall be made no later than 15 calendar days from the due date established under Section 41020.

(f) Notwithstanding Section 10231.5 of the Government Code, the Controller shall notify the appropriate policy committees of the Legislature, consistent with Section 9795 of the Government Code, and the Department of Finance if local educational agencies are unable to contract for an audit due to market conditions of available auditors.

(g) Notwithstanding Section 10231.5 of the Government Code, on or before September 30, 2028, and every three years thereafter, the Controller shall, in consultation with the entities listed in Section 14502.1, provide recommendations to



the appropriate committees of the Legislature, consistent with Section 9795 of the Government Code, regarding outdated or ineffective audit requirements in statute.

(h) For purposes of this section, "local educational agency" means a school district, educational joint powers authority, county superintendent of schools, or charter school.

SEC. 79. Section 41020.3 of the Education Code is amended to read:

41020.3. (a) ~~By January 31 of each year, Within 45 days after the issuance of an audit report, the governing board or body of each local educational agency shall review, at a public meeting, the annual audit of the local educational agency for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or management letter issue. This review~~

(b) The review in subdivision (a) shall be placed on the agenda of the meeting pursuant to Section 35145, 35145 or 47604.1, as applicable. The action of the governing board or body of the local educational agency shall be to accept or reject the annual audit report.

~~(b) During the 2021–22 fiscal year, the annual audit for the 2020–21 fiscal year and its relevant components, as identified pursuant to subdivision (a), shall instead be reviewed by February 28, 2022.~~

(c) For purposes of this section, "local educational agency" means a school district, educational joint powers authority, county superintendent of schools, or charter school.

SEC. 80. Section 41020.5 of the Education Code is amended to read:

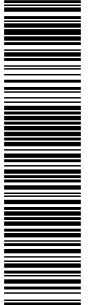
41020.5. (a) (1) If the Controller determines by two consecutive quality control reviews pursuant to Section 14504.2, or if the Superintendent, a chartering authority, or a county superintendent of schools determines, that audits performed by a certified public accountant or public accountant under Section 41020 were not performed in substantial conformity with provisions of the audit guide, or that the audit reports, including amended reports, submitted by February 15 following the close of the fiscal year audited, for two consecutive years do not conform to provisions of the audit guide as required by Section 14504, the Controller, the Superintendent, the chartering authority, or the county superintendent of schools, as appropriate, shall notify in writing the certified public accountant or public accountant and the California Board of Accountancy.

~~If~~

(2) If the certified public accountant or public accountant does not file an appeal in writing with the California Board of Accountancy within 30 calendar days after receipt of the notification from the Controller, the Superintendent, the chartering authority, or the county superintendent of schools, the determination of the Controller, the Superintendent, the chartering authority, or the county superintendent of schools pursuant to this section shall be final.

(b) If an appeal is filed with the California Board of Accountancy, the board shall complete an investigation of the appeal within 90 days of the filing date. On the basis of the investigation, the board may do either of the following:

(1) Find that the determination of the Controller, the Superintendent, the chartering authority, or the county superintendent of schools should not be upheld and has no effect.



(2) Schedule the appeal for a hearing, in which case, the final action on the appeal shall be completed by the board within one year from the date of filing the appeal.

(c) If the determination of the ~~Controller~~ Controller, the Superintendent, the chartering authority, or the county superintendent of schools under subdivision (a) becomes final, the certified public accountant or public accountant shall be ineligible to conduct audits under Section 41020 for a period of three years, or, in the event of an appeal, for any period, and subject to the conditions, that may be ordered by the California Board of Accountancy. Not later than the first day of March of each year, the Controller shall notify each school ~~district~~ district, educational joint powers authority, charter school, and county office of education of those certified public accountants or public accountants determined to be ineligible under this section. School ~~districts~~ districts, educational joint powers authorities, charter schools and county offices of education shall not use the audit services of a certified public accountant or public accountant ineligible under this section.

(d) For ~~the~~ purposes of this section, “certified public accountant or public accountant” includes any person or firm entering into a contract to conduct an audit under Section 41020.

(e) This section ~~shall~~ does not preclude the California Board of Accountancy from taking any disciplinary action it deems appropriate under other ~~provisions of law.~~ laws.

SEC. 81. Section 41020.6 is added to the Education Code, to read:

41020.6. (a) Commencing with the 2027–28 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall include instructions necessary to require all of the following:

(1) For local educational agencies, as part of supplementary information, or other information as deemed applicable under generally accepted auditing standards, schedules of all of the following, as applicable:

(A) Pupil enrollment and attendance, including total pupil enrollment and attendance for each school month, and, if the local educational agency operates a multitrack year-round calendar, by track, and perform an analytical procedure and identify and disclose unusual increases or decreases in enrollment by month and track, if applicable, that are material and provide an opportunity for the local educational agency to provide an explanation in the note.

(B) The largest 25 aggregate payments or transfers of assets to individuals or organizations determined by value accumulated over the fiscal year.

(C) For school districts and county offices of education, pupil-to-teacher ratios for independent study programs.

(D) Loans with related entities or employees.

(E) For charter schools, board or body members and related entities.

(F) The five highest paid employees.

(2) In addition to paragraph (1), for nonclassroom-based charter schools, as part of supplementary information, or other information as deemed applicable under generally accepted auditing standards, additional instructions to require schedules of the components of funding determinations pursuant to Article 1.5 (commencing with Section 11963) of Subchapter 19 of Chapter 11 of Division 1 of Title 5 of the California Code of Regulations as follows:



(A) The components used to determine the pupil-to-teacher ratio and the resulting ratio.

(B) The components used to determine the percentage of revenue expended on certificated staff salaries and benefits, and the resulting percentage.

(C) The components used to determine the percentage of revenue expended on instruction and related services, and the resulting percentage.

(b) Commencing with the 2027–28 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall include, but is not necessarily limited to, instructions necessary to require, at a minimum, that all of the following compliance procedures are performed in an audit of a local educational agency, except as otherwise limited:

(1) Compliance: compliance with professional accounting and auditing standards with an emphasis in the audit guide that audits of local educational agencies shall be conducted in compliance with Governmental Accounting Standards Board (GASB) or Financial Accounting Standards Board (FASB) statements and standards, as applicable, and generally accepted auditing standards (GAAS).

(2) (A) Sample selection: where representative samples of pupils, pupil work product, financial transactions, or other sampling are required to be performed and selected, the auditor shall independently identify the sample and make that selection in a manner that cannot be predicted, in accordance with professional standards.

(B) Auditor transaction sampling shall include a sample size appropriate for the type of local educational agency pursuant to the test of compliance sample table in the Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting.

(C) Sampling of pupil enrollment, attendance, and instructional minutes shall be representative of and inclusive of all the local education agencies' tracks and grade spans as applicable and in consideration of materiality levels established in the Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting.

(D) For an audit of a locally funded charter school that is governed by a school district or county office of education and that is included in the school district's or county office of education's audit, the auditor shall ensure that all samples completed are representative of each of the local educational agencies included in the audit.

(E) Audits shall ensure that payment samples are taken from a variety of sources, including, but not limited to, payments obtained through credit card statements, debit card statements, other electronic payment methods, and bank statements.

(3) Charter schools that are locally funded and governed by a school district or county office of education shall report charter school financial data separately from the general fund of the school district or county office of education. If the school district or county office of education audit includes more than one charter school, or if the charter school fund is not a major fund, the auditor shall also present financial data separately for each individual charter school in the supplemental section or footnotes of the audit report.

(4) Using appropriate sampling techniques, verify pupil enrollment for independent study programs at local educational agencies and verify that a pupil's residence meets applicable residency requirements based on documentation provided by the parent or guardian of the pupil, emancipated pupil, or other custodian of the pupil, or, in the case of a pupil over 18 years of age, by the pupil.



(5) (A) Chartering authority input for audits of a charter school: require auditors to consult with and inquire of the chartering authority during planning stages of the audit of a charter school authorized by the chartering authority to assist the auditor in identifying potential audit risks, including, but not limited to, fiscal and compliance areas that the charter school may not meet expectations, potential fraud risks, irregularities in observations and reporting, and other background information pertinent to the audit.

(B) County office of education input for audits of a school district or educational joint powers authority: require auditors to consult with and inquire of the county office of education during planning stages of the audit of a school district or educational joint powers authority to assist the auditor in identifying potential audit risks, including, but not limited to, fiscal and compliance areas that the school district or educational joint powers authority may not meet expectations, potential fraud risks, irregularities in observations and reporting, and other background information pertinent to the audit.

(C) Superintendent input for audits of a county office of education: require auditors to consult with and inquire of the Superintendent during planning stages of the audit of a county office of education to assist the auditor in identifying potential audit risks, including, but not limited to, fiscal and compliance areas that the county office of education may not meet expectations, potential fraud risks, irregularities in observations and reporting, and other background information pertinent to the audit.

(6) (A) Related entity for audits of a charter school: determining if a related entity, such as a charter management organization, education management organization, or similar third party with financial, economic, or controlling membership interest, exists with the charter school, as defined by generally accepted accounting principles. A charter school that files a federal tax return shall include all related entities identified on the federal tax return in the disclosure required by this paragraph.

(B) If a relationship is determined to exist pursuant to subparagraph (A), evaluate the level of the relationship to determine if it is material. For purposes of materiality, determine if the related party has a material financial, economic, or controlling interest in the charter school or can exercise material control, such as common management or board, majority voting interest, or sole corporate or statutory member or other arrangement.

(7) (A) Verification: For a charter school, verify if more than 20 percent of the charter school's total average daily attendance was generated through independent study, pursuant to Section 47634.2.

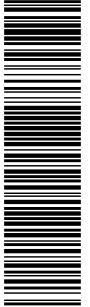
(B) Verify the pupil-to-teacher ratio calculation. For independent study programs at school districts, county offices of education, and charter schools, verify the pupil-to-teacher ratios and calculations required pursuant to Section 51745.6.

(8) Funding determination thresholds: for nonclassroom-based charter schools, determine all of the following:

(A) Whether the charter school submitted a determination of funding request to the state board.

(B) The most recent approved funding determination made by the state board.

(C) Whether the charter school has met the pupil-to-teacher ratio pursuant to Section 51745.6 and both the percentage of revenue expended on certificated staff salaries and benefits, and the percentage of revenue expended on instruction and related services, included in the state board-approved determination of funding, in accordance



with Article 1.5 (commencing with Section 11963) of Subchapter 19 of Chapter 11 of Division 1 of Title 5 of the California Code of Regulations. Verify the percentage of revenue expended on instruction and related services with detailed information and financial records necessary to determine the qualifying expenditures consistent with the definition of instruction and related services in Article 1.5 (commencing with Section 11963) of Subchapter 19 of Chapter 11 of Division 1 of Title 5 of the California Code of Regulations.

(9) Identify any transfers of funds or assets to other individuals or organizations that exceed one million dollars (\$1,000,000) or 10 percent of the local educational agency's total revenue and other sources, whichever is less, together with a written explanation from the local educational agency regarding the local educational agency's purpose for each of those expenditures.

(10) Charter School Oversight: Ensure the chartering authority has documentation of completing the oversight tasks in Section 47604.32 and teacher assignment monitoring pursuant to Section 44258.9.

(11) (A) For schools that offer grades 10, 11, or 12, inclusive, at local educational agencies, perform an analytical procedure and identify unusual enrollment patterns between consecutive grade levels and pupils that change grade levels during the school year for that school and report as a note.

(B) Identify if a pupil advanced to grade 12 without completing a California Assessment of Student Performance and Progress assessment in English language arts/literacy and mathematics using pupil cohort data and assessment data and report the number of such pupils as a note. Report the total number of pupils disenrolled from the school after census day, in a note. A local educational agency shall provide the auditor necessary assessment data from the Test Operations Management System or subsequent successor system.

(12) Verify documentation of pupil work products, pursuant to clause (iii) of subparagraph (A) of paragraph (2) of subdivision (b) of Section 51747.5.

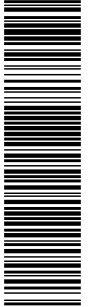
(c) Commencing with the 2027–28 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall include a library of sample letters and schedules applicable to the Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting requirements for both school districts and charter schools as a means of guidance to auditors.

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

SEC. 82. Section 41020.8 of the Education Code is repealed.

~~41020.8. Notwithstanding any other provision of law, the auditor conducting the annual audit pursuant to Section 41020 shall, upon request, provide the county superintendent or the Superintendent of Public Instruction with fiscal information on a school district within his or her jurisdiction if the county superintendent of schools determines, pursuant to Section 42127.6, that a school district may not be able to meet its obligations of the current or subsequent fiscal year. Information provided by an auditor to a county superintendent or the Superintendent of Public Instruction pursuant to this section shall be submitted simultaneously to the named district and shall not constitute a violation of auditor-client confidentiality.~~

SEC. 83. Section 41020.8 is added to the Education Code, to read:



41020.8. (a) Notwithstanding any other law, the auditor conducting an annual audit pursuant to Section 41020 shall, upon request, provide pertinent financial and compliance information related to the circumstances listed in subdivision (b) to specified entities as follows:

(1) To the county superintendent of schools for a school district or educational joint powers authority within the county superintendent of schools' jurisdiction.

(2) To the chartering authority of a charter school or to the county superintendent of schools for a charter school if the county superintendent of schools is not the chartering authority.

(3) To the Superintendent and the Controller for any local educational agency.

(b) The circumstances described in subdivision (a) include all of the following:

(1) The local educational agency has a financial audit finding, an audit finding for a material weakness or significant deficiency in internal controls, or a material noncompliance finding, including an apportionment significant audit exception.

(2) The audit of a local educational agency contains an audit opinion other than unmodified.

(3) The audit has included a statement that there is substantial doubt about the local educational agency's ability to continue as a going concern for a reasonable period of time.

(4) A determination has been made that a school district or educational joint powers authority may not be able to meet its obligations of the current or subsequent fiscal year pursuant to Section 42127.6.

(5) There is evidence that a school district is showing fiscal distress under the standards and criteria adopted in Section 33127 pursuant to paragraph (1) of subdivision (a) of Section 42127.6.

(6) A school district has a negative unrestricted fund balance or negative cash balance pursuant to Section 42127.5.

(7) A school district has received an emergency apportionment pursuant to Article 2 (commencing with Section 41320) or Article 2.5 (commencing with Section 41325) of Chapter 3 of Part 24 of Division 3 of Title 2.

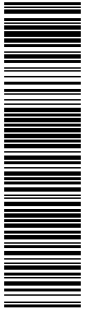
(8) The budget of a school district, educational joint powers authority, or county superintendent of schools is disapproved or a school district or county superintendent of schools has received a negative certification on any budget or interim financial report, as defined in Sections 1240, 1622, 42127, and 42131, during the current or preceding fiscal year.

(9) A quality control review by the Controller is triggered pursuant to Section 14504.2.

(c) Information provided by an auditor to a chartering authority, a county superintendent of schools, the Controller, or the Superintendent pursuant to this section shall be submitted simultaneously to the named school district, educational joint powers authority, charter school, or county superintendent of schools, as applicable, and shall not constitute a violation of auditor-client confidentiality.

SEC. 84. 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 ~~2025–26~~ 2026–27 fiscal years, inclusive.

SEC. 85. Section 41404.5 of the Education Code is amended to read:

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

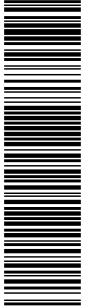
(1) By September 1, 2019, a report containing the administrator-to-teacher ratio calculated pursuant to this article for the 2011–12 fiscal year to the 2019–20 fiscal year, inclusive, a description of the reasons for not meeting the ratio requirement for each fiscal year in which the ratio was not met,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

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

(b) The Los Angeles Unified School District shall submit the following to the Superintendent, the Department of Finance, and the budget committees of both houses of the Legislature:

(1) By September 1, 2023, a report containing the ratio of administrative employees to teachers calculated pursuant to this article for the 2011–12 fiscal year to the 2022–23 fiscal year, inclusive, a description of the reasons for not meeting the ratio requirement for each fiscal year in which the ratio was not met, including the estimated impact on pupils and the number of teachers and administrators above the required ratio, and a plan setting out goals for meeting the ratio by the 2025–26 fiscal year.

(2) By each September 1 from 2024 to 2025, inclusive, a report detailing the ratio of administrative employees to teachers calculated pursuant to this article, including the number of teachers and administrators above the required ratio, for the prior fiscal year and the progress towards meeting the goals set out in the report provided pursuant to paragraph (1).



(c) (1) The Paradise Unified School District shall be exempt from any reduction in state support pursuant to Section 41404 for the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive.

(2) (A) The Paradise Unified School District shall be exempt from any reduction in state support pursuant to Section 41404 for the 2024–25 fiscal year to the 2026–27 fiscal year, inclusive. The Paradise Unified School District shall, by September 1, 2026, submit to the Superintendent, the Department of Finance, and the appropriate budget and policy committees of both houses of the Legislature, a report containing all of the following:

(i) The administrator-to-teacher ratio calculated pursuant to this article for the 2024–25 fiscal year to the 2026–27 fiscal year, inclusive, including the number of teachers and administrators above the required ratio for the prior fiscal year.

(ii) A description of the reasons for not meeting the ratio requirement for each fiscal year in which the ratio was not met, including the estimated impact on pupils.

(iii) A plan setting out goals for meeting the ratio by the 2026–27 fiscal year.

(iv) The progress towards meeting the ratio by the 2026–27 fiscal year.

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

(d) The Plumas Unified School District shall be exempt from any reduction in state support pursuant to Section 41404 from the 2023–24 fiscal year to the 2026–27 fiscal year, inclusive.

SEC. 86. Section 41585 of the Education Code is amended to read:

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

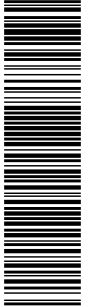
(1) Enable more local educational agencies to establish either middle college or early college high schools or programs that provide pupils with access to obtain college credits while enrolled in high school.

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

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

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

(A) A one-time grant of up to two hundred fifty thousand dollars (\$250,000) to support the costs to ~~plan for, for and start-up, a up a, or expand an existing,~~ middle college or early college high school or program that is located on the campus of a local educational agency, a partnering community college, or other location determined by



the local partnership, and that is consistent with the specifications of Chapter 14 (commencing with Section 11300) of Part 7 of Division 1 of Title 1.

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

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

(3) Nothing shall preclude a local educational agency from using any unexpended funds received for the purposes of subparagraph (A) or (B) of paragraph (1) to support the professional development of educators to meet minimum standards to teach dual enrollment courses.

~~(3)~~

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

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

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

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

~~(d)~~

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

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

~~(A) Fifty percent or more of the enrolled pupils at the local educational agency are~~ The local educational agency has higher than state average rate of unduplicated pupils, as defined in Section 42238.02.

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

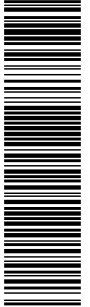
(C) The local educational agency has a higher than state average rate of suspension and a higher than state average rate of expulsion.

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

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

(F) The local educational agency does not have any dual enrollment programs.

(3) The Superintendent shall allocate an additional grant of fifty thousand dollars (\$50,000) to a local educational agency that uses grant funds received for purposes of



paragraph (1) of subdivision (b) to expand dual enrollment opportunities directly to justice-involved youth in county-operated facilities.

(3)

(4) To ensure funds appropriated for the 2022–23 fiscal year are disbursed in a timely manner, the Superintendent shall begin disbursing funds for approved applicants on or before December 1, 2023.

(5) To ensure funds appropriated for the 2026–27 fiscal year are disbursed in a timely manner, the Superintendent shall begin disbursing funds for approved applicants on or before December 1, 2026.

(e)

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

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

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

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

(f)

(e) On or before June 30, 2024, ~~and on or before June 30, 2027,~~ and on or before June 30, 2030, the department shall prepare a summary of how the funds in this section were disbursed and used to further the goals listed in subdivision (a), and shall submit the summary to the Department of Finance, the Joint Legislative Budget Committee, the Senate Committee on Education, the Assembly Committee on Higher Education, and the Assembly Committee on Education. The summary shall include all of the following information:

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

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

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

(4) The total number of community college courses by course category taken by pupils participating in middle college high schools or programs, early college high



schools or programs, College and Career Access Pathways, and other dual enrollment programs.

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

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

~~(g)~~

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

~~(h)~~

(g) For purposes of this article, “local educational agency” means a school district, charter school, or county office of ~~education~~, education, or regional occupational center or program.

SEC. 87. Section 42238.15 of the Education Code is amended to read:

42238.15. (a) Notwithstanding any other law, and in lieu of any inflation or cost-of-living adjustment otherwise authorized for the programs enumerated in subdivision (b), state funding for the programs enumerated in subdivision (b) shall be increased annually by the product of the following:

(1) The sum of 1.0 plus the percentage change determined under paragraph (2) of subdivision (d) of Section 42238.02.

(2) The sum of 1.0 plus the percentage of increase, from the prior fiscal year to the current fiscal year, in each of the workload factors described in subdivision (b) or, for paragraph (2) of subdivision (b), zero, whichever is greater.

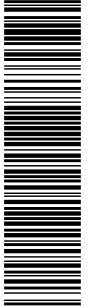
(b) The programs for which annual state funding increases are determined under this section, and the factors used to measure workload for each of those programs, are as follows:

(1) Special education programs and services, with workload measured by the regular second principal apportionment average daily attendance for kindergarten and grades 1 to 12, inclusive.

(2) Childcare and development programs, and preschool programs, with workload measured by the state population of children up to and including four years of age.

(c) Notwithstanding any other law, childcare and development programs shall not receive a cost-of-living adjustment in the 2012–13, 2013–14, 2014–15, 2020–21, and 2025–26 fiscal years.

(d) Notwithstanding any other law, childcare and development programs shall not receive a cost-of-living adjustment in the 2023–24 and 2024–25 fiscal years, except for resource and referral agencies pursuant to Chapter 2 (commencing with Section 10217) of, and local childcare and development planning councils pursuant to Chapter 31 (commencing with Section 10480) of, Part 1.8 of Division 9 of the Welfare and Institutions Code.



(e) Notwithstanding any other law, childcare and development programs shall not receive a cost-of-living adjustment in the 2026–27 fiscal year, except for resource and referral agencies pursuant to Chapter 2 (commencing with Section 10217) of, and local childcare and development planning councils pursuant to Chapter 31 (commencing with Section 10480) of, Part 1.8 of Division 9 of the Welfare and Institutions Code.

SEC. 88. Section 42252.1 of the Education Code is amended to read:

42252.1. (a) Pursuant to Sections 21 and 22 of Article XVI of the California Constitution, for the ~~2025–26~~ 2026–27 fiscal year, ~~four hundred five million two hundred ninety-one thousand dollars (\$405,291,000)~~ three hundred sixty-two million five hundred seventy-eight thousand dollars (\$362,578,000) is hereby appropriated from the Public School System Stabilization Account to the Superintendent for allocation for the local control funding formula pursuant to Sections 42238.02 and 42238.03.

(b) The Controller shall transfer the amounts appropriated pursuant to subdivision (a) to Section A of the State School Fund for those purposes.

SEC. 89. Section 42282 of the Education Code is amended to read:

42282. Commencing with the ~~2022–23~~ 2026–27 fiscal year, for each school district, on account of each necessary small school, as defined in Section 42283, the Superintendent shall make the following computations:

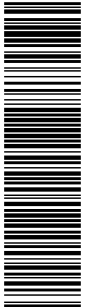
(a) For each necessary small school that has an average daily attendance during the fiscal year of less than 25, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school at least one teacher was hired full time, the Superintendent shall compute for the school district ~~two hundred thirty-two thousand seven hundred dollars (\$232,700)~~. three hundred thirty-two thousand nine hundred forty-eight dollars (\$332,948).

(b) For each necessary small school that has an average daily attendance during the fiscal year of 25 or more and less than 49, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district ~~four hundred sixty thousand five hundred dollars (\$460,500)~~. six hundred fifty-eight thousand eight hundred eighty-six dollars (\$658,886).

(c) For each necessary small school that has an average daily attendance during the fiscal year of 49 or more, but less than 73, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district ~~six hundred eighty-eight thousand five hundred dollars (\$688,500)~~. nine hundred eighty-five thousand one hundred eleven dollars (\$985,111).

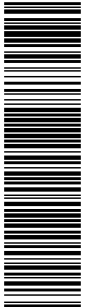
(d) For each necessary small school that has an average daily attendance during the fiscal year of 73 or more and less than 97, excluding pupils attending the 7th and 8th grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, the Superintendent shall compute for the school district ~~nine hundred sixteen thousand three hundred dollars (\$916,300)~~. one million three hundred eleven thousand forty-seven dollars (\$1,311,047).

SEC. 90. Section 42284 of the Education Code is amended to read:



42284. (a) Commencing with the ~~2022-23~~ 2026-27 fiscal year, for each school district with fewer than 2,501 units of average daily attendance, on account of each necessary small high school, the Superintendent shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

Average daily attendance	Minimum number of certificated employees	Amount to be computed per teacher
1-19	1	\$196,100 <u>\$280,582</u>
1-19	2	\$279,590 <u>\$400,039</u>
1-19	3	\$621,060 <u>\$888,617</u>
20-38	4	\$760,855 <u>\$1,088,635</u>
39-57	5	\$900,650 <u>\$1,288,656</u>
58-71	6	\$1,040,445 <u>\$1,488,674</u>
72-86	7	\$1,180,240 <u>\$1,688,695</u>
87-100	8	\$1,320,035 <u>\$1,888,714</u>
101-114	9	\$1,459,830 <u>\$2,088,734</u>
115-129	10	\$1,599,625 <u>\$2,288,753</u>
130-143	11	\$1,739,420 <u>\$2,488,774</u>
144-171	12	\$1,879,215 <u>\$2,688,794</u>
172-210	13	\$2,250,095 <u>\$3,219,450</u>
211-248	14	\$2,656,345 <u>\$3,800,714</u>
249-286	15	\$3,062,600 <u>\$4,381,988</u>



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(b) For purposes of this section, a “certificated employee” means an equivalent full-time position of an individual holding a credential authorizing service and providing service in any of grades 9 to 12, inclusive, in any secondary school. Any fraction of an equivalent full-time position remaining after all equivalent full-time positions for

certificated employees within the school district have been calculated shall be deemed to be a full-time position.

SEC. 91. Section 44258.9 of the Education Code is amended to read:

44258.9. (a) (1) The Legislature finds and declares both of the following:

(A) 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.

(B) That local educational agencies, state officials, pupils, and guardians have a vested interest in knowing and understanding the capacity of local educational agencies to fill all available and funded teaching assignments with educators who are fully credentialed for the subjects and pupils they are teaching, and a vested interest in understanding the scope of the teacher shortage across the TK/K–12 educational system, including, but not limited to, those instances where vacancies cannot be filled, resulting in the use of substitutes, increases in class size, or cancellation of courses or classes.

(2) 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 levels. 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).

(3) 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.

(4) 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 and identifications apply:

(1) (A) “An instance of a teacher shortage” means an identification by the commission that a course or class assignment is not any of the following:

- (i) Permanently filled as of Census Day.
- (ii) Filled by a fully credentialed teacher.
- (iii) Filled by a teacher who is appropriately assigned.

(B) A “fully credentialed teacher” means an individual who has completed a teacher preparation program, as defined in subdivision (e) of Section 44225.7, and who holds a valid preliminary or clear credential issued based upon the completion of that teacher preparation program.



(C) An assignment is “permanently filled as of Census Day” if the educator serving as a teacher has been contracted as of Census Day to provide instruction for either the entire school year or for a one-semester course for the entire semester.

(D) A teacher is “appropriately assigned” if the teacher holds a credential, permit, or waiver issued by the commission that contains an authorization to legally teach in the setting, in the subject area, and the pupil population associated with the assignment.

(2) “An unfilled position” shall be identified in each instance where a local educational agency has attempted to fill or is actively trying to fill an open and funded position, but is unable to do so.

(3) “A vacant position” shall be identified in each instance where, as of Census Day, a course or class assignment has not been permanently filled by a single-designated certificated employee serving for either the entire school year or for a one-semester course for the entire semester. For purposes of identifying an instance of a teacher shortage pursuant to paragraph (3) of subdivision ~~(h)~~, (i), a “vacant position” shall be limited to an employee serving as a teacher.

(4) “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.

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

(6) “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.

(7) “Monitoring authority” means:

(A) The county office of education for school districts in the county and programs operated by the county office of education.

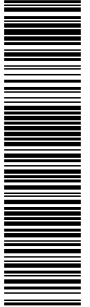
(B) The commission for a school district or county office of education that operates within a city or county in which there is a single school district, including the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco, and the state special schools.

(C) (i) The chartering authority for a charter school.

(ii) Notwithstanding clause (i), in cases where a charter school operates under the authority of a school district in which the charter school is the sole schoolsite in the school district, the commission shall serve as the monitoring authority.

(8) “System,” unless the context requires otherwise, means the California Statewide 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 Sections 10600 and 60900 for its functioning.

(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.

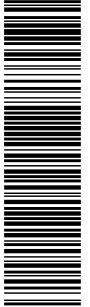
(3) Information submitted to the commission and monitoring authority pursuant to paragraph (2) shall be submitted electronically through the system.

(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 appropriately assigned educator workforce.

(8) Notwithstanding any other law, the commission, when identifying misassignments using the system, shall identify an educator in a teaching or services 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~~ 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 appropriately assigned and misassigned, at the schoolsite, local educational agency, county, and state-level levels. 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) (A) Identify instances of a teacher shortage in each instance where, as of Census Day, a course or class assignment is permanently filled by an employee who is not fully credentialed or who is not appropriately assigned, as identified in clauses (i) to (vii), inclusive, below:

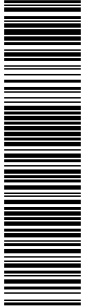
(i) Individuals who are fully credentialed teachers and are serving outside their credential area based on holding a valid commission-issued permit authorizing the subject, setting, or pupil population being taught.

(ii) Individuals who are fully credentialed teachers and are serving outside of their credential area pursuant to a statute or Title 5 of the California Code Regulations that allows a local educational agency to otherwise legally assign the individual at the local level.

(iii) Individuals serving on a valid district or university intern credential that authorizes the subject, setting, or pupil population being taught.

(iv) Individuals who are fully credentialed teachers but are teaching a subject, setting, or pupil population not authorized by their credential area, excluding assignments authorized by subdivision (b) of Section 80005 of Title 5 of the California Code of Regulations.

(v) Individuals serving on the basis of a valid permit issued by the commission that authorizes the subject, setting, or pupil population being taught.



(vi) Individuals serving on a short-term or variable-term waiver document issued by the commission that authorizes the subject, setting, or pupil population being taught.

(vii) Individuals who are identified as misassigned by the commission, other than those educators described in clause (iv).

(B) Identify instances of a teacher shortage in each instance where, as of Census Day, a local educational agency identifies a vacant position or an unfilled position.

(4) 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 ~~levels~~.

(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.

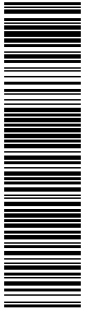
(F) Identification of any need for further technical assistance for local educational agencies, including chartering authorities, to improve assignment monitoring and reduce the overall rate of misassignment.

(2) Pursuant to Section 10231.5 of the Government Code, the reporting requirement described in paragraph (1) shall be inoperative on December 1, 2026.

~~(I)~~

(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 or the definition of "vacancy" for purposes of Section 35186.

(m) This section does not change existing rights or obligations, including, but not limited to, those specified in Sections 33126 and 33315.



(n) (1) A teacher employed by a local educational agency and offering a course in which pupils receive course credit or that counts toward instructional minutes, or both, shall hold the certificate, permit, or other document required by the commission for that assignment and shall be monitored.

(2) Paragraph (1) does not authorize a local educational agency to assign a teacher of record that is not an employee of the local educational agency.

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

SEC. 92. Section 44259 of the Education Code is amended to read:

44259. (a) Except as provided in clauses (i) and (iii) of subparagraph (A) of paragraph (3) of subdivision (b), a program of professional preparation for multiple or single subject teaching credentials shall not include more than two years of full-time study of professional preparation.

(b) The minimum requirements for the preliminary multiple subject, single subject, or education specialist teaching credential are all of the following:

(1) A baccalaureate degree or higher degree from a regionally accredited institution of higher education. Except as provided in subdivision (c) of Section 44227, for single subject teaching credentials, the baccalaureate degree shall not be in professional education. The commission shall encourage regionally accredited institutions of higher education to offer undergraduate minors in education and special education to students who intend to become single subject credentialed teachers.

(2) [Reserved]

(3) (A) Satisfactory completion of a program of professional preparation that has been accredited by the Committee on Accreditation on the basis of standards of program quality and effectiveness that have been adopted by the commission. In accordance with the commission's assessment and performance standards, a program shall include a teaching performance assessment as set forth in Section 44320.2 that is aligned with the California Standards for the Teaching Profession. The commission shall ensure that a candidate recommended for a credential or certificate has demonstrated satisfactory ability to assist pupils to meet or exceed academic content and performance standards for pupils adopted by the state board. Programs that meet this requirement for professional preparation shall include any of the following:

(i) Integrated programs of subject matter preparation and professional preparation pursuant to subdivision (a) of Section 44259.1.

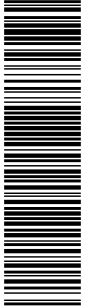
(ii) Postbaccalaureate programs of professional preparation, pursuant to subdivision (d) of Section 44259.1.

(iii) Internship programs of professional preparation, pursuant to Section 44321, Article 7.5 (commencing with Section 44325), Article 11 (commencing with Section 44380), and Article 3 (commencing with Section 44450) of Chapter 3.

(iv) Degree programs offered pursuant to Article 5 (commencing with Section 78060) of Chapter 1 of Part 48 of Division 7 of Title 3.

(B) A program of professional preparation pursuant to subparagraph (A) shall provide experience that addresses all of the following:

(i) Health education, including a basic understanding of youth mental health, study of nutrition, cardiopulmonary resuscitation, and the physiological and sociological effects of the abuse of alcohol, narcotics, and drugs and the use of tobacco. Training



in cardiopulmonary resuscitation shall also meet the standards established by the American Heart Association or the American Red Cross.

(ii) Field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs.

(iii) Advanced computer-based technology, including the uses of technology in educational settings.

(4) Study of effective means of teaching literacy, including, but not limited to, the study of reading as described in subparagraphs (A) and (B), and evidence-based means of teaching foundational reading skills in print concepts, phonological awareness, phonics and word recognition, and fluency to all pupils, including tiered supports for pupils with reading difficulties, English learners, and pupils with exceptional needs. The study of effective means of teaching literacy shall be in accordance with the commission's standards of program quality and effectiveness and current teaching performance expectations, shall be aligned to the current English Language Arts/English Language Development (ELA/ELD) Framework adopted by the state board, and shall incorporate the program guidelines for dyslexia developed pursuant to Section 56335. The study of reading shall meet the following requirements:

(A) Commencing January 1, 1997, satisfactory completion of comprehensive reading instruction that is research based and includes all of the following:

(i) The study of organized, systematic, explicit skills including phonemic awareness, direct, systematic, explicit phonics, and decoding skills.

(ii) A strong literature, language, and comprehension component with a balance of oral and written language.

(iii) Ongoing diagnostic techniques that inform teaching and assessment.

(iv) Early intervention techniques.

(v) Guided practice in a clinical setting.

(B) For purposes of this section, "direct, systematic, explicit phonics" means phonemic awareness, spelling patterns, the direct instruction of sound/symbol codes and practice in connected text, and the relationship of direct, systematic, explicit phonics to the components set forth in clauses (i) to (v), inclusive, of subparagraph (A).

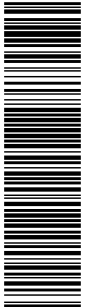
(C) A program for the multiple subject teaching credential and the education specialist teaching credential also shall include the study of integrated methods of teaching language arts.

(5) (A) Verification of subject matter competence, demonstrated through one of the following methods:

(i) Completion of a subject matter program approved by the commission on the basis of standards of program quality and effectiveness pursuant to Article 6 (commencing with Section 44310).

(ii) Passage of a subject matter examination pursuant to Article 5 (commencing with Section 44280).

(iii) Successful completion of coursework at one or more regionally accredited institutions of higher education that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282, as verified by a commission-approved program of professional preparation. Coursework completed at a community or junior college that is regionally accredited by an accrediting agency listed in subparagraph (A) of paragraph (1) of subdivision (g) of Section 44203 or by the Accrediting Commission for Community



and Junior Colleges of the Western Association of Schools and Colleges may count for purposes of this clause.

(iv) Successful completion of a baccalaureate or higher degree from a regionally accredited institution of higher education with the following, as applicable:

(I) For single subject credentials, a major in one of the subject areas closely related to an area in which the commission credentials candidates.

(II) For multiple subject credentials, a liberal studies ~~major~~ major, education major, or other degree major that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.

(III) For PK-3 early childhood education specialist credentials, a child development major, education major, or a major in a subject area closely related to the credential area.

~~(H)~~

(IV) For education specialist credentials, either a major in one of the subject areas in which the commission credentials candidates or a liberal studies or other major that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.

(v) Demonstration that the candidate, through a combination of the methods described in clauses (i), (ii), and (iii) in whole or in part, has met or exceeded each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282 for multiple and single subject credentials, or pursuant to Section 44265 for education specialist credentials.

(B) (i) The commission shall ensure that subject matter standards and examinations are aligned with the academic content and performance standards for pupils adopted by the state board.

(ii) The commission shall maintain the subject matter domains that include both broad content areas to support coursework review pursuant to clause (iii) of subparagraph (A) and specific content elements to delineate subject matter examination specifications pursuant to clause (ii) of subparagraph (A) and Article 5 (commencing with Section 44280).

(6) Demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Section 44335.

(7) Demonstration, in accordance with the commission's standards of program quality and effectiveness, of basic competency in the use of computers in the classroom as determined by one of the following:

(A) Successful completion of a commission-approved program or course.

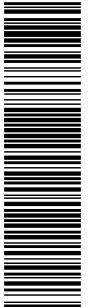
(B) Successful passage of an assessment that is developed, approved, and administered by the commission.

(c) The minimum requirements for the clear multiple or single subject teaching credential shall include all of the following requirements:

(1) Possession of a valid preliminary teaching credential, as prescribed in subdivision (b), possession of a valid equivalent credential or certificate, or completion of equivalent requirements as determined by the commission.

(2) Except as provided in paragraph (3), completion of a program of beginning teacher induction, including either of the following:

(A) A program of beginning teacher induction that is provided by one or more local educational agencies and has been approved by the commission on the basis of



initial review and periodic evaluations of the program in relation to appropriate standards of credential program quality and effectiveness that have been adopted by the commission pursuant to this subdivision. The program standards shall encourage innovation and experimentation in the continuous preparation and induction of beginning teachers.

(B) A program of beginning teacher induction that is sponsored by a regionally accredited institution of higher education in cooperation with one or more local school districts, that addresses the individual professional needs of beginning teachers and meets the commission's standards of induction. The commission shall ensure that preparation and induction programs that qualify candidates for professional credentials extend and refine each beginning teacher's professional skills in relation to the California Standards for the Teaching Profession and the academic content and performance standards for pupils adopted by the state board.

(3) (A) If a candidate satisfies the requirements of subdivision (b) through completion of an accredited internship program of professional preparation, and if that internship program fulfills induction standards and is approved as set forth in this subdivision, the commission shall determine that the candidate has fulfilled the requirements of paragraph (2).

(B) If an approved induction program is verified as unavailable to a beginning teacher, the commission shall accept completion of an approved clear credential program after completion of a baccalaureate degree at a regionally accredited institution of higher education as fulfilling the requirements of paragraph (2). The commission shall adopt regulations to implement this subparagraph.

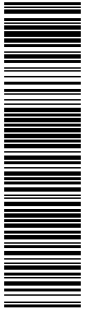
(d) The commission shall develop and implement standards of program quality and effectiveness that provide for the areas of application listed in clauses (i) to (iii), inclusive, of subparagraph (B) of paragraph (3) of subdivision (b), starting in professional preparation and continuing through induction.

(e) A credential that was issued before January 1, 1993, shall remain in force as long as it is valid under the laws and regulations that were in effect on the date it was issued. The commission shall not, by regulation, invalidate an otherwise valid credential, unless it issues to the holder of the credential, in substitution, a new credential authorized by another provision in this chapter that is no more restrictive than the credential for which it was substituted with respect to the kind of service authorized and the grades, classes, or types of schools in which it authorizes service.

(f) A credential program that is approved by the commission shall not deny an individual access to that program solely on the grounds that the individual obtained a teaching credential through completion of an internship program when that internship program has been accredited by the commission.

(g) Notwithstanding this section, persons who were performing teaching services as of January 1, 1999, pursuant to the language of this section that was in effect before that date, may continue to perform those services without complying with any requirements that may be added by the amendments adding this subdivision.

(h) Paragraph (4) of subdivision (b) does not apply to any person who, as of January 1, 1997, holds a multiple or single subject teaching credential, or to any person enrolled in a program of professional preparation for a multiple or single subject teaching credential as of January 1, 1997, who subsequently completes that program. It is the intent of the Legislature that the requirements of paragraph (4) of subdivision



(b) apply only to persons who enter a program of professional preparation on or after January 1, 1997.

SEC. 93. Section 44281 of the Education Code is repealed.

~~44281. The commission shall select, administer, and interpret subject matter examinations, which shall be a prerequisite for assignment to assure minimum levels of subject matter knowledge by all certified personnel regardless of the pattern and place of preparation.~~

SEC. 94. Section 44281 is added to the Education Code, to read:

44281. (a) The commission and programs of professional preparation shall support teacher candidates to establish subject matter competence through degree major or coursework, pursuant to clauses (iii) and (iv) of subparagraph (A) of paragraph (5) of subdivision (b) of Section 44259.

(b) The commission shall update the degree majors that establish subject matter competence pursuant to clause (iv) of subparagraph (A) of paragraph (5) of subdivision (b) of Section 44259 and ensure the subject matter requirements support streamlined transcript review, including for use by programs of professional preparation to review transcripts for their candidates seeking to establish subject matter competence through coursework.

(c) Where a candidate's degree major or completed coursework do not establish their subject matter competence, the commission shall make subject matter examinations available. The commission shall maintain a standard error of measurement for the determination of passing scores for these examinations.

SEC. 95. Section 44395 of the Education Code is amended to read:

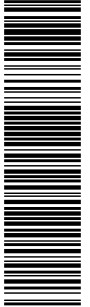
44395. (a) (1) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained or will attain certification from the National Board for Professional Teaching Standards. Awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act.

(2) (A) Commencing July 1, 2021, any teacher who has attained certification from the National Board for Professional Teaching Standards is eligible to receive an award of up to twenty-five thousand dollars (\$25,000) if the teacher agrees to teach at a high-priority school for at least five years. Teaching service before July 1, 2021, may not be counted towards satisfaction of this five-year commitment.

(B) Awards granted pursuant to this paragraph shall be disbursed in annual payments of five thousand dollars (\$5,000) over a five-year period. The annual payment shall be made upon completion of the school year, and upon approval of a district-certified application pursuant to the guidelines of subdivision (c) of Section 44396.

(3) (A) Commencing July 1, 2021, any teacher who initiates the process of pursuing a certification from the National Board for Professional Teaching Standards when teaching at a high-priority school is eligible to receive an award of two thousand five hundred dollars (\$2,500).

(B) Awards granted pursuant to this paragraph shall be disbursed from the department to the National Board for Professional Teaching Standards. Any unused funds shall be applied to future candidates.



(C) A teacher who receives an award pursuant to this paragraph may still apply to receive funds under paragraph (2) after completion of a certification from the National Board for Professional Teaching Standards to the extent funds are available.

(4) (A) (i) Commencing July 1, 2023, any teacher who initiates the process of maintenance of certification from the National Board for Professional Teaching Standards when teaching at a high-priority school is eligible to receive an award of four hundred ninety-five dollars (\$495).

(ii) Awards granted pursuant to this paragraph shall be disbursed from the department to the National Board for Professional Teaching Standards. Any unused funds shall be applied to future candidates.

(iii) A teacher who receives an award pursuant to this paragraph may still apply to receive funds under paragraph (2).

(B) This paragraph may be implemented using funds appropriated pursuant to Section 137 of Chapter 44 of the Statutes of 2021.

(b) (1) The department shall administer the awards authorized by subdivision (a), and shall develop, in consultation with the Commission on Teacher Credentialing, certification and award information, criteria, procedures, and applications, all of which shall be submitted to the state board for approval. Amendments requested by the state board to that information, criteria, procedures, and applications shall be made before the dissemination of the material and the granting of any award under this article.

(2) Commencing July 1, 2027, the Commission on Teacher Credentialing shall administer the awards authorized by this section and any reference to department shall instead refer to the commission.

(c) The department shall distribute the materials described in subdivision (b) to school districts. Each school district is strongly encouraged to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the program and can acquire the necessary application and information materials.

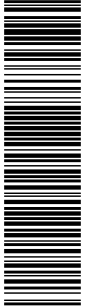
(d) School districts are encouraged to provide for adequate release time and support for a teacher to complete the certification process. As a condition to providing that release time and support, a school district may require that a teacher serve in a mentor teacher capacity.

(e) For purposes of satisfying the service requirements of subdivision (a), an award recipient's service shall be at a high-priority school listed on the most recent list of priority schools published by the department that is available when the grant recipient seeks employment at the high-priority school. Further service at that school shall continue to satisfy the service requirements of subdivision (a) even if the school is no longer listed on a future priority school list published by the department.

(e)

(f) For purposes of this article, the following definitions apply:

(1) "School district" means school district, county board of education, county superintendent of schools, a state operated program, including a special school, a regional occupational center or program operated by a joint powers authority or a county office of education, or an education program providing instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, that is offered by a state agency, including the Department of Youth and Community Restoration and the State Department of Developmental Services.



(2) “High-priority school” means a school with 55 percent or more of its pupils being unduplicated pupils, as defined in subdivision (b) of Section 42238.02. This designation shall be determined by the department.

SEC. 96. Section 44415.9 is added to the Education Code, to read:

44415.9. (a) (1) For the 2026–27 fiscal year, the sum of two hundred fifty million dollars (\$250,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing to augment the Teacher Residency Grant Program pursuant to Section 44415.6 to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors. This funding shall be available for encumbrance until June 30, 2030.

(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) It is the intent of the Legislature that the commission utilizes the grant management system developed pursuant to subdivision (c) of Section 44400.3 to streamline the Teacher Residency Grant Program application and administration with other educator recruitment and retention programs administered by the commission.

(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, for the 2026–27 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 2026–27 fiscal year.

SEC. 97. Section 44418 of the Education Code is amended to read:

44418. This article shall remain in effect only until January 1, ~~2030~~, 2033, and as of that date is repealed.

SEC. 98. Section 45037 of the Education Code is amended to read:

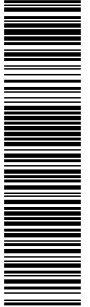
45037. (a) Except as provided in Section 45036, for the fiscal year ~~2001–02~~ and for any fiscal year thereafter in which a person renders service as a teacher in kindergarten or any of grades 1 to 12, inclusive, who does not have a valid certification document, ~~as defined in Section 44007, the school district or district, county office of education in which education, or charter school that the person is employed by~~ shall be assessed a penalty that shall be calculated as provided in subdivision (b) and withheld from state funding otherwise due to the ~~district or school district, county office of education, education, or charter school.~~

(1) Notwithstanding Section 46300, the attendance of the noncertificated person’s pupils during the period of service shall be included in the computation of average daily attendance.

(2) The noncertificated person’s period of service shall not be excluded from the determination of eligibility for instruction time pursuant to Article 8 (commencing with Section 46200) of Chapter 2 of Part ~~26~~, 26 of Division 4.

(b) (1) For each person who rendered service in the employment of the ~~district or school district, county office of education~~ education, or charter school as a teacher in kindergarten or any of grades 1 to 12, inclusive, during the fiscal year, add the total number of schooldays on which the person rendered any amount of the service.

(2) For each person who rendered service in the employment of the ~~district or school district, county office of education~~ education, or charter school as a teacher in



kindergarten or any of grades 1 to 12, inclusive, during the fiscal year, for a period of service during which the person did not have a valid certification document, add the number of schooldays on which the person rendered any amount of the service without a valid certification document.

(3) Divide the number determined in paragraph (2) by the number determined in paragraph (1) and carry the result to four decimal places.

(4) Multiply a school district's or charter school's local control funding formula grant apportionment for the fiscal year, calculated pursuant to Section 42238.02, as implemented by Section 42238.03, or a county office of education's local control funding formula alternative education grant computed pursuant to Section 2574, as apportioned pursuant to Section 2575, for the fiscal year, for the program in which the noncertificated person rendered service by the number determined in paragraph (3).

(c) ~~Beginning in 2002-03, if~~ If a county office of education releases a warrant in favor of a person for whom a period of school district service is included in the calculation set forth in paragraph (2) of subdivision (b), and the warrant is either compensation for employment as a teacher or for employment in some other capacity if the county office of education has direct knowledge or is in possession of information giving rise to a reasonable inference that the person is rendering service as a teacher, the county office of education shall be assessed a penalty. The penalty assessed to a county office of education for any fiscal year in which one or more school district teachers did not have a valid certification document shall be equal to the lesser of three amounts as follows:

(1) Fifty percent of all penalties assessed for that fiscal year to all school districts in the county ~~office's~~ office of education's jurisdiction pursuant to subdivision (b).

(2) One-half percent of the total expenditures for that fiscal year from unrestricted resources, as defined in the California School Accounting Manual, in the county ~~office's~~ office of education's county school service fund, when two or fewer school districts in the county ~~office's~~ office of education's jurisdiction are subject to penalties pursuant to subdivision (b).

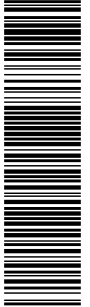
(3) One percent of the total expenditures for that fiscal year from unrestricted resources, as defined in the California School Accounting Manual, in the county ~~office's~~ office of education's county school service fund, when three or more school districts in the county ~~office's~~ office of education's jurisdiction are subject to penalties pursuant to subdivision (b).

(d) Except as provided in Section 41344.1, nothing in this section may be waived in whole or in part.

SEC. 99. Section 45125.1 of the Education Code is amended to read:

45125.1. (a) Any entity that has a contract with a local educational agency shall ensure that any employee who interacts with ~~pupils, outside of the immediate supervision and control of the pupil's parent or guardian or a school employee,~~ pupils has a valid criminal records summary as described in Section 44237. When the contracting entity performs the criminal background check, it shall immediately provide any subsequent arrest and conviction information it receives to any local educational agency that it is contracting with pursuant to the subsequent arrest service.

(b) (1) This section does not apply to an entity providing services to a local educational agency, as described in subdivision (a), in an emergency or exceptional



situation, such as when pupil health or safety is endangered or when repairs are needed to make school facilities safe and habitable.

(2) Notwithstanding subdivision (a), an employee of any entity that has a contract with a local educational agency, and that offers work experience opportunities for pupils, including, but not limited to, opportunities pursuant to Section 51760, 52336, 52372, 52410, or 52460, Article 1 (commencing with Section 52300), Article 5 (commencing with Section 52381), or Article 7 (commencing with Section 52450) of Chapter 9 of Part 28 of Division 4, Chapter 16.5 (commencing with Section 53070) of Part 28 of Division 4, Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4, or Part 54.5 (commencing with Section 88820) of Division 7 of Title 3, or workplace placements as part of a pupil's individualized education program, including, but not limited to, the services described in Article 3 (commencing with Section 56470) of Chapter 4.5 of Part 30 of Division 4, is not required to have a valid criminal records summary pursuant to subdivision (a) if all of the following requirements are met:

(A) At least one adult employee in the workplace during the pupil's work hours, who has direct contact with the pupil and has been designated by the employer as the employee of record who is responsible for the safety of the pupil, has a valid criminal records summary as described in Section 44237.

(B) A staff representative of the local educational agency makes visitations as specified in a pupil's individualized education program, or, if unspecified, at least once every three weeks to consult with the pupil's workplace liaison, observe the pupil at the workplace, and check in with the pupil to ensure the pupil's health, safety, and welfare, including by addressing any concerns the pupil has raised.

(C) The parent or guardian of the pupil has signed a consent form regarding the pupil's work placement, attesting that the parent or guardian understands the duties assigned to the pupil and the nature of the workplace environment.

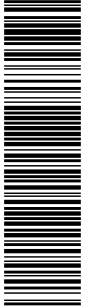
(3) If a pupil participates in services provided by a contractor as part of an independent study program and the pupil is under the immediate supervision and control of the pupil's parent or guardian during the provision of those services, the local educational agency shall do either of the following:

(A) Verify completion of a valid criminal records summary for all employees of the contractor who interact with the pupil.

(B) Ensure that the parent or guardian of the pupil has signed a consent form before the pupil's interaction with a person employed by the contractor, attesting that the parent or guardian understands that the person employed by the contractor has not completed a valid criminal records summary as described in Section 44237.

(c) On a case-by-case basis, a local educational agency may require an entity with whom it has a contract to comply with the requirements of this section for employees in addition to those described in subdivision (a). The entity shall prepare and submit those employee's fingerprints to the Department of Justice, as described in subdivision (a).

(d) (1) The Department of Justice shall ascertain whether the individual whose fingerprints were submitted to it pursuant to subdivision (a), (c), or (h) has been arrested or convicted of any crime insofar as that fact can be ascertained from information available to the Department of Justice. Upon implementation of an electronic fingerprinting system with terminals located statewide and managed by the Department



of Justice, the Department of Justice shall ascertain the information required pursuant to this section within three working days. When the Department of Justice ascertains that an individual whose fingerprints were submitted to it pursuant to subdivision (a), (c), or (h) has a pending criminal proceeding for a felony as defined in Section 45122.1 or has been convicted of a felony as defined in Section 45122.1, the Department of Justice shall notify the employer designated by the individual of that fact. The notification shall be delivered by telephone or email to the employer.

(2) The Department of Justice, at its discretion, may notify the local educational agencies in instances when the employee is defined as having a pending criminal proceeding described in Section 45122.1 or has been convicted of a felony as defined in Section 45122.1.

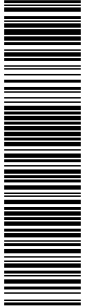
(3) The Department of Justice shall forward one copy of the fingerprints to the Federal Bureau of Investigation to verify any record of previous arrests or convictions of the applicant. The Department of Justice shall review the criminal record summary it obtains from the Federal Bureau of Investigation and shall notify the employer only as to whether or not an applicant has any convictions or arrests pending adjudication for offenses that, if committed in California, would have been punishable as a violent or serious felony. The Department of Justice shall not provide any specific offense information received from the Federal Bureau of Investigation. The Department of Justice shall provide written notification to the contract employer only concerning whether an applicant for employment has any conviction or arrest pending final adjudication for any of those crimes, as specified in Section 45122.1, but shall not provide any information identifying any offense for which an existing employee was convicted or has an arrest pending final adjudication.

(e) (1) An entity having a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c) shall not permit an employee to interact with pupils until the Department of Justice has ascertained that the employee has not been convicted of a felony as defined in Section 45122.1.

(2) The prohibition in paragraph (1) does not apply to an employee solely on the basis that the employee has been convicted of a felony if the employee has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(3) The prohibition in paragraph (1) does not apply to an employee solely on the basis that the employee has been convicted of a serious felony that is not also a violent felony if that employee can prove to the sentencing court of the offense in question, by clear and convincing evidence, that the employee has been rehabilitated for the purposes of schoolsite employment for at least one year. If the offense in question occurred outside this state, then the person may seek a finding of rehabilitation from the court in the local educational agency in which the employee is a resident.

(f) An entity having a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c) shall certify in writing to the local educational agency that neither the employer nor any of its employees who are required by this section to submit or have their fingerprints submitted to the Department of Justice and who may interact with pupils have been convicted of a felony as defined in Section 45122.1.



(g) Where reasonable access to the statewide electronic fingerprinting network is available, the Department of Justice may mandate electronic submission of the fingerprint cards and other information required by this section.

(h) (1) For purposes of this section, an individual operating as a sole proprietor of an entity that has a contract with a local educational agency, as described in subdivision (a), shall be considered an employee of that entity.

(2) To protect the safety of any pupil that may interact with an employee of an entity that is a sole proprietorship and has a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c), a local educational agency shall prepare and submit the employee's fingerprints to the Department of Justice, as described in subdivision (a).

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

SEC. 100. 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.

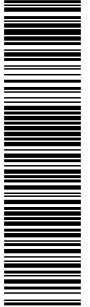
(b) (1) For the 2021–22 and 2022–23 school years, local educational agencies that receive funds pursuant to subdivision (d) shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled 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.

(2) Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraphs (B) and (C) 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.

(3) Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (D) 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.

(4) Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to paragraph (1) of subdivision (d), expanded learning opportunity programs shall include all of the following:

(A) On schooldays, as described in Section 46100 and Sections 46110 to 46119, inclusive, and days on which school is taught for the purpose of meeting the 180-instructional-day offering as described in Section 46208 for school districts and the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations for charter schools, in-person before or after school



expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no fewer than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

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

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

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

(5) 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.

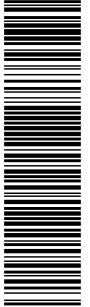
(6) Local educational agencies shall prioritize services provided pursuant to this section at schoolsites in the lowest income communities, as determined by prior year percentages of pupils eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunity programs across their attendance area.

(7) Local educational agencies may serve all pupils, including elementary, middle, and secondary school pupils, in expanded learning opportunity programs provided pursuant to this section.

(8) Local educational agencies may charge pupil fees for expanded learning opportunity programs provided pursuant to this section, consistent with Section 8482.6.

(9) 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.

(10) 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.

(11) Local educational agencies may provide up to three days of staff development during regular expanded learning opportunity program hours.

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

(13) (A) An expanded learning opportunity program shall not be required to comply with the requirements of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 or the requirements set forth in Chapter 19 of Division 1 of Title 5 of the California Code of Regulations.

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

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

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

(c) (1) (A) 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).

(B) Notwithstanding subparagraph (A), commencing with the 2025–26 fiscal year, a local educational agency that received funding pursuant to subparagraph (D)



of paragraph (1) of subdivision (d) in the prior applicable fiscal year, and receives funding pursuant to subparagraph (C) of paragraph (1) of subdivision (d) in the current applicable fiscal year, shall be subject to the audit conducted pursuant to Section 41020 to determine compliance with paragraph (3) of subdivision (b) for that current applicable fiscal year only and, for each fiscal year thereafter, shall be subject to an audit to determine compliance with paragraph (2) of 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 (2) or (3) 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 (4) 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 (4) of subdivision (b), the Superintendent shall withhold from the charter school's apportionment of funds pursuant to subdivision (d), as adjusted pursuant to paragraph (2), an amount equal to the product of 0.0049 times the charter school's apportionment for each day the charter school fails to meet the day or hour requirements.

(d) (1) The Superintendent shall allocate funding appropriated in Item 6100-110-0001 of the annual Budget Act and in subdivision (h), if applicable, in the following manner:

(A) For the 2021–22 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 80 percent, the amount of one thousand one hundred seventy dollars (\$1,170) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(B) For the 2022–23 to 2024–25 fiscal years, inclusive, 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) Commencing with the 2025–26 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 55 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.

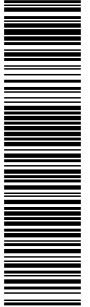
(D) For all other local educational agencies not receiving an allocation under subparagraph (A), (B), or (C), the amount of funds remaining from the appropriations in Item 6100-110-0001 of the annual Budget Act and subdivision (h), if applicable, after the amount allocated pursuant to subparagraph (A), (B), or (C), 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. The per-unit rate pursuant to this subparagraph shall not exceed the per-unit rate pursuant to subparagraph ~~(C)~~. (C), and, commencing with the 2026–27 fiscal year, shall not be less than a per-unit rate of one thousand eight hundred dollars (\$1,800).

(E) For purposes of allocating funding pursuant to subparagraphs (C) and (D) for the 2025–26 fiscal year only, the Superintendent shall calculate the difference between the prior fiscal year average daily attendance from the first period reported kindergarten and grades 1 to 6, inclusive, and the second period reported kindergarten and grades 1 to 6, inclusive, and, if there is a difference, allocate to the applicable local educational agency the amount of that difference attributable to the following local educational agencies:

- (i) Marquez Charter, Palisades Charter Elementary, and Palisades Charter High within the Los Angeles Unified School District.
- (ii) Aveson Global Leadership Academy, Aveson School of Leaders, Odyssey Charter, OCS - South, and Pasadena Rosebud Academy in the Pasadena Unified School District.
- (iii) Alma Fuerte Public in the City of Pasadena.
- (iv) The Los Angeles Unified School District and the Pasadena Unified School District.

(2) (A) For the 2021–22 fiscal year to the 2024–25 fiscal year, inclusive, 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).

(B) Commencing with the 2025–26 fiscal year, 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 one hundred thousand dollars (\$100,000).



(3) (A) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include, but is not limited to, hiring literacy coaches, high-dosage tutors, school counselors, and instructional day teachers and aides to assist pupils as part of the local educational agency's program enrichment activities.

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

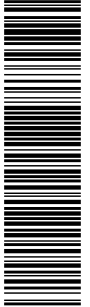
(4) A local educational agency receiving funding pursuant to subparagraph (B) or (C) of paragraph (1) shall be provided at least three years of funding pursuant to that subparagraph upon becoming eligible to receive funding pursuant to that subparagraph. A local educational agency that does not meet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

(5) The Superintendent shall proportionately reduce the amount of funding allocated pursuant to this section for a charter school that has ceased operation during the school year if school was actually taught in the charter school on fewer than 175 calendar days during that school year. The reduction shall be commensurate to the number of days that the charter school failed to operate due to the closure.

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

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

(C) (i) For the 2024–25 fiscal year, funds returned pursuant to subparagraph (A) shall be added to the amount of funds remaining from the appropriations in the calculation of the rate pursuant to subparagraph (D) of paragraph (1), and be expended consistent with paragraphs (9) and (10), up to the amount sufficient to provide the amount of two thousand dollars (\$2,000) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.



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

(7) (A) For reorganized school districts, the prior fiscal year percentage of unduplicated pupils for purposes of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by all of two or more existing districts, combine the unduplicated pupils and total pupil enrollment of the original school districts.

(ii) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by parts of one or more existing districts, and for the remaining portion of a divided district, or for a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the county office of education with jurisdiction over the reorganized school district may provide to the department, under timelines and procedures established by the Superintendent, the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized district, and the prior fiscal year unduplicated pupil percentage may be based on the unduplicated pupils and total pupil enrollment attributed to each reorganized school district. If the county office of education with jurisdiction over the reorganized school district does not provide to the department the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized school district, the unduplicated pupils and total pupil enrollment shall be equal to the counts reported for the original school district.

(B) For reorganized school districts, the prior fiscal year average daily attendance for purposes of paragraph (1) shall be calculated as follows:

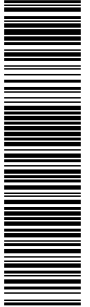
(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, the sum of the average daily attendance of the original school districts.

(ii) For a remaining portion of a divided school district, the average daily attendance attributed to that portion of the school district.

(iii) For a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the average daily attendance of the former school district shall be attributed to the new school districts so that the sum of the average daily attendance for the new school districts equals the average daily attendance of the former school district.

(iv) For purposes of clauses (i), (ii), and (iii), the county superintendent of schools with jurisdiction over the reorganized school district shall provide to the department the prior fiscal year average daily attendance as of the second principal apportionment from each affected school district that will be served by each reorganized district.

(8) (A) Beginning with the 2022–23 fiscal year, the department may allocate up to five million dollars (\$5,000,000) of moneys appropriated for purposes of this subdivision to county offices of education to provide technical assistance, evaluation, and training services to support program improvement, in coordination with activities described in Section 8483.55. County offices of education already providing technical assistance pursuant to Section 8483.55 shall be prioritized to receive these funds.



(B) Training and support shall include, but is not limited to, supporting local educational agencies with leveraging multiple funding initiatives to support expanded learning, including, but not limited to, community schools, school meal programs, and California state preschool programs.

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

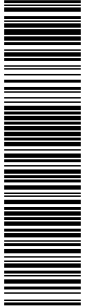
(B) If a charter school receiving an allocation pursuant to subparagraph (B), (C), or (D) of paragraph (1) ceases to operate, a final expenditure report, using a template developed by the department, shall be due to the department within 60 days of the effective date of closure. The department shall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

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

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

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

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



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

(1) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during the fiscal year, and how many pupils are provided access to these programs.

(2) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during nonschooldays, and how many pupils are provided access to these programs.

(3) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site in the 2023–24 and 2024–25 fiscal years who are also licensed by the State Department of Social Services for purposes of community care licensing, the type of programs that are licensed by the State Department of Social Services for purposes of community care licensing, and how many pupils are provided access to their programs.

(4) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during the fiscal year, how many contractors they work with, and the number of pupils provided access to these programs, by grade.

(5) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during nonschooldays, how many contractors they work with, and the number of pupils provided access to these programs, by grade.

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

(1) “Expanded learning opportunities” has the same meaning as “expanded learning” is defined in Section 8482.1. “Expanded learning opportunities” does not mean an extension of instructional time, but rather, opportunities to engage pupils in enrichment, play, nutrition, and other developmentally appropriate activities.

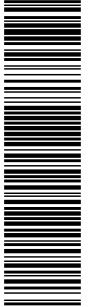
(2) “Frontier designated geographic location” means a schoolsite in an area that has a population density of fewer than 11 persons per square mile.

(3) “Local educational agency” means a school district or charter school, excluding a charter school established pursuant to Section 47605.5.

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

(5) “Offer access” means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels, including, but not limited to, publishing program availability information in local educational agency pupil enrollment forms, on the local educational agency internet website, and posted publicly at each program site in a location accessible to the public.

(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. 101. Section 46141 of the Education Code is amended to read:

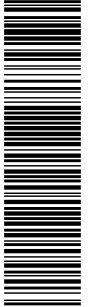
46141. The minimum schoolday in a high school is 240 minutes, except in an evening high school, an early college high school, a middle college high school, a dual enrollment program pursuant to Section 46146.5, a regional occupational center, an opportunity school and in opportunity classes, a continuation high school, in continuation education classes, in late afternoon or Saturday occupationally organized vocational training programs conducted under a federally approved plan for vocational education, and for students enrolled in a work experience education program approved under the provisions of Article 7 (commencing with Section 51760) of Chapter 5 of Part 28.

SEC. 102. Section 46146 of the Education Code is amended to read:

46146. (a) A day of attendance in grades 11 and 12 is 180 minutes of attendance if the pupil is also enrolled part time in classes of the California State University or the University of California for which academic credit will be provided upon satisfactory completion of enrolled courses.

(b) A day of attendance for any pupil who is also a special part-time student enrolled in a community college under Article 1 (commencing with Section 48800) of Chapter 5 of Part 27 and who will receive academic credit upon satisfactory completion of enrolled courses is 180 minutes of attendance.

(c) Notwithstanding any other ~~provisions of law~~, for purposes of computing the average daily attendance of a pupil described in subdivision (a) or (b), the 180-minute minimum schoolday permitted by this section shall be computed and reported as attendance for three-quarters of the full 240-minute minimum schoolday prescribed by ~~Section 46141, 46141, except as provided in Section 46146.5~~. Commencing with the 1995–96 fiscal year, if a pupil described in subdivision (a) or (b) is in attendance for more than 180 minutes, the average daily attendance of the pupil shall be computed and reported by determining the percentage of the full 240-minute minimum schoolday prescribed by Section 46141 that the pupil was in attendance at the school. No more



than one full day of attendance may be reported for any pupil for any schoolday pursuant to this subdivision.

SEC. 103. Section 46146.5 of the Education Code is amended to read:

46146.5. (a) A day of attendance for a pupil enrolled in grade 11 or 12 ~~at in~~ an early college high school or school, a middle college high school school, or dual enrollment courses offered by the local educational agency is 180 minutes of attendance if the pupil is also enrolled part time in courses of the California State University or the University of California for which academic credit will be provided upon satisfactory completion of enrolled courses.

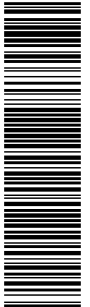
(b) A day of attendance for a pupil enrolled in an early college high school ~~or school, a middle college high school, or dual enrollment courses offered by the local educational agency, including, but not limited to, a College and Career Access Pathways partnership agreement,~~ who is also a special part-time student enrolled in a community college under Article 1 (commencing with Section 48800) of Chapter 5 of Part 27, and who will receive academic credit upon satisfactory completion of enrolled courses, is 180 minutes of attendance.

(c) A day of attendance for a pupil enrolled in an early college high school ~~or school, a middle college high school school, or dual enrollment courses offered by the local educational agency~~ who does not satisfy subdivision (a) or (b) is 240 minutes of attendance.

(d) For a charter school that is an early college high school or middle college high school, for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by the charter school shall be at the schoolsite, and the charter school shall require the attendance of a pupil enrolled in grade 11 or 12 for a minimum of 50 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5 if the pupil is also enrolled part time in courses of the California State University or the University of California for which academic credit will be provided upon satisfactory completion of enrolled courses.

(e) For a charter school that is an early college high school or middle college high school, for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by the charter school shall be at the schoolsite, and the charter school shall require the attendance of a pupil for a minimum of 50 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5 if the pupil is also a special part-time student enrolled in a community college under Article 1 (commencing with Section 48800) of Chapter 5 of Part 27, and who will receive academic credit upon satisfactory completion of enrolled courses.

(f) For a pupil enrolled in a charter school that is an early college high school or middle college high school and who does not satisfy the attendance and enrollment requirements of subdivision (d) or (e), for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by the charter school shall be at the schoolsite, and the charter school shall require the attendance of the pupil for a minimum of 67 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5.



(g) For purposes of this section, ~~middle college high school is described in Section 11300 and early college high school is described in Section 11302.~~ the following definitions apply:

(1) "College and Career Access Pathways partnership agreement" has the same meaning as described in Section 76004.

(2) "Early college high school" has the same meaning as described in Section 11302.

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

(4) "Middle college high school" has the same meaning as described in Section 11300.

(h) The requirements of this section shall be subject to annual audits, which shall be conducted pursuant to Section 41020.

SEC. 104. Section 46149 is added to the Education Code, to read:

46149. Notwithstanding any other law, a school district, county office of education, or charter school that offers grades 10 and 12 shall also offer and enroll pupils in grade 11.

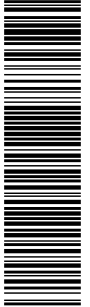
SEC. 105. Section 46392 of the Education Code is amended to read:

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.
- (9) Snowstorm.

(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.

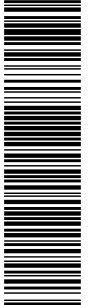
(2) (A) From September 1, 2021, to June 30, 2022, inclusive, with the exception of a material loss of attendance for pupils who are individuals with exceptional needs, as that term is defined in Section 56026, whose individualized education program developed pursuant to Article 3 (commencing with Section 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.

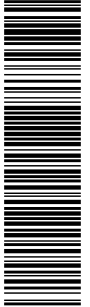
(2) (A) In the 2019–20 and 2020–21 fiscal years, for charter schools, the Superintendent shall calculate the difference between the charter school's certified second principal apportionment local control funding formula entitlement pursuant to 42238.02 in the current year and each respective prior year 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.

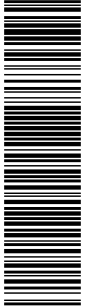
(3) School districts and charter schools shall notify the Superintendent of their eligibility pursuant to this subdivision by November 1, 2021, in the manner prescribed by the Superintendent.

(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) (1) Notwithstanding any other law, paragraphs (2) and (3) shall apply for the following charter schools identified in subparagraph (A), (B), or (C) that were damaged, destroyed, or directly impacted, as a result of a state of emergency that was declared by the Governor in January 2025:

(A) Marquez Charter, Palisades Charter Elementary, and Palisades Charter High within the Los Angeles Unified School District.

(B) Aveson Global Leadership Academy, Aveson School of Leaders, Odyssey Charter, OCS - South, and Pasadena Rosebud Academy in the Pasadena Unified School District.

(C) Alma Fuerte Public in the City of Pasadena.

(2) For the 2025–26 fiscal year, for charter schools identified in paragraph (1) that operate a minimum of 175 school days, as described in Section 41601, the Superintendent shall calculate the difference between the charter school’s certified local control funding formula entitlement pursuant to Section 42238.02 as of the annual principal apportionment in the 2025–26 fiscal year and the first principal apportionment in the 2024–25 fiscal year, and, if there is a difference, allocate the amount of that difference to the charter school. The amount calculated shall be adjusted to account for the increase in the add-on amount for transitional kindergarten pursuant to paragraph (3) of subdivision (g) of Section 42238.02 from the 2024–25 to 2025–26 fiscal years, inclusive, in a manner that ensures that the charter schools identified in paragraph (1) are not negatively impacted for the difference in the funding increase for transitional kindergarten.

(3) Allocations pursuant to paragraph (2) shall be made final as of the annual principal apportionment. The Superintendent may provide a preliminary allocation no sooner than the first principal apportionment.

(h) (1) Notwithstanding any other law, for charter schools listed in paragraph (1) of subdivision (g), the Superintendent shall calculate 30 percent of the charter school’s local control funding formula entitlement pursuant to Section 42238.02 as of the 2024–25 first principal apportionment and allocate that amount for each charter school in the 2026–27 fiscal year.

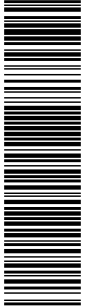
(2) In the 2026–27 fiscal year, the Superintendent shall allocate four million dollars (\$4,000,000) to Pasadena Unified School District to help address outstanding and ongoing recovery-related costs that resulted from the state of emergency that was declared by the Governor in January 2025.

(h)

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

SEC. 106. Section 47604.3 of the Education Code is amended to read:

47604.3. A charter school and an entity managing a charter school shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its respective financial records, records and contracts, from its chartering authority, the county office of education superintendent of schools that has jurisdiction over the



charter school's chartering authority, or from the Superintendent of Public Instruction and shall consult with the chartering authority, the county office of education, superintendent of schools, or the Superintendent of Public Instruction regarding any inquiries.

SEC. 107. Section 47604.32 of the Education Code is amended to read:

47604.32. (a) Each chartering authority, in addition to any other duties imposed by this part, shall do all of the following with respect to each charter school under its authority:

(1) Identify at least one staff member as a contact person for the charter school.
 (2) Visit each charter school at least annually.
 (3) ~~Ensure~~ Verify that each charter school under its authority complies with all reports required of charter schools by law, including the local control and accountability plan and annual update to the local control and accountability plan required pursuant to Section 47606.5.

(4) ~~Monitor the fiscal condition~~ condition, including enrollment and attendance data, of each charter school under its authority.

(5) Provide the governing body of the charter school with feedback on any issues of concern identified pursuant to paragraph (4) and an opportunity to respond. If in the course of the review, the chartering authority has reasonable suspicion that fraud, misappropriations of public funds, embezzlement, or other financial crimes may be occurring, the chartering authority shall notify the Superintendent and the county superintendent of schools.

~~(5)~~

(6) Provide timely notification to the ~~department~~ Superintendent if any of the following circumstances ~~occur~~ occurs or will occur with regard to a charter school for which it is the chartering authority:

(A) A renewal of the charter is granted or denied.

(B) The charter is revoked.

(C) The charter school will cease operation for any reason.

(7) Provide notification to the governing body of the charter school within 60 days of any material concern arising out of the chartering authority's ongoing oversight and monitoring activities.

(b) Commencing July 1, 2026, each chartering authority, in addition to any other duties imposed by this part, shall do all of the following with respect to each charter school under its authority:

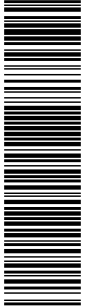
(1) (A) Visit each resource center, meeting space, and satellite facility approved in a charter petition or material revision and established by the charter school upon the opening, and, pursuant to subparagraph (B) thereafter.

(B) Visit each resource center, meeting space, and satellite facility approved in a charter petition or material revision and established by the charter school at least once every two years.

(2) Annually attend, in person, at least one meeting of the governing body of the charter school.

(3) Review the agendas and minutes of the meetings of the governing body of the charter school.

(c) (1) Commencing July 1, 2026, each chartering authority, in addition to any other duties imposed by this part, shall annually review, with respect to each



nonclassroom-based charter school under its authority, the charter school's average daily attendance. If the average daily attendance reported by a charter school to the Superintendent for apportionment purposes has increased by 10 percent or more relative to either the prior principal apportionment reporting period or the same reporting period of the prior year for independent study average daily attendance, the chartering authority shall review a sample of independent study written agreements and work samples from each track to gauge whether the documents generally align with the reported attendance.

(2) If a review pursuant to paragraph (1) does not generally align with the reported attendance during the applicable apportionment reporting, including subsequent corrected reports submitted to the chartering authority, the chartering authority shall request additional information to explain the misalignment.

(b)

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

(e) A charter school shall provide the chartering authority the necessary supporting documentation in order for the chartering authority to perform verification duties described in this section.

SEC. 108. 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 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 rancharia 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.

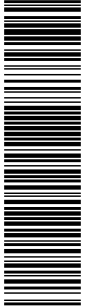
(6) Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by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

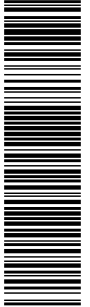
(E) The qualifications to be met by individuals to be employed by the charter school.

(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, and the annual review and update of the plan, pursuant to Section 47606.3.

(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



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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)~~

(I) 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:

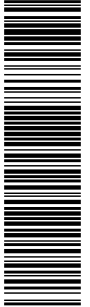
(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(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 an 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)~~

(J) 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)~~

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

~~(M)~~

(L) 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)~~

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

~~(O)~~

(N) 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.

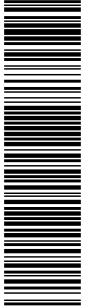
(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(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.

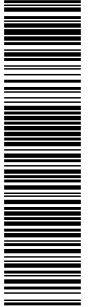
(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically ~~low-achieving~~ 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)~~ (I) 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).

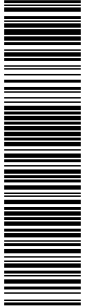
(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

(6) A charter school shall, at a governing body meeting, obtain the approval of the governing body of the charter school for any contract that would cause the charter school to compensate an individual contractor more than one hundred thousand dollars (\$100,000) in a fiscal year.

(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.

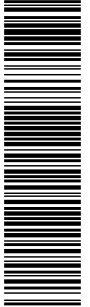
(j) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(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.

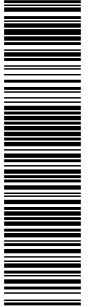
(A) The petitioner shall submit the petition to the state board within 30 days of a denial by the county board of education. The petitioner shall include the findings and documentary record from the governing board of the school district and the county board of education and a written submission detailing, 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 both 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 petitioner 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.

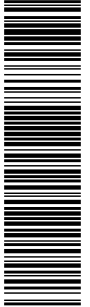
(6) If either the county board of education or the state board fails to act on a petition within 180 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(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 (I) of paragraph (5) of subdivision (e), 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 provide for an annual and independent financial and compliance audit in accordance with 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. 109. Section 47605.6 of the Education Code is amended to read:

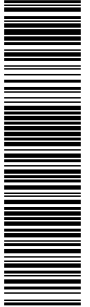
47605.6. (a) (1) In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are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

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

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

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

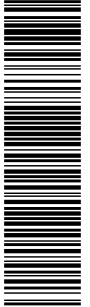
(3) After receiving approval of its petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify the school districts where those sites will be located. The charter school shall also request a material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



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

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the county board of education shall hold a public hearing on the provisions of the charter, at which time the county board of education shall consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities. Following review of the petition and the public hearing, the county board of education shall either grant or deny the charter within 90 days of receipt of the petition. However, this date may be extended by an additional 30 days if both parties agree to the extension. A petition is deemed received by the county board of education for purposes of commencing the timelines described in this subdivision when the petitioner submits a petition, in accordance with subparagraph (A) or (B) of paragraph (1) of subdivision (a), to the county office of education. The county board of education shall publish all staff recommendations, including the recommended findings, regarding the petition at least 15 days before the public hearing at which the county board of education will either grant or deny the charter. At the public hearing at which the county board of education 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. A county board of education may impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school. A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. The county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the following:
 - (A) (i) The educational program of the charter school, designed, among other things, to identify those pupils whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
 - (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as



described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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

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

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and aptitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all 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 location of each charter school facility that the petitioner proposes to operate.

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

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

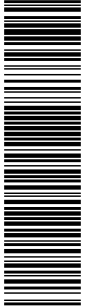
(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

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

(ii) The development of a school safety plan, and the annual review and update of the plan, pursuant to Section 47606.3.

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

(H) The means by which the charter school will achieve a 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 county board of education 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.

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

~~(J)~~

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

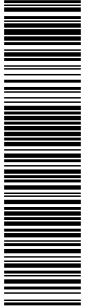
(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

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

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

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

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a 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 an 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)~~

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

~~(I)~~

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

~~(M)~~

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

~~(N)~~

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

~~(O)~~

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

~~(P)~~

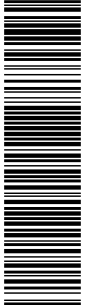
(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

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

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

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

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



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

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

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

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

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

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

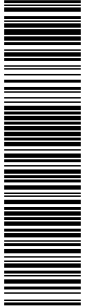
(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically ~~low-achieving~~ low achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free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

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

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

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

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic



performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

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

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

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

- (i) When a parent, guardian, or pupil inquires about enrollment.
- (ii) Before conducting an enrollment lottery.
- (iii) Before disenrollment of a pupil.

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

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

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

(6) A charter school shall, at a governing body meeting, obtain the approval of the governing body of the charter school for any contract that would cause the charter school to compensate an individual contractor more than one hundred thousand dollars (\$100,000) in a fiscal year.

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

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

(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, and upon the county board of education. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. If the charter 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 county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

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

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

(l) (1) Teachers in charter schools shall be required to 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 shall be 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) 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. The Commission on Teacher Credentialing 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.

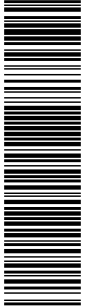
(m) A charter school shall ~~transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to provide for an annual and independent financial and compliance audit in accordance with 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. 110. Section 47605.9 of the Education Code is amended to read:

47605.9. (a) A petition to establish a charter school under this part may be submitted only to the governing board of the school district or county office of education within the boundaries of which the charter school proposes to locate.



(b) A charter school operating under a charter approved by the state board pursuant to Section 47605, as that section read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal, at which point the charter school shall submit a petition for renewal to the governing board of the school district within the boundaries of which the charter school is located. If the governing board of the school district denies the renewal petition, the charter school may submit the petition for renewal directly to the state board, which shall review the petition in accordance with subparagraph (B) of paragraph (1) of subdivision (k) of Section 47605. If the state board grants renewal pursuant to Section 47607, 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. Subsequent renewals shall be subject to the same requirements as other charter schools authorized by the designated chartering authority, including review by the state board in accordance with Section 47607 and paragraph (2) of subdivision (k) of Section 47605.

(c) A charter school operating under a charter approved by the state board pursuant to Section 47605.8, as that section read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal. The charter school shall submit a petition for renewal to the state board. If the state board grants renewal pursuant to Section 47607, the state board shall designate, in consultation with the petitioner, the governing board of the school district or the county board of education in which the charter school is located as the chartering authority. A charter school assigned to a county board of education under this subdivision shall qualify as a charter school pursuant to Section ~~47605.6.~~ 47605.6, but, notwithstanding any other law, for purposes of data collection and reporting, the charter school shall continue to disaggregate and report pupil-level data at the schoolsite level consistent with how it reported data to the department when it was authorized under Section 47605.8, as that section read on January 1, 2019. Subsequent renewals shall be subject to the same requirements as other charter schools authorized by the same chartering authorities, including review by the state board in accordance with Section 47607 and paragraph (2) of subdivision (k) of Section 47605.

(d) A charter school designated to a new chartering authority pursuant to this section shall be regarded by the department as a continuing charter school for all purposes.

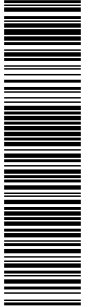
(e) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 111. Section 47607.2 of the Education Code is amended to read:

47607.2. (a) (1) The chartering authority shall not renew a charter if either of the following apply for two consecutive years immediately preceding the renewal decision:

(A) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.



(2) Notwithstanding paragraph (1), if the two consecutive years immediately preceding the renewal decision include the 2019–20 or 2020–21 school year, the chartering authority shall not renew a charter if either of the following apply for two of the most recent years for which state data is available preceding the renewal decision:

(A) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

~~(2)~~

(3) A charter school that meets the criteria established by this subdivision and paragraph (2) of subdivision (c) of Section 47607 shall only qualify for treatment under this subdivision.

~~(3)~~

(4) The chartering authority shall consider the following factors, and may renew a charter that meets the criteria in ~~paragraph~~ paragraphs (1) and (2) only upon making a both of the following written factual ~~finding~~, findings, specific to the particular petition, setting forth specific facts to support the ~~finding~~ that the findings:

(A) The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(B) There is clear and convincing evidence showing either of the following:

(i) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.

(ii) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(C) Clauses (i) and (ii) of subparagraph (B) shall be demonstrated by verified data, as defined in subdivision (c).

(5) Verified data, as defined in subdivision (c), shall be considered by the chartering authority until June 30, 2028, for a charter school pursuant to this subdivision for the charter school's next two subsequent renewals.

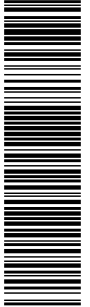
~~(4)~~

(6) For a charter renewed pursuant to this subdivision, the chartering authority may grant a renewal for a period of two years.

(b) (1) For all charter schools for which paragraph (2) of subdivision (c) of Section 47607 and subdivision (a) of this section do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

(3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:



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(A) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.

(B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data, as defined in subdivision (c).

(5) Verified data, as defined in subdivision (c), shall be considered by the chartering authority for the next two subsequent renewals until June 30, 2028, for a charter school pursuant to this paragraph.

~~(3)~~

(6) The chartering authority may deny a charter renewal pursuant to this subdivision only upon making written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils, and, if applicable pursuant to paragraph (2), paragraphs (2) and (3), that its decision provided greater weight to performance on measurements of academic performance.

~~(4)~~

(7) For a charter renewed pursuant to this subdivision, the chartering authority shall grant a renewal for a period of five years.

(c) (1) For purposes of this section, "verified data" means data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.

(2) The state board shall establish criteria to define verified data and identify an approved list of valid and reliable assessments that shall be used for this purpose.

(3) No data sources other than those adopted by the state board pursuant to paragraph (2) shall be used as verified data.

(4) Notwithstanding paragraph (3), a charter school under consideration for renewal before the state board's adoption pursuant to paragraph (2) may present data consistent with this subdivision.

(5) Adoption of the criteria pursuant to this subdivision 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).

(6) The state board may adopt and make necessary revisions to the criteria 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).

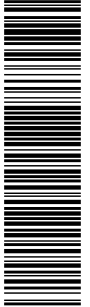
(7) Upon adoption of a pupil-level academic growth measure for English language arts and mathematics, the state board may reconsider criteria adopted pursuant to this subdivision.

~~(e)~~

~~(d) This section shall become operative on January 1, 2026. Inoperative on July 1, 2028, and as of January 1, 2029, is repealed.~~

SEC. 112. Section 47607.2 is added to the Education Code, to read:

47607.2. (a) (1) The chartering authority shall not renew a charter if either of the following apply for two consecutive years immediately preceding the renewal decision:



(A) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

(2) A charter school that meets the criteria established by this subdivision and paragraph (2) of subdivision (c) of Section 47607 shall only qualify for treatment under this subdivision.

(3) For a charter renewed pursuant to this subdivision, the chartering authority may grant a renewal for a period of two years.

(b) (1) For all charter schools for which paragraph (2) of subdivision (c) of Section 47607 and subdivision (a) of this section do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

(3) The chartering authority may deny a charter renewal pursuant to this subdivision only upon making written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils, and, if applicable pursuant to paragraph (2), that its decision provided greater weight to performance on measurements of academic performance.

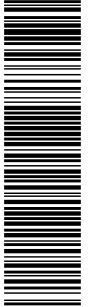
(4) For a charter renewed pursuant to this subdivision, the chartering authority shall grant a renewal for a period of five years.

(c) This section shall become operative on July 1, 2028.

SEC. 113. Section 47607.3 of the Education Code is amended to read:

47607.3. (a) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, and beginning with the ~~2020-21~~ 2025-26 school year, and every three years thereafter, for any charter school ~~for which one or more pupil subgroups identified pursuant to Section 52052 meet that meets~~ the criteria established pursuant to subdivision (g) of Section ~~52064.5 in two or more years,~~ 52064.5, the county superintendent of schools in which the charter school is located shall provide technical assistance for a minimum of three years following the identification that shall be focused on building the charter school'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 charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to subdivision (c) of Section 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5 and other relevant



local data, and to identify effective, evidence-based programs or practices that address any areas of weakness.

(2) Working collaboratively with the charter school 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 charter school. The county superintendent of schools in which the charter school is located, in consultation with the charter school, 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 charter school in need of technical assistance.

(3) Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the chartering authority to assess the charter school's progress in improving pupil outcomes.

(b) (1) For purposes of this section, the geographic lead agency, as identified pursuant to Section 52073, or its designee, as identified in subdivision (d) of Section 52071, shall serve in the role of the county superintendent of schools for a charter school authorized by the county board of education.

(2) The geographic lead agency shall choose a designee to provide the technical assistance pursuant to subdivision (a) for any charter school for whom the geographic lead agency's county board of education is the chartering authority. The geographic lead agency shall contract with the designee using the funds allocated pursuant to ~~Section 2575.3.~~ Sections 2575.3 and 2575.35.

(c) If the charter school meets the criteria established for school districts under ~~paragraph (1) of subdivision (b)~~ subdivision (a) of Section 52072, the county superintendent of schools in the county which the charter school is located may request assistance from the California Collaborative for Educational Excellence. The California Collaborative for Educational Excellence may, after consulting with the Superintendent, and with the approval of the state board, provide advice and assistance to the charter school pursuant to Section 52074.

(d) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (c) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(e) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school in determining whether to revoke the charter.

(f) A chartering authority shall comply with the hearing process described in subdivisions (g) and (h) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.



(g) If the governing body of a charter school requests technical assistance, the chartering authority shall provide technical assistance consistent with paragraph (1) or (2) of subdivision (a). If a charter school has not been identified for technical assistance pursuant to subdivision (a), the chartering authority may assess the charter school a fee not to exceed the cost of the service.

(h) A charter school shall accept the technical assistance provided pursuant to subdivision (a). For purposes of accepting technical assistance, a charter school may satisfy this requirement by providing the timely documentation to the county superintendent of schools of the county in which the charter school is located, and maintaining regular communication with the chartering authority.

(i) For a charter school that is eligible for alternate methods for calculating the state and local indicators pursuant to subdivision (d) of Section 52064.5, technical assistance provided pursuant to subdivision (a) shall take into account the charter school's performance on alternative metrics applicable to the charter school based on the pupil population served.

(j) This section shall not preclude a charter school from soliciting technical assistance from other entities at its own expense.

(k) For a charter school operating before July 1, 2020, subdivision (a) as it read on January 1, 2019, shall apply until June 30, 2022.

(l) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 114. 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.

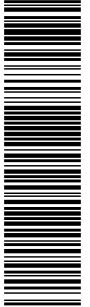
(b) The governing board of the school district of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the 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.

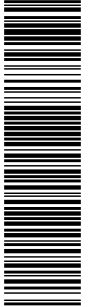
(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(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. Developmentally appropriate curriculum includes both of the following:

(1) Instructional practices that promote a child’s development and learning through a strengths- and play-based approach to joyful, engaged learning that addresses the domains of development in the department’s Preschool/Transitional Kindergarten Learning Foundations.

(2) A cohesive set of principles, learning goals, intentional teaching strategies, activities, experiences, and materials designed to help children learn and thrive in ways that are appropriate to their age and stage of cognitive, social, emotional, and physical development, as well as their individual needs and cultural experiences.



(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/Transitional Kindergarten 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.

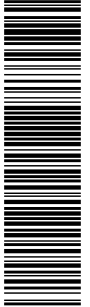
(iii) For charter schools, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who are continually enrolled in independent study for more than 14 schooldays on any of the days on which school is 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:

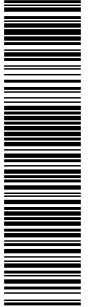
(1) An observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS Environment tool shall be completed for the classroom.

(2) All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 17702 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.

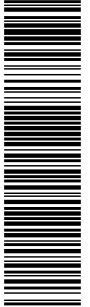
(6) A family childcare home educational network serving children pursuant to Chapter 8 (commencing with Section 10250) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(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. 115. Section 51745.6 of the Education Code is amended to read:

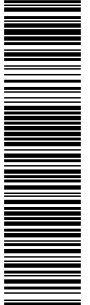
51745.6. (a) (1) ~~The Except as provided in paragraph (2), the ratio of average daily attendance for independent study pupils 18 years of age or less to for a school district or county office of education, and for independent study pupils regardless of age for a charter school, to full-time equivalent certificated employees responsible for independent study, calculated as specified by the department, shall not exceed the equivalent ratio of average daily attendance to full-time equivalent certificated employees providing instruction in other educational programs operated by the school district, unless a new higher or lower average daily attendance ratio for all other educational programs offered is negotiated in a collective bargaining agreement or a memorandum of understanding is entered into that indicates an existing collective bargaining agreement contains an alternative average daily attendance ratio. be in compliance with one of the following:~~

(A) It shall not exceed the equivalent ratio of average daily attendance to full-time equivalent certificated employees providing instruction in other educational programs operated by the school district, county office of education, or charter school.

~~(2) The ratio of average daily attendance for independent study pupils 18 years of age or less to county office of education full-time equivalent certificated employees responsible for independent study, to be calculated in a manner prescribed by the department, shall~~

(B) It shall not exceed the equivalent prior year ratio of average daily attendance to full-time equivalent certificated employees for all other educational programs operated by the high school or unified school district with the largest average daily attendance of pupils in that the county or the collectively bargained alternative ratio used by that high school or unified school district in the prior year, unless a new higher or lower average daily attendance ratio for all other educational programs offered is negotiated in a collective bargaining agreement or a memorandum of understanding is entered into that indicates an existing collective bargaining agreement contains an alternative average daily attendance ratio. year. In the case of a charter school serving pupils in more than one county, the ratio shall not exceed the ratio of the high school or unified school district with the average daily attendance of pupils in the county in which the chartering authority is located. The computation of the ratios shall be performed annually by the reporting agency at the time of, and in connection with, the second principal apportionment report to the Superintendent. A high school or unified school district shall annually report the attendance ratios to the county superintendent of schools by a date established by the county superintendent of schools. The county superintendent of schools shall annually report the attendance ratios on their internet website.

(C) It shall not exceed a fixed average-daily-attendance-to-certificated-employee ratio of 25 to 1, or a fixed ratio of less than 25 pupils per certificated employee.



(2) Notwithstanding paragraph (1), a new higher or lower ratio for all other educational programs offered by a school district, county office of education, or charter school may be negotiated in a collective bargaining agreement, or a memorandum of understanding is entered into that indicates an existing collective bargaining agreement contains an alternative average daily attendance ratio.

(b) Only those units of average daily attendance for independent study that reflect a pupil-teacher ratio that does not exceed the ratios described in subdivision (a) shall be eligible for apportionment pursuant to Section ~~2575~~, 2575 for county offices of education, and Section ~~42238.05~~, 42238.05 for school districts. This section does not prevent a school district or county office of education from serving additional units of average daily attendance greater than the ratios described in subdivision (a), except that those additional units shall not be funded pursuant to Section 2575 or 42238.05, as applicable. If a school district, charter school, or county office of education has a memorandum of understanding to provide instruction in coordination with the school district, charter school, or county office of education at which a pupil is enrolled, the ratios that shall apply for purposes of this paragraph are the ratios for the local educational agency providing the independent study program to the pupil pursuant to Section 51749.5.

(c) The calculations performed for purposes of this section shall not include either of the following:

(1) The average daily attendance generated by special education pupils enrolled in special day classes on a full-time basis, or the teachers of those classes.

(2) The average daily attendance or teachers in necessary small schools that are eligible to receive funding pursuant to Article 4 (commencing with Section 42280) of Chapter 7 of Part 24 of Division 3.

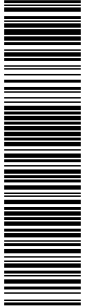
~~(d) The applicable average-daily-attendance-to-certificated-employee ratios described in subdivision (a) may, in a charter school, be calculated by using a fixed average-daily-attendance-to-certificated-employee ratio of 25 to 1, or by using a ratio of less than 25 pupils per certificated employee. A new higher or lower ratio for all other educational programs offered by a charter school may be negotiated in a collective bargaining agreement, or a memorandum of understanding indicating that an existing collective bargaining agreement contains an alternative average daily attendance ratio may be entered into by a charter school. All charter school pupils, regardless of age, shall be included in the applicable average-daily-attendance-to-certificated-employee ratio calculations.~~

~~(e)~~

(d) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of the ratios included in this section, including fiscal penalties for noncompliance as described in this section.

SEC. 116. Section 51747.5 of the Education Code is amended to read:

51747.5. (a) The independent study by each pupil shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the local educational agency who possesses a valid certification document pursuant to Section 44865 or an emergency credential pursuant to Section 44300, registered as required by law.



(b) (1) A local educational agency may claim apportionment credit for independent study only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the local educational agency, or the combined time value of pupil work product and pupil participation in synchronous instruction pursuant to paragraph (2). It is the intent of the Legislature that teachers be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for pupil work and synchronous instruction participation.

(2) For purposes of computing average daily attendance for each pupil enrolled in independent study pursuant to Section 51747, the following computations shall apply:

(A) (i) For each schoolday, add the combined equivalent daily time value of pupil work products, as personally judged by a certificated employee of the local educational agency.

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

(iii) (I) Except as provided in subclause (II), a local educational agency shall maintain one completed pupil work product in each of the subjects of English language arts, mathematics, history-social science, and science for a pupil enrolled in independent study for each of three attendance periods as follows:

(ia) The beginning of the school year through the first attendance period.

(ib) The day following the end of the first attendance period to the end of the school's second attendance period.

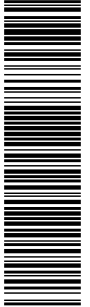
(ic) The day following the end of the school's second attendance period to the end of the school year.

(II) Notwithstanding subclause (I), if a pupil is not enrolled in one or more of the subjects identified in subclause (I) during an attendance period, the local educational agency shall maintain four completed pupil work products per attendance period that are representative of the pupil's course schedule.

(B) (i) For each schoolday, add the combined daily instructional minutes a pupil participated in synchronous instruction, as defined by subdivision (d) of Section 51745.5 and offered pursuant to subdivision (e) of Section 51747, for which evidence of pupil participation is furnished and maintained. Evidence of pupil participation may include, but is not limited to, pupil work produced or performed, or documentation that the pupil participated in an instructional period either visually or verbally, as verified by a certificated employee and maintained by the local educational agency for each hour or fraction thereof of the synchronous instructional offering.

(ii) Pursuant to paragraph (1), a local educational agency may claim apportionment credit in this paragraph insofar as a pupil's participation in a synchronous instructional offering augments the time value of pupil work product.

(C) For each schoolday, add the sum of subparagraphs (A) and (B). If the sum of subparagraphs (A) and (B) meets the applicable minimum schoolday requirements



for each schoolday, and all other requirements in this section have been met, each schoolday shall be credited as up to one schoolday of attendance.

(3) The average daily attendance computed pursuant to this subdivision shall not result in more than one unit of average daily attendance per pupil.

(4) Notwithstanding any other law, average daily attendance computed for pupils enrolled in independent study shall not be credited with average daily attendance other than what is specified in this section.

(c) A local educational agency shall document each pupil's participation in live interaction and synchronous instruction pursuant to Section 51747 on each schoolday, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A pupil who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that schoolday for purposes of pupil participation reporting and tiered reengagement pursuant to Section 51747.

(d) A local educational agency shall maintain written or computer-based evidence of pupil engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades.

(e) For purposes of this section, a local educational agency shall not be required to sign and date pupil work products when assessing the time value of pupil work products for apportionment purposes.

(f) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) to (d), inclusive, unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(g) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 117. 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:

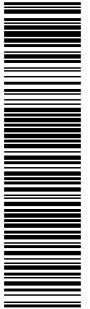
(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(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) (A) 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.

(B) If the governing board of a school district, the county board of education, or the governing body of a charter school is unable to review any data required pursuant to subparagraph (A) due to any of the events described in subdivision (a) of Section 46392, the local indicator data shall be reviewed at the next meeting of the governing board or body and a resolution shall be adopted and submitted to the department with the following information:

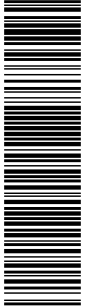
- (i) A description of the emergency event.
- (ii) The date on which the local indicator data was reviewed.

(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) (1) 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 (e) or across two or more of the state priorities described in subdivision (d) of Section 52060 and subdivision (d) of Section 52066.~~

(2) (A) No later than July 15, 2026, the state board shall update the performance criteria, taking into consideration the findings and recommendations from the state-funded evaluation of the state's differentiated assistance system and its implementation, pursuant to Section 127 of Chapter 44 of the Statutes of 2021, as amended by Section 37 of Chapter 252 of the Statutes of 2021, and the need to appropriately focus resources and supports where the demonstrated needs are greatest.

(B) The state board may adopt unique performance criteria for local educational agency assistance and intervention for the following:

(i) Charter schools pursuant to Section 47607.3.

(ii) School districts pursuant to Sections 52071 and 52072.

(iii) County offices of education pursuant to Sections 52071.5 and 52072.5.

(C) The performance criteria for local educational agency assistance and intervention pursuant to Sections 52072 and 52072.5 may be based on factors that demonstrate the local educational agency is in need of intensive, extended support.

(3) Beginning with the release of the 2026 California School Dashboard pursuant to subdivision (f), and every three years thereafter, the department shall determine local educational agency eligibility for assistance and intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5 according to the updated performance criteria adopted by the state board pursuant to paragraph (2).

SEC. 118. 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.

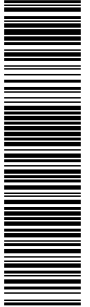
(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(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 county superintendent of schools 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.

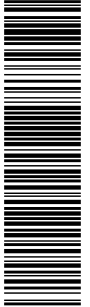
(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

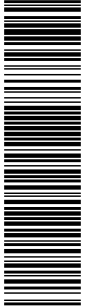
(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(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~~ 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 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 and each charter school identified for technical assistance pursuant to subdivision (a) of Section 47607.3 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 and charter school will take independent of the county superintendent of schools to improve pupil outcomes pursuant to subparagraph (C) of paragraph (1) of subdivision (c) of Section 52071 or paragraph (3) of subdivision (a) of Section 47607.3.

(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 and charter schools pursuant to subdivision (a) of Section 47607.3.

(iii) Providing universal and targeted assistance to local educational agencies pursuant to Section 2575.35.

~~(iii)~~

(iv) Providing any other support to school districts and schools within the county in implementing this article.

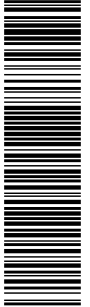
~~(iv)~~

(v) 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. 119. 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 (e)~~ 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.

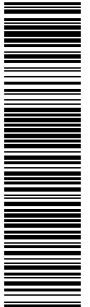
(c) (1) ~~For Beginning with the release of the 2026 California School Dashboard pursuant to subdivision (f) of Section 52064.5, and upon determination by the department every three years thereafter, for any school district for which one or more pupil subgroups identified pursuant to Section 52052 that~~ 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~~ three 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, without regard to whether the school district requires technical assistance pursuant to paragraph (1), the county superintendent of schools shall provide technical assistance for a minimum of one year that shall be 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:

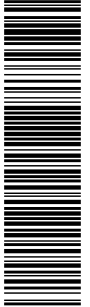
(A) Assisting the school district to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060. This shall include working collaboratively with the school district to review performance data on the state and local indicators included in the 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) subparagraph (C) of paragraph (2)~~ of subdivision (c).

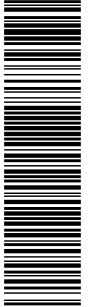
(f) For the 2025–26 fiscal year, any school district in which one or more pupil subgroups, identified pursuant to Section 52052, meets the criteria pursuant to subdivision (g) of Section ~~52064.5~~ 52064.5, as that section read on January 1, 2026, for three or more consecutive years, the school district's 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 ~~(e)~~ (c), as that subdivision read on January 1, 2026, for a minimum of two years. 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. 120. 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 Beginning with the release of the 2026 California School Dashboard pursuant to subdivision (f) of Section 52064.5, and upon determination by the department every three years thereafter, for any county office of education for which one or more pupil subgroups identified pursuant to Section 52052 that meets the criteria established pursuant to subdivision (g) of Section 52064.5, the Superintendent shall provide technical assistance for a minimum of ~~two~~ three 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.

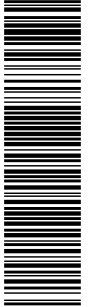
(3) Obtaining from the county office of education timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or has selected another service provider to work with the county office of education to complete the activities described in paragraphs (1) and (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, without regard to whether the county office of education requires technical assistance pursuant to subdivision (b), the Superintendent shall provide technical assistance for a minimum of one year that shall be 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.

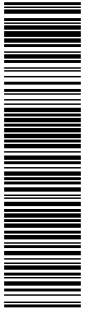
(6) A review of the county office of education's data management policies and collection and submission processes, including monitoring and oversight of the student information system, to ensure the submission of accurate data according to the processes and timelines established by the department pursuant 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. 121. Section 52072 of the Education Code is amended to read:

52072. (a) ~~Beginning with the release of the 2026 California School Dashboard pursuant to subdivision (f) of Section 52064.5, and upon determination by the department every three years thereafter, if a school district meets the criteria established by the state board 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, 52064.5,~~ 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. 122. Section 52072.5 of the Education Code is amended to read:

52072.5. (a) ~~If Beginning with the release of the 2026 California School Dashboard pursuant to subdivision (f) of Section 52064.5, and upon determination by the department every three years thereafter, if a county office of education meets the criteria established by the state board 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, 52064.5,~~ 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. 123. Section 53008 of the Education Code is amended to read:

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.

(3) It is the intent of the Legislature that local educational agencies be provided funding to offset costs related to administering pupil screenings pursuant to this section if the Commission on State Mandates determines that this section contains costs mandated by the state, pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

(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.

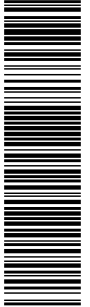
(c) (1) The work of the panel of experts appointed by the state board pursuant to subdivision (b) is subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) and all meetings of the panel are subject 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) (1) 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.~~ Employees administering screening instruments shall be appropriately trained to administer the instrument.

(2) 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. In order to meet the requirements of paragraph (1) to annually administer a screening



instrument to pupils in kindergarten and grades 1 and 2, a local educational agency shall not administer a screening instrument to a kindergarten pupil before the 91st schoolday in the school year and shall not administer a screening instrument to a pupil in grade 1 or 2 before the 46th schoolday in the school year. This paragraph does not prohibit local educational agencies from administering more than one pupil screening or diagnostic evaluation annually beyond those required to meet the requirements of paragraph (1), as appropriate.

(3) In order to ensure the accuracy and precision of screening, and in accordance with the publisher's instructions for administering screening instruments from the list adopted pursuant to subdivision (c), local educational agencies are strongly recommended to administer screening instruments on a one-on-one or small group basis.

(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):

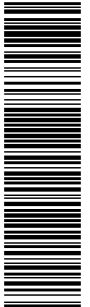
(A) Use of direct measurement, supplemented by other pupil data, to determine if a pupil is at risk of a reading difficulty, including dyslexia.

(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.

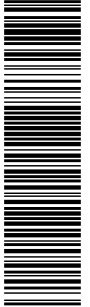
(i) A pupil may be exempted from the requirements of this section with the prior written consent of the parent or guardian if any of the following criteria are satisfied:

(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. 124. Section 56836.146 of the Education Code is amended to read:

56836.146. (a) For the 2020–21 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:



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(1) Six hundred twenty-five dollars (\$625) per unit of average daily attendance.
 (2) The amount of funding per unit of average daily attendance calculated in the 2019–20 fiscal year pursuant to Section 56836.08 for the special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) Seven hundred fifteen dollars (\$715) per unit of average daily attendance.
 (2) The amount of funding per unit of average daily attendance calculated in the 2020–21 fiscal year pursuant to paragraph (2) of subdivision (a), adjusted by the inflation factor described in Section 56836.142, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) Eight hundred twenty dollars (\$820) per unit of average daily attendance.
 (2) The amount of funding per unit of average daily attendance calculated in the 2021–22 fiscal year pursuant to paragraph (2) of subdivision (b).

~~(d) Commencing with the 2023–24 fiscal year and for each fiscal year thereafter, to 2025–26 fiscal years, inclusive,~~ For the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

(1) For the 2023–24 fiscal year, the amount of funding per unit of average daily attendance calculated for the 2022–23 fiscal year pursuant to paragraph (1) of subdivision (c), adjusted by the inflation factor described in Section 56836.142. For each fiscal year thereafter, the amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to this paragraph, adjusted each year by the inflation factor described in Section 56836.142.

(2) The amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to paragraph (2) of subdivision (c).

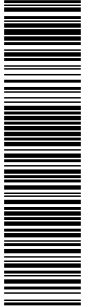
(e) For the 2026–27 fiscal year, the amount of funding per unit of average daily attendance for each special education local plan area shall be nine hundred ninety-nine dollars (\$999).

(f) Commencing with the 2027–28 fiscal year and for each fiscal year thereafter, the Superintendent shall calculate the amount of funding per unit of average daily attendance for each special education local plan area by adjusting the amount of funding per unit of average daily attendance for the prior fiscal year by the inflation factor described in Section 56836.142.

(e)

(g) For purposes of calculating the amount of funding per unit of average daily attendance for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall make the following computations:

(1) For the 2020–21 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the



2019–20 fiscal year pursuant to Section 56836.10 by 13 percent and then multiply by the inflation factor described in Section 56836.142 for the 2020–21 fiscal year.

(2) For the 2021–22 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2020–21 fiscal year by 10 percent, and then adjust that amount by the inflation factor described in Section 56836.142 for the 2021–22 fiscal year, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

(3) For the 2022–23 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2021–22 fiscal year by 14 percent.

(4) For the 2023–24 fiscal year and for each fiscal year thereafter, to the 2025–26 fiscal years, inclusive, the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year shall be adjusted by the inflation factor described in Section 56836.142 for the current fiscal year.

(5) For the 2026–27 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2025–26 fiscal year by 8.88 percent.

(6) Commencing with the 2027–28 fiscal year and for each fiscal year thereafter, the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year shall be adjusted by the inflation factor described in Section 56836.142 for the current fiscal year.

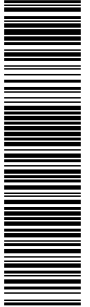
SEC. 125. Section 56836.148 of the Education Code is amended to read:

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 For the 2023–24 to 2025–26 fiscal year and for each fiscal year thereafter, years, inclusive, 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 the 2026–27 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 (e) 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.

(f) Commencing with the 2027–28 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 (f) 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)

(g) 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) (g) 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) (g) 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) (g) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

~~(4) Commencing with~~ For the 2023–24 fiscal year and for each fiscal year thereafter, ~~multiple to 2025–26 fiscal years, inclusive, multiply~~ the amount of funding per unit of average daily attendance computed in paragraph (4) of subdivision (e) (g) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(5) For the 2026–27 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (5) of subdivision (g) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(6) Commencing with the 2027–28 fiscal year and for each fiscal year thereafter, multiply the amount of funding per unit of average daily attendance computed in



paragraph (6) of subdivision (g) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

(f)

(h) 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)

(i) 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)

(j) 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)

(k) 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. 126. Section 71000 of the Education Code is amended to read:

71000. There is in the state government a Board of Governors of the California Community Colleges, consisting of ~~18~~ 19 voting members, as follows:

(a) Twelve members, each appointed by the Governor with the advice and consent of two-thirds of the membership of the Senate to six-year staggered terms. Two of these members shall be current or former elected members of local community college district governing boards.

(b) (1) (A) Two voting student members. Each student member may exercise the same right to attend meetings of the board, and its committees, and shall have the same right to vote as the members appointed pursuant to subdivisions (a) and (c).

(B) A student member shall be enrolled in a community college with a minimum of five semester units, or its equivalent, at the time of the appointment and throughout the period of the student member's term, or until a replacement has been named. A student member shall be enrolled in a community college at least one semester before the student member's appointment, and shall meet and maintain the minimum standards of scholarship prescribed for community college students.

(C) Each student member shall be appointed by the Governor from a list of names of at least three eligible persons submitted to the Governor by the student organization recognized by the board of governors.

(2) The term of office of one student member of the board shall commence on July 1 of an even-numbered year, and expire on June 30 two years thereafter. The term



of office of the other student member of the board shall commence on July 1 of an odd-numbered year, and expire on June 30 two years thereafter. Notwithstanding paragraph (1), a student member who graduates from the student member's college on or after January 1 of the second year of the student member's term of office may serve the remainder of the term.

(c) Two voting tenured faculty members from a community college, who shall be appointed by the Governor for two-year terms. The Governor shall appoint each faculty member from a list of names of at least three eligible persons furnished by the Academic Senate of the California Community Colleges. Each seat designated as a tenured faculty member seat shall be filled by a tenured faculty member from a community college pursuant to this section and Section 71003.

(d) One voting classified employee, who shall be appointed by the Governor for a two-year term. The Governor shall appoint the classified employee member from a list of at least three eligible persons furnished by the exclusive representatives of classified employees of the California Community Colleges.

(e) The Lieutenant Governor, who shall be a voting member.

(f) The Superintendent of Public Instruction, who shall be a voting member.

SEC. 127. Section 76001.5 is added to the Education Code, to read:

76001.5. (a) Courses offered through a dual enrollment program offered by the local educational agency, with an agreement with an institution of higher education, shall be deemed dual credit courses.

(b) A dual credit course offered pursuant to subdivision (a) may be counted simultaneously toward both of the following:

(1) High school credit on an official transcript from the participating local educational agency.

(2) Postsecondary credit on an official transcript at the participating institution of higher education.

SEC. 128. Section 76004 of the Education Code is amended to read:

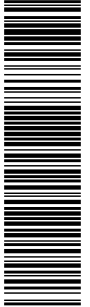
76004. Notwithstanding Section 76001 or any other law:

(a) (1) The governing board of a community college district may enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or a county office of education for the purpose of offering or expanding dual enrollment opportunities for pupils who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

(2) As used in this section, "high school" includes a community school, continuation high school, juvenile court school, or adult education program offering courses for high school diplomas or high school equivalency certificates.

(3) As used in this section, "underrepresented in higher education" may include first-time college students, low-income students, students who are current or former foster youth, homeless students, students with disabilities, and students with dependent children.

(b) A participating community college district may enter into a CCAP partnership with a school district or county office of education partner that is governed by a CCAP partnership agreement approved by the governing boards of both partners. As a condition



of adopting a CCAP partnership agreement, the governing board of each partner shall do both of the following:

(1) For career technical education pathways to be provided under the partnership, consult with, and consider the input of, the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs. The governing board of each partner shall have final decisionmaking authority regarding the career technical education pathways to be provided under the partnership.

(2) Present, take comments from the public on, and approve or disapprove the dual enrollment partnership agreement at an open public meeting of the governing board of the partner.

(c) (1) The CCAP partnership agreement shall outline the terms of the CCAP partnership, and shall include, but not be limited to, the total number of high school pupils to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those pupils; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses. The CCAP partnership agreement shall also establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. The protocols shall only require a high school pupil participating in a CCAP partnership to submit one parental consent form and principal recommendation for the duration of the pupil's participation in the CCAP partnership.

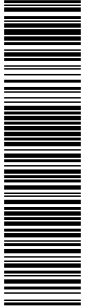
(2) The CCAP partnership agreement shall identify a point of contact for the participating community college district and school district or county office of education partner.

(3) A copy of the CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership. The chancellor may void any CCAP partnership agreement it determines has not complied with the intent of the requirements of this section.

(d) A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school pupils pursuant to this section, or any other course opportunities that do not assist in the attainment of at least one of the goals listed in subdivision (a).

(e) A community college district shall allow an existing CCAP partnership to be amended, or a new CCAP agreement to be established with a school district or county office of education and a community college district outside of the primary community college district's service area, if the primary community college district has declined a request from the school district or county office of education, or has failed to take action within 60 calendar days of a request by the school district or county office of education, to either amend into the existing CCAP partnership the requested courses, or to approve another community college district to enter into a CCAP partnership to offer those courses.

(f) A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Section 49011.



(g) (1) A community college district participating in a CCAP partnership shall assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Section 11300 and consistent with the middle college high school provisions in Section 76001.

(2) Units completed by a pupil pursuant to a CCAP partnership agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college.

(h) The CCAP partnership agreement shall certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Section 87010, or convicted of any controlled substance offense as defined in Section 87011.

(i) The CCAP partnership agreement shall certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.

(j) The CCAP partnership agreement shall certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.

(k) The CCAP partnership agreement shall include a plan by the participating community college district to ensure both of the following:

(1) A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus.

(2) Participation in a CCAP partnership is consistent with the core mission of the community colleges as described in Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.

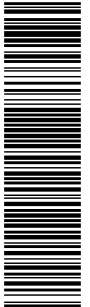
(l) The CCAP partnership agreement shall certify that both the school district or county office of education and community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.

(m) The CCAP partnership agreement shall specify both of the following:

(1) Which partner will be the employer of record for purposes of assignment monitoring and reporting to the county office of education.

(2) Which partner will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

(n) The CCAP partnership agreement shall certify that any pretransfer-level course taught by community college faculty at a partnering high school campus shall be offered only to high school pupils who do not meet their grade level standard in mathematics, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district or county office of education, and shall involve a collaborative effort between high school and community college faculty to deliver an



innovative pretransfer course as an intervention in the pupil's junior or senior year to ensure that the pupil is prepared for college-level work upon graduation.

(o) (1) A community college district may limit enrollment in a community college course solely to eligible high school pupils if the course is offered at a high school campus, either in person or using an online platform, during the regular schoolday and the community college course is offered pursuant to a CCAP partnership agreement.

(2) For purposes of allowances and apportionments from Section B of the State School Fund, a community college district conducting a closed course on a high school campus pursuant to paragraph (1) shall be credited with those units of full-time equivalent students attributable to the attendance of eligible high school pupils.

(p) A community college district may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term in courses offered at the community college campus or the participating high school campus, if all of the following circumstances are satisfied:

(1) The units constitute no more than four community college courses per term.

(2) The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article.

(3) The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

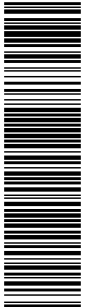
(q) The governing board of a community college district participating in a CCAP partnership agreement established pursuant to this article shall exempt pupils seeking to enroll in a community college course required for the pupil's CCAP partnership program from the fee requirements in Sections 76060.5, 76223, 76300, 76350, and 79121.

(r) The governing board of a community college district participating in a CCAP partnership agreement shall enroll high school pupils in any course that is part of a CCAP partnership agreement offered at a community college campus. Courses offered through the CCAP program may be offered at the community college campus or the participating high school campus.

(s) A district or county office of education shall not receive a state allowance or apportionment for an instructional activity for which the partner has been, or shall be, paid an allowance or apportionment.

(t) (1) The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Section 48802 or 76002, provided that no school district or county office of education has received reimbursement for the same instructional activity.

(2) For purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the schoolsite, and the charter school shall require the attendance of a pupil for a minimum of 50 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5, if the pupil is also a special part-time student enrolled in a community college pursuant to this section and the pupil will receive academic credit upon satisfactory completion of enrolled courses.



(u) (1) For each CCAP partnership agreement entered into pursuant to this section, the affected community college district and school district or county office of education shall report annually to the office of the Chancellor of the California Community Colleges all of the following information:

(A) The total number of high school pupils by schoolsite enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.

(B) The total number of community college courses, by course category and type and by schoolsite, enrolled in by CCAP partnership participants.

(C) The total number and percentage of successful course completions, by course category and type and by schoolsite, of CCAP partnership participants.

(D) The total number of full-time equivalent students generated by CCAP partnership community college district participants.

(E) The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

(2) On or before May 1 of each year, the chancellor shall aggregate the information annually reported pursuant to paragraph (1) and submit a report of that information to all of the following:

(A) The Legislature, in compliance with Section 9795 of the Government Code.

(B) The Director of Finance.

(C) The Superintendent.

(3) The chancellor shall ensure that the number of full-time equivalent students generated by CCAP partnerships is reported pursuant to the reporting requirements in Section 76002.

(4) On or before July 31, 2020, the chancellor shall revise the special part-time student application process to allow a pupil to complete one application for the duration of the pupil's attendance at a community college as a special part-time student participating in a CCAP partnership agreement.

(v) A community college district that violates this article, including, but not limited to, any restriction imposed by the board of governors pursuant to this article, shall be subject to the same penalty as may be imposed pursuant to subdivision (d) of Section 78032.

(w) This section does not affect a dual enrollment partnership agreement existing on January 1, 2016, under which an early college high school, a middle college high school, or a California Career Pathways Trust existing on January 1, 2016, is operated. An early college high school, middle college high school, or California Career Pathways Trust partnership agreement existing on January 1, 2016, shall not operate as a CCAP partnership unless it complies with this section.

(x) The governing body of a charter school may enter into a CCAP partnership agreement with the governing board of a community college district pursuant to this section. That CCAP partnership agreement shall comply with all applicable requirements of this section.

(y) The governing body of a regional occupational center or program may enter into a CCAP partnership agreement with the governing board of a community college district pursuant to this section. That CCAP partnership agreement shall comply with all applicable requirements of this section.



SEC. 129. Section 143 of Chapter 44 of the Statutes of 2021 is amended to read:

Sec. 143. (a) For the 2021–22 fiscal year, the sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing for the Computer Science Supplementary Authorization Incentive Grant Program. This funding shall be available for encumbrance until June 30, ~~2026~~. 2030.

(b) The Computer Science Supplementary Authorization Incentive Grant Program is hereby established for the purpose of providing one-time grants to local educational agencies to support the preparation of credentialed teachers to earn a supplementary authorization in computer science and provide instruction in computer science coursework in settings authorized by the underlying credential.

(c) ~~The commission~~ Commission on Teacher Credentialing shall approve applications submitted by local educational agencies that meet the criteria established by the commission pursuant to paragraph (1) of subdivision (e). To the extent that funds are available, the commission shall allocate funds to participating local educational agencies for each approved application.

(d) A participating teacher is eligible to receive an award of up to ~~two thousand five hundred dollars (\$2,500)~~ six thousand dollars (\$6,000) from the Computer Science Supplementary Authorization Incentive Grant Program.

(e) ~~The commission~~ Commission on Teacher Credentialing shall do all of the following:

- (1) Establish grant criteria for local educational agencies.
- (2) Issue a request for proposal to all local educational agencies to solicit applications for funding.
- (3) Accept grant applications from participating local educational agencies until funds are fully expended.
- (4) Review applications and verify that each proposed participant teacher holds a valid credential.
- (5) Allocate grants to participating local educational agencies for the purpose of paying the teacher costs of coursework, books, fees, and tuition, as applicable.
- (6) Give priority to grant applications for teachers that provide instruction at either of the following:
 - (A) A school operating within a rural district.
 - (B) A school with a higher share than other applicants of unduplicated pupils, as defined in Section 42238.02 of the Education Code.

(f) In selecting grant recipients, ~~the commission~~ Commission on Teacher Credentialing shall require each applicant to, at a minimum, do all of the following:

- (1) Identify the teachers employed by the local educational agency who have been selected to participate in the incentive grant program.
- (2) Identify the number of coursework credits required for each selected teacher to earn a supplementary authorization in computer science.
- (3) Provide an estimated cost for the required coursework, books, fees, tuition, and release time, as applicable.
- (4) Provide a ~~100-percent~~ match of grant funding in the form of one or both of the following:



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(A) ~~One dollar (\$1) for every one dollar (\$1) Cash equal to one-third~~ of grant funding received that is to be used in a manner consistent with allowable grant costs described in paragraph (3).

(B) An in-kind match of release time or substitute teacher costs for the participating teacher.

(5) Report to the ~~Commission on Teacher Credentialing~~ commission on or before August 30 of the second year after receiving a grant award the number of new computer science courses offered at the school being taught by a teacher who participated in the incentive grant program.

(g) The awards allocated pursuant to this section shall not be subject to local educational agency indirect costs.

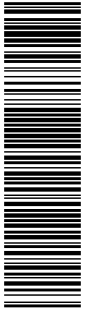
(h) On or before April 1 of each year until the fiscal year following final disbursement of the grant funds, the Commission on Teacher Credentialing shall report to the fiscal committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance on the program, including, but not limited to, the number of participating local educational agencies, the number of grants issued, the number of computer science supplementary authorizations issued, and the number of new computer science courses reported by grant recipients. The report shall be submitted in compliance with Section 9795 of the Government Code.

(i) For purposes of this section, "local educational agency" means a school district, county office of education, county superintendent of schools, state-operated education program, including a state special school, an education program providing instruction in kindergarten or any of grades 1 to 12, inclusive, that is offered by a state agency, including the Department of Youth and Community Restoration and the State Department of Developmental Services, or a regional occupational center or program operated by a joint powers authority or county office of education.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 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. 130. Section 162 of Chapter 44 of the Statutes of 2021 is amended to read:

Sec. 162. (a) The sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to the Riverside County Office of Education and the El Dorado County Office of Education in equal amounts in support of the Supporting Inclusive Practices project, for purposes of increasing opportunities for pupils with disabilities to meaningfully participate in the least restrictive environment, as appropriate, and improving local educational agencies' outcomes on performance indicators as mandated by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and the outcomes measured by the California School Dashboard pursuant to Section 52064.5 of the Education Code. These funds shall be available for encumbrance until June 30, ~~2026.~~ 2027.



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(b) The funds appropriated in subdivision (a) shall be used to provide tiered technical assistance and grants to local educational agencies focused on envisioning, building, implementing, and scaling up evidence-based practices to increase inclusion of children and pupils with disabilities in prekindergarten, kindergarten, and grades 1 to 12, inclusive, in general education settings, with a priority on local educational agencies that are identified by the State Department of Education as requiring intensive support to improve outcomes for pupils with disabilities.

(c) (1) The Riverside County Office of Education and El Dorado County Office of Education shall submit an expenditure plan to the State Department of Education on or before August 1 of each year for which this funding is made available.

(2) On or before June 30 of each year, until funds appropriated for purposes of this section have been fully expended, the Supporting Inclusive Practices project shall submit a report to the Superintendent of Public Instruction that includes all of the following:

(A) Details of the activities conducted and resources developed by the project.
 (B) The number of local educational agencies, educators, and pupils served.
 (C) A summary of implementation and outcome data, including, but not limited to, performance on state performance plan indicators, indicators used on the California School Dashboard, and the desired results developmental profile.

(D) Recommendations for improving state-level activities or policies.

(3) (A) The Superintendent shall provide copies of the report received pursuant to paragraph (2) to the appropriate fiscal and policy committees of the Legislature.

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

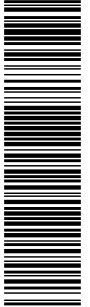
(d) For purposes of this section, “local educational agency” means a school district, county office of education, and charter school.

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

SEC. 131. Section 117 of Chapter 48 of the Statutes of 2023 is amended to read:

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. This funding shall be available for encumbrance until June 30, 2028, and for liquidation until June 30, 2030. 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. 132. Section 81 of Chapter 8 of the Statutes of 2025 is amended to read:

Sec. 81. (a) For the 2025–26 fiscal year, the sum of one billion six hundred ninety-six million seven hundred eighteen thousand dollars (\$1,696,718,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Student Support and Professional Development Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools for discretionary purposes, including, but not limited to, all of the following:

(1) Providing standards-aligned professional development for teachers on the English Language Arts/English Language Development Framework and the Literacy Roadmap, including strategies to support literacy for English learners.

(2) Providing standards-aligned professional development for teachers on the Mathematics Framework for California Public Schools.

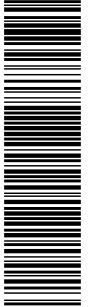
(3) Developing and expanding teacher recruitment and retention strategies.

(4) Expanding career pathways and dual enrollment efforts, consistent with the Master Plan for Career Education.

(5) Addressing rising costs.

(b) (1) The Superintendent of Public Instruction shall allocate 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 transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, as those numbers were reported as of the second principal apportionment for the 2024–25 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 2024–25 Fall 1 Submission.

(2) For purposes of allocating funding pursuant to paragraph (1), the Superintendent of Public Instruction shall calculate the difference between the prior fiscal year average daily attendance for transitional kindergarten, kindergarten, and



grades 1 to 12, inclusive, from the first period reported average daily attendance for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, and the second period reported average daily attendance for transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, and, if there is a difference, allocate the amount of that difference to the following local educational agencies:

(A) Marquez Charter Elementary, Palisades Charter Elementary, and Palisades Charter High within the Los Angeles Unified School District.

(B) Aveson Global Leadership Academy, Aveson School of Leaders, Odyssey Charter, OCS - South, and Pasadena Rosebud Academy within the Pasadena Unified School District.

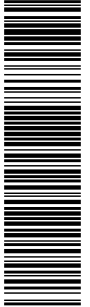
(C) Alma Fuerte Public in the City of Pasadena.

(D) The Los Angeles Unified School District and the Pasadena Unified School District.

(c) (1) Funding appropriated pursuant to this section shall be available for expenditure through June 30, 2029. County offices of education, school districts, charter schools, and the state special schools are encouraged, but not required, to use funds received pursuant to this section for the purposes described in paragraphs (1) to (5), inclusive, of subdivision (a). By September 30, 2029, each county office of education, school district, charter school, and state special school receiving an allocation pursuant to this section shall report final expenditures to the State Department of Education, which shall initiate collection of any unexpended funds no later than January 31, 2030. The State Department of Education shall determine the format for this report and make it available by January 1, 2026.

(2) Notwithstanding paragraph (1), if a charter school ceases to operate before June 30, 2029, its final expenditure report shall be due to the State Department of Education within 60 days of the effective date of closure and the State Department of Education shall collect any unexpended funds allocated to the charter school.

(d) Allocations made pursuant to subdivision (b) shall first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year. Notwithstanding Section 12419.5 of the Government Code and any amounts that are paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law, and may recover any amount owed by school districts pursuant to an audit only by reducing amounts owed by the state to school districts for any other mandate claims. Under no circumstances shall a school district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable state-mandated local program costs. The Controller shall not recover any amount owed by a school district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district the amounts of any claims and interest that are offset from funds provided pursuant to this section, and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature.



(e) (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), twenty-two million five hundred seventy-four thousand dollars (\$22,574,000) 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 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.

(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), ~~one billion twenty million four hundred eleven thousand dollars (\$1,020,411,000)~~ six hundred seventy-four million one hundred forty-four thousand dollars (\$1,674,144,000) 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 2024–25 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 2024–25 fiscal year.

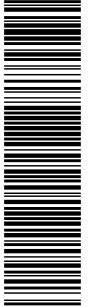
~~(3) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), six hundred fifty-three million seven hundred thirty-three thousand dollars (\$653,733,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2025–26 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 2025–26 fiscal year.~~

SEC. 133. For purposes of Section 85 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances concerning Plumas Unified School District’s operating structure and receipt of an emergency advance apportionment from the state.

SEC. 134. 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. 135. (a) For the 2026–27 fiscal year, the sum of forty million dollars (\$40,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to local educational agencies that administer literacy screenings to pupils in kindergarten and grades 1 and 2 for risk of reading difficulties to support implementation of the requirements of Section 53008 of the Education Code, in the manner specified in this section.

(b) The Superintendent of Public Instruction shall make the following computations in order to determine the amount of funding for each local educational agency:



(1) (A) Determine the total number of pupils in kindergarten and grades 1 and 2, but excluding pupils in transitional kindergarten, attending school in that local educational agency using the prior year's school enrollment data as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification.

(B) Calculate a statewide total number of pupils by adding the total number of pupils identified pursuant to subparagraph (A) across all local educational agencies.

(2) Calculate a per-pupil rate by dividing the amount appropriated pursuant to subdivision (a) by the statewide total number of pupils identified in subparagraph (B) of paragraph (1).

(3) Calculate the apportionment for each local educational agency by multiplying the per-pupil rate calculated in paragraph (2) by the number determined in paragraph (1) for the local educational agency.

(c) The governing board or body of a local educational agency serving pupils in kindergarten or grade 1 or 2 shall expend the funds received pursuant to this section on any costs associated with the implementation of Section 53008 of the Education Code, including, but not limited to, the procurement of screening instruments, screening administration, and training for school employees to administer pupil screenings in kindergarten and grades 1 and 2, but excluding transitional kindergarten, in order to assess for risk of reading difficulties using screening instruments approved pursuant to subdivisions (b) and (c) of Section 53008 of the Education Code.

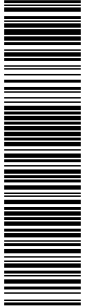
(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2025–26 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 2025–26 fiscal year.

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

SEC. 136. (a) For the 2025–26 fiscal year, the sum of two hundred forty million twenty-four thousand dollars (\$240,024,000) is hereby transferred from the General Fund to the Public School System Stabilization Account.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount transferred in subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2025–26 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 2025–26 fiscal year.

SEC. 137. (a) For the 2026–27 fiscal year, the sum of two billion seven hundred sixty-three million six hundred thirty-three thousand dollars (\$2,763,633,000) is hereby appropriated from the General Fund to the State Department of Education for the Student Support and Professional Development Discretionary Block Grant, established pursuant to Chapter 8 of the Statutes of 2025, for allocation to county offices of



education, school districts, charter schools, and the state special schools for discretionary purposes, including, but not limited to, all of the following:

(1) Providing standards-aligned professional development for teachers on the English Language Arts/English Language Development Framework and the Literacy Roadmap, including strategies to support literacy for English learners.

(2) Providing standards-aligned professional development for teachers on the Mathematics Framework for California Public Schools.

(3) Providing professional development for teachers of transitional kindergarten, kindergarten, and grades 1 to 3, inclusive, and elementary school site administrators on the principles and guidelines of developmentally appropriate instruction, including developmentally appropriate transitional kindergarten pursuant to subdivision (d) of Section 48000, to improve the implementation of transitional kindergarten.

(4) Developing and expanding teacher recruitment and retention strategies.

(5) Expanding career pathways and dual enrollment efforts, consistent with the Master Plan for Career Education.

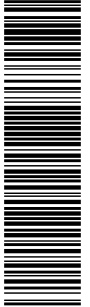
(6) Addressing rising costs.

(b) The Superintendent of Public Instruction shall allocate 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 transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, as those numbers were reported as of the second principal apportionment for the 2025–26 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 2025–26 Fall 1 Submission.

(c) (1) Funding appropriated pursuant to this section shall be available for expenditure through June 30, 2030. County offices of education, school districts, charter schools, and the state special schools are encouraged, but not required, to use funds received pursuant to this section for the purposes described in paragraphs (1) to (6), inclusive, of subdivision (a). On or before September 30, 2030, each county office of education, school district, charter school, and state special school receiving an allocation pursuant to this section shall report final expenditures to the State Department of Education, which shall initiate collection of any unexpended funds on or before January 31, 2031.

(2) Notwithstanding paragraph (1), if a charter school ceases to operate before June 30, 2030, its final expenditure report shall be due to the State Department of Education within 60 days of the effective date of closure and the State Department of Education shall collect any unexpended funds allocated to the charter school.

(d) Allocations made pursuant to subdivision (b) shall first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year. Notwithstanding Section 12419.5 of the Government Code and any amounts that are paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law, and may recover any amount owed by school districts pursuant to an audit only by reducing amounts owed by the state to school districts for any other mandate claims. Under no circumstances shall a school district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable



state-mandated local program costs. The Controller shall not recover any amount owed by a school district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district the amounts of any claims and interest that are offset from funds provided pursuant to this section, and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature.

(e) (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), four hundred fourteen million six hundred two thousand dollars (\$414,602,000) 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 2024–25 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 2024–25 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 hundred twenty-five million six hundred ninety-one thousand dollars (\$225,691,000) 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 2025–26 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 2025–26 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), two billion one hundred twenty-three million three hundred forty thousand dollars (\$2,123,340,000) 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 2026–27 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 2026–27 fiscal year.

SEC. 138. (a) Commencing with the 2026–27 fiscal year, the sum of eight hundred ninety thousand dollars (\$890,000) is hereby appropriated each fiscal year from the General Fund to the State Department of Education for allocation to the Los Angeles County Office of Education to maintain the curriculum-embedded performance tasks for science statewide repository developed pursuant to paragraph (3) of subdivision (b) of Section 113 of Chapter 38 of the Statutes of 2024, including all of the following:

(1) Creation and integration of new performance tasks to keep the repository replenished with innovative items to support inquiry-based science instruction and the Next Generation Science standards.

(2) Educator engagement through an educator review panel.



(3) Educator capacity building through engagement with professional development programs.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 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 of the Education Code, for the fiscal year in which they are appropriated.

SEC. 139. (a) For the 2026–27 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for grants to local educational agencies to support kitchen equipment, infrastructure, training, and the continued implementation of universal school meals. Funds allocated to eligible local educational agencies shall be encumbered on or before June 30, 2029, and shall be used for any of the following:

(1) Kitchen infrastructure upgrades that will increase capacity for freshly prepared onsite meals using minimally processed, locally grown, and sustainable food, increase a school’s capacity to prepare meals that surpass the current nutritional quality of food served through a federal school meal program, or reduce waste, including any of the following:

(A) (i) Cooking equipment, including, but not limited to, electrical support and facility upgrade requirements, combination ovens, dishwashers, steamers, and tilting skillets.

(ii) When acquiring new cooking equipment pursuant to this paragraph, 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.

(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, and mobile carts.

(C) Refrigeration and storage, including, but not limited to, walk-in refrigerators, freezers, blast chillers, and system upgrades.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

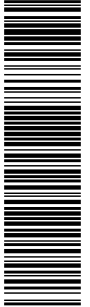
(E) The support of infrastructure system needs for items described in subparagraphs (A) to (D), inclusive.

(F) Nutrition planning equipment, including, but not limited to, equipment needed to determine nutritional content of menus and remove ultraprocessed foods of concern and restricted school foods from school meals.

(G) Resources to implement innovative strategies that increase access and participation of the universal school meals program and food assistance for pupils who are or may be experiencing food insecurity, and increased coordination with community services providing food assistance.

(2) Staffing and training costs related to implementing universal school meals, including any of the following:

(A) Staffing strategies, including recruitment, retention, training, and professional development for food service staff to increase capacity for freshly prepared onsite



meals, which may include training on minimally processed, freshly prepared onsite meals, removal of ultraprocessed foods of concern and restricted school foods from menus, locally and sustainably grown foods, food preparation, healthy food marketing, reducing food waste, and changing the school lunchroom environment.

(B) 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.

(3) Procurement of California-grown, whole or minimally processed, sustainably grown food from California producers, for inclusion in reimbursable meals served through the federal National School Lunch Program and the federal School Breakfast Program, as determined by the State Department of Education, in consultation with the Department of Food and Agriculture.

(b) The State Department of Education shall award funds as grants on a competitive basis to local educational agencies, using criteria established by the State Department of Education, consistent with this section. The State Department of Education shall give priority, to the greatest extent possible, in this given order:

(1) Schools operating under federal provisions, including the Community Eligibility Provision or Provision 2, pursuant to Section 1759a of Title 42 of the United States Code.

(2) Local educational agencies that were not awarded funds for kitchen infrastructure or training pursuant to Section 79 of Chapter 8 of the Statutes of 2025, as amended by Section 12 of Chapter 744 of the Statutes of 2025.

(3) Local educational agencies that attest to have obligated at least 65 percent of the funds for kitchen infrastructure or training allocated pursuant to Section 132 of Chapter 52 of the Statutes of 2022. The State Department of Education may determine what constitutes satisfaction of this requirement.

(c) (1) As a condition of receiving funding pursuant to this section, a local educational agency shall report to the State Department of Education, on or before June 30, 2030, on both of the following, as applicable:

(A) How it used the funding to improve the quality of school meals, including, but not limited to, eliminating food options containing processed foods, ultraprocessed foods of concern, and restricted school foods, lowering the sodium and sugar levels in meal options, and offering more freshly prepared meal options.

(B) How it used the funding to increase capacity for freshly prepared onsite meals using minimally processed, locally grown, and sustainable food.

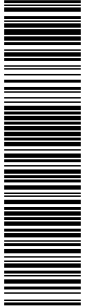
(2) The State Department of Education may develop forms or designate existing forms that may be used by local educational agencies to comply with paragraph (1).

(3) To the extent practicable, the State Department of Education shall allow local educational agencies that have previously received funding for kitchen infrastructure and training to consolidate grant reporting pursuant to this subdivision.

(d) 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 federal Seamless Summer Option, or the federal Summer Food Service Program.

(2) "Food service staff" means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.



(3) “Freshly prepared onsite meal” means food service in which the preparation of meals takes place on a daily basis at the site of consumption or in a central kitchen, using whole ingredients in their most basic, minimally processed form, or cooking with both fresh, raw, and whole ingredients and ready-made products.

(4) “Local educational agency” means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(5) “Nutritious” means, at 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) “Restricted school foods” has the same meaning as defined in Section 104662 of the Health and Safety Code.

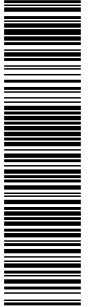
(7) “Ultraprocessed foods of concern” has the same meaning as defined in Section 104662 of the Health and Safety Code.

(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 2026–27 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 2026–27 fiscal year.

SEC. 140. (a) For the 2026–27 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the State Department of Education for the department, in consultation with the office of the Chancellor of the California Community Colleges, to administer a competitive grant program pursuant to Article 8.5 (commencing with Section 41585) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2029.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2024–25 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 2024–25 fiscal year.

SEC. 141. 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.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

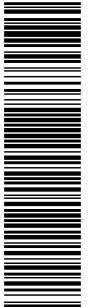
General Subject: Education finance: education omnibus budget trailer bill.

(1) Existing law requires each school district that has one or more pupils who are English learners, and, to the extent required by federal law, each county office of education and each charter school, to assess the English language development of each pupil in order to determine the pupil's level of proficiency, as specified. Existing law defines "long-term English learner" as an English learner who, among other things, is enrolled in any of grades 6 to 12, inclusive, and has remained at the same English language proficiency level for 2 or more consecutive years or has regressed to a lower English language proficiency level, or on any successor test, as provided. Existing law defines an "English learner at risk of becoming a long-term English learner" as an English learner who, among other things, is enrolled in any of grades 3 to 12, inclusive, and has scored at the intermediate level or below on a specified English language development test, or on any successor test, as provided. Existing law requires the State Department of Education to annually provide to school districts and schools the number of pupils in each school district and school, including a school that is within the jurisdiction of a county office of education and a charter school, who are, or are at risk of becoming, long-term English learners.

This bill would delete the latter-described provision. The bill would revise the definition of "long-term English learner" to instead mean a pupil who has not attained English language proficiency within 7 years of initial classification as an English learner. The bill would revise the definition of "English learner at risk of becoming a long-term English learner" to instead mean a pupil who has not attained English language proficiency within 6 years of initial classification as an English learner.

(2) Existing law requires the county superintendent of schools to submit 2 reports during the fiscal year to the county board of education and to certify in writing, as part of each report, 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 2 subsequent fiscal years. Existing law requires the certifications to be classified as positive, qualified, or negative and authorizes the Superintendent of Public Instruction to reclassify a certification in accordance with specified standards. Existing law authorizes, if a county office of education receives a negative certification, the Superintendent or their designee, to take specified actions that are necessary to ensure that the county office of education meets its financial obligations.

This bill would require the Superintendent to provide notice of an action to reclassify a certification to the governing board of the county office of education. If a county office of education receives a negative certification, the bill would require, instead of authorize, the Superintendent, or their designee, to take the above-described actions.



Existing law authorizes, at any time during a fiscal year, the county superintendent to audit the expenditures and internal controls of school districts that they determine to be fiscally accountable, as specified.

This bill would require the county superintendent of the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra and of the City and County of San Francisco to contract with another county office of education to perform the reviews of disbursements required pursuant to specified laws for any school district under the county superintendent's jurisdiction. The bill would authorize, at any time during a fiscal year, the Superintendent to audit the expenditures and internal controls of school districts in the above-described counties and city and county and to report the findings and recommendations to the governing board of the school district within 45 days of completing the audit. The bill would require the governing board to, no later than 15 days after receipt of the report, notify the Superintendent of its proposed actions on the recommendation. The bill would authorize the Superintendent, at their discretion, to put in place a process to direct the county office of education contracted to perform the required review of disbursements to disapprove an order for payment of funds.

This bill would authorize the Superintendent, in order to perform their fiscal oversight responsibilities pursuant to specified laws, to request from the county superintendent of the above-described counties and city and county and the applicable school district view-only access to the local financial system operated by the county office of education and the school district. The bill would require, upon receiving a request from the Superintendent, the county superintendent and the school district to provide access to the Superintendent within 30 calendar days, as provided.

By imposing new duties on county superintendents and school districts, the bill would impose a state-mandated local program.

(3) 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 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.

Existing law requires the Superintendent to add \$300,000 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. Existing law also requires the Superintendent to add \$100,000 per charter school determined to be in need of differentiated assistance to each county superintendent of school's local control funding formula allocation, as specified.

This bill would, commencing with the 2026–27 fiscal year, replace the above-described additions to a county superintendent of school's local control funding formula allocation, based on the number of school districts and charter schools determined to be in need of differentiated assistance, with a universal and targeted assistance county office of education funding grant allocated to a county office of education, on an annual basis, to support all local educational agencies within the county's jurisdiction. The bill would require the grant to be calculated as the sum of



(A) \$500,000, with annual inflation adjustments, (B) a county office of education's county average daily attendance grant, based on a specified formula, and (C) a stability grant for each county office of education that would receive a lesser universal and targeted assistance county office of education funding grant amount than in previous years, as provided. 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, the bill would require the average daily attendance grant component and the stability grant component to be allocated to the lead agency of the region, identified pursuant to specified processes, in which the county office of education is located. The bill would require allocated grant funds to be used to provide universal and targeted assistance, free of cost, to support the continuous improvement of local educational agencies located within the county to improve outcomes under specified state priorities, as provided. The bill would, for the 2026–27 fiscal year only, require county offices of education to spend their grant funds in a manner that prioritizes the support of school districts identified for technical assistance pursuant to specified provisions.

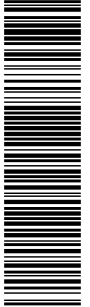
(4) Existing law creates the Learning Recovery Emergency Fund in the State Treasury for the purpose of receiving appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. Existing law appropriates \$6,345,405,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. Existing law requires the Superintendent to allocate these appropriated funds to school districts, county offices of education, and charter schools, as provided. Existing law appropriates an additional \$378,650,000 from the General Fund to the department for transfer to the Learning Recovery Emergency Fund, to be allocated by the Superintendent to those local educational agencies operating in the 2025–26 fiscal year, as provided.

This bill would appropriate \$757,300,000 from the General Fund to the department for transfer to the Learning Recovery Emergency Fund, to be allocated by the Superintendent to local educational agencies operating in the 2026–27 fiscal year, as provided.

(5) Existing law, the Early Education Act, among other things, requires the Superintendent to administer all California state preschool programs. Existing law, the Child Care and Developmental Services Act, administered by the State Department of Social Services, establishes a system of childcare and development services for children up to 13 years of age.

Existing law requires, for California state preschool programs and childcare and development programs, the State Department of Education and the State Department of Social Services to collaborate to implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates. Existing law requires the reimbursement rate to be increased by a specified cost-of-living adjustment, except for the 2023–24, 2024–25, and 2025–26 fiscal years, for which it was suspended. Commencing July 1, 2026, existing law requires the cost-of-living adjustment for state preschool programs to be consistent with an adjustment granted by the Legislature annually, as specified.

This bill would additionally suspend the annual cost-of-living adjustment for the 2026–27 fiscal year.



Existing law provides for a specified annual funding increase for special education and childcare and development programs if an inflation or cost-of-living adjustment is not otherwise provided for those programs. Existing law suspends the annual cost-of-living adjustment for childcare and development programs for the 2012–13, 2013–14, 2014–15, 2020–21, and 2025–26 fiscal years, and except as provided for the 2023–24 and 2024–25 fiscal years.

This bill would additionally suspend the annual cost-of-living adjustment for childcare and development programs, except as provided, for the 2026–27 fiscal year.

Existing law allocates certain appropriated funds to the State Department of Social Services and the State Department of Education to provide specified family childcare providers and childcare centers with a monthly cost of care plus rate, as specified.

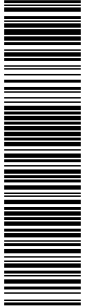
This bill would allocate a portion of those same appropriated funds to the State Department of Education to provide, commencing July 1, 2026, a once-per-month, per-child-served cost of care plus rate, as calculated by the Department of Finance, for providers serving children enrolled in California state preschool programs.

(6) Existing law appropriates \$2,836,660,000 in the 2021–22 fiscal year from the General Fund to the Superintendent to administer the California Community Schools Partnership Program and requires those funds to be available for encumbrance or expenditure until June 30, 2032. Existing law requires at least \$2,694,827,000 of that amount to be allocated to establish new, and expand existing, community schools with up to 72% of those funds to be available for implementation grants and at least 18% to be available for extending implementation grants, as provided.

This bill would require the State Department of Education, instead of the Superintendent, to administer the program. The bill would provide that the above-described 18% allocation would instead be available for reappropriation in the 2026–27 fiscal year to provide supplemental one-time funding to support the implementation of new community schools, as provided. The bill would appropriate \$1,000,000,000 for the 2026–27 fiscal year, and for each fiscal year thereafter, as adjusted by a specified cost-of-living adjustment, from the General Fund to the department to administer the California Community Schools Partnership Act Apportionments Program to distribute funding to local educational agencies, as defined, to support a network of their eligible schoolsites to implement new, and provide ongoing support for existing, community schools, as provided. Of the amount appropriated, the bill would require \$10,000,000 to be allocated each fiscal year to the department to contract, subject to the approval of the executive director of the State Board of Education, with at least 5 local educational agencies to serve as the state or a regional transformational assistance center to continue the existing technical assistance structure and network from the California Community Schools Partnership Program and to provide support and assistance to local educational agencies and community schools on an ongoing basis, as provided.

(7) Existing law authorizes dual enrollment programs, including middle college high schools and College and Career Access Pathways (CCAP) partnerships, under which high school pupils enrolled in a school district, county office of education, or charter school can obtain college credits while enrolled in high school, as specified.

This bill would authorize regional occupational centers or programs to establish middle college high schools or enter into CCAP partnerships, as provided. The bill



would deem courses offered through a dual enrollment program offered by a local educational agency, with an agreement with an institution of higher education, to be dual credit courses, and would authorize dual credit courses to be counted on an official transcript for the pupil from both the participating local educational agency and institution of higher education, as provided.

(8) Existing law requires the California Community Colleges and the State Department of Education to collaborate with each other and with their respective local community colleges and local school districts to ensure the continued success of existing middle college high schools and to promote the establishment of new middle college high schools, and establishes responsibilities of the California Community Colleges and the department related to middle college high schools, as provided.

This bill would require the California Community Colleges and the department to also collaborate with regional occupational centers or programs and would include regional occupational centers or programs in the provisions describing the responsibilities of those entities related to middle college high schools.

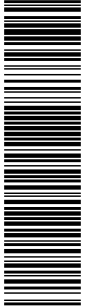
(9) Existing law requires the department, in consultation with the office of the Chancellor of the California Community Colleges, to administer a competitive grant program to award grants to school districts, charter schools, and county offices of education to establish dual enrollment programs, as specified.

This bill would revise and recast the competitive grant program by, among other things, (A) making regional occupational centers or programs eligible to apply for a grant under the competitive grant program, (B) providing an additional grant to participating local educational agencies that will use funds received under this competitive grant program to expand dual enrollment opportunities directly to justice-involved youth, (C) revising and adding to criteria for priority under the competitive grant program, and (D) authorizing grant funds to also be used to expand an existing dual enrollment program, as provided. The bill would appropriate \$100,000,000 from the General Fund to the department for this competitive grant program, as provided.

(10) Existing law establishes the State Board of Education to adopt policies, and to establish rules and regulations, not inconsistent with the laws of the state, to govern the public elementary and secondary schools of the state. Existing law provides that the state board consists of 11 members, including 10 members who are appointed by the Governor to 4-year terms with the advice and consent of $\frac{2}{3}$ of the Senate and a student member appointed by the Governor to a 1-year term with the advice and consent of $\frac{2}{3}$ of the Senate.

This bill, commencing January 15, 2027, would add the Superintendent of Public Instruction to the state board by replacing one of the nonstudent positions that expires on January 15, 2027, with the Superintendent, thereby maintaining the state board's 11-member composition.

(11) Existing law requires the State Department of Education to be administered through the state board, which is the governing and policy determining body of the department, and the Director of Education, in whom all executive and administrative functions of the department are vested and who is the executive officer of the state board and the department. Existing law provides that the Superintendent is the ex officio Director of Education, and requires the department to be conducted under the



control of the Director of Education. Existing law assigns to the Superintendent numerous duties related to the state board and the department.

This bill would revise and recast those provisions by, among other things, (A) deleting the provision in existing law that establishes the Superintendent as the ex officio Director of Education, (B) vesting all executive and administrative functions of the department in an Education Commissioner to be appointed by, and serve at the pleasure of, the Governor, (C) transferring various duties of the Superintendent and the Director of Education relating to, among other things, the state board and the department, to the Education Commissioner, and (D) providing for the transfer, as specified, of certain employees (i) of the state board to the department, (ii) of the Superintendent to the department, and (iii) of the department to the Office of the Superintendent of Public Instruction, which the bill would establish, as specified.

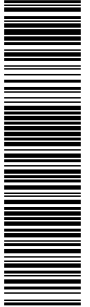
(12) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. The board of governors consists of 18 voting members, as provided.

This bill would add the Superintendent to the board of governors as a 19th voting member.

(13) Existing law requires, not later than March 1 of each fiscal year, county superintendents of schools to provide for an audit of all funds under their jurisdiction and control, and requires the governing board of each local educational agency to either provide for an audit of the books and accounts of the local educational agency or make arrangements with county superintendents of schools to provide for that auditing. Existing law requires the governing board of each school district and each office of the county superintendent of schools to include specified provisions in their contracts for audits and requires financial and compliance audits to be performed in accordance with specified standards. If the governing board of a school district has entered into a contract for an independent audit of its financial statements and the audited financial statements have not been filed with the county superintendent of schools on or before a specified due date, existing law authorizes the county superintendent of schools to, among other things, investigate the causes for the delay, as provided.

This bill would expressly apply the above-described provisions to educational joint powers authorities and charter schools. The bill, among other things, would require those financial and compliance audits of local educational agencies to be posted on the local educational agency's internet website, conducted in accordance with specified filing deadlines, and would revise requirements regarding which entity is responsible for providing an audit if a local educational agency has not provided for an audit of their respective books and accounts to include the Controller or a chartering authority, as provided. The bill would require, instead of authorize, a county superintendent of schools to investigate the causes for an above-described delay.

Existing law requires the Controller to, among other things, on an annual basis, review and monitor the audit reports performed by independent auditors, determine whether audit reports are in conformance with specified reporting provisions, and notify each local educational agency, the responsible county superintendent of schools, the Superintendent, the Department of Finance, and the auditor regarding each determination. Existing law authorizes the Controller to perform quality control reviews of audit working papers to determine whether audits are performed in conformity with



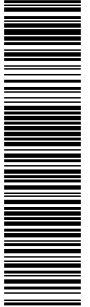
specified standards. Existing law requires the Controller to annually report to the State Department of Education to apprise the department of school districts and offices of county superintendents of schools that are not in compliance with applicable statutes and regulations related to audits and requires the Controller to make recommendations as to what action should be taken by the department. Existing law requires the Controller to submit a report to the Legislature on or before June 30 of each year regarding any recommendations the Controller made to the department.

The bill, among other things, would require the Controller to, if applicable, notify the responsible chartering authority of each determination made, as referenced above, and would require notification to applicable entities to be made within 6 months of the audit report due date or the audit report issue date, whichever is later. The bill would require the Controller to establish and publish as part of the audit guide a weighted risk-based criteria that considers auditor experience and quality factors in determining which audit engagements are required to undergo a quality control review, as provided.

The bill, commencing with the 2027–28 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, would require the Controller to include (A) instructions requiring, among other things, as part of supplementary information, instructions requiring specified schedules, (B) instructions requiring, at a minimum, that specified compliance procedures are performed in an audit of a local educational agency, (C) a library of sample letters and schedules for school districts and charter schools as a means of guidance to audits, and (D) an appendix with the Controller’s desk review checklist that is used to determine whether audit reports are in conformance with specified reporting requirements, as provided.

Existing law requires audits to be made by a certified public accountant or a public accountant, licensed by the California Board of Accountancy, and selected by a local educational agency, as applicable, from a directory of certified public accountants and public accountants deemed by the Controller as qualified to conduct audits of local educational agencies. Under existing law, once the Controller or county superintendent of schools makes a final determination that specified audits performed by a certified public accountant or public accountant were not performed in substantial conformity with provisions of an audit guide, or that the audit reports do not conform to the provisions of an audit guide, the certified public accountant or public accountant is ineligible to conduct specified audits for 3 years.

In order to be added to, or remain on, the Controller’s directory of certified public accountants and public accountants as described above, the bill would require, commencing with the 2027–28 fiscal year, and every 2 years thereafter, audit engagement partners and certified public accountants or public accountants responsible for local educational agency audits and audit staff who perform audit procedures of local educational agencies to, among other things, complete 16 hours of continuing education. In order to be added to, or remain on, the Controller’s directory of certified public accountants and public accountants as described above, the bill would require, commencing with the 2027–28 fiscal year, audit engagement partners, certified public accountant firms, and certified public accountants or public accountants responsible for local educational agency audits to, among other things, demonstrate specified experience, and maintain compliance with the California Board of Accountancy requirements to keep applicable licenses in active status and good standing, as provided.



The bill would extend the above-described rules related to the ineligibility of the certified public accountant or public accountant to audits of charter schools, as provided, and would additionally require the Controller to notify charter schools of those certified public accountants or public accountants determined to be ineligible to conduct audits, as provided.

To the extent the bill would impose additional duties on local educational agencies or local officials, the bill would impose a state-mandated local program.

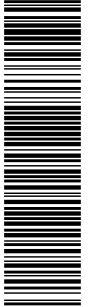
(14) For the 1990–91 fiscal year and each fiscal year thereafter, existing law requires that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance 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 2025–26 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2026–27 fiscal year.

(15) Existing law establishes the Public School System Stabilization Account to provide a reserve for public school funding. Existing law requires, pursuant to specified calculations, the Controller to transfer certain moneys from the General Fund into the Public School System Stabilization Account for subsequent allocation to school districts and community college districts, as specified. Existing law requires, in any fiscal year in which the amount required to be applied by the state for the support of school districts and community college districts for that fiscal year is less than the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated and allocated local proceeds of taxes in the prior fiscal year, as adjusted pursuant to specified calculations, the amount of the deficiency to be appropriated and allocated by the state from the Public School System Stabilization Account for the support of school districts and community college districts. Existing law appropriates, for the 2025–26 fiscal year, \$405,291,000 from the Public School System Stabilization Account to the Superintendent for allocation for the local control funding formula, as provided.

This bill would delete the above-described appropriation and instead would appropriate, for the 2026–27 fiscal year, \$362,578,000 from the Public School System Stabilization Account to the Superintendent for allocation for the local control funding formula, as provided. The bill would transfer, for the 2025–26 fiscal year, \$240,024,000 from the General Fund to the Public School System Stabilization Account.

(16) Existing law sets forth the maximum ratios of administrative employees to each 100 teachers in the various types of school districts. Existing law requires the Superintendent of Public Instruction to determine, for each current fiscal year, for each school district in the state, the total number of administrative employees and the total number of teachers, except as provided, the total maximum number of administrative employees that should be employed by the school district based upon the application of the appropriate ratio prescribed by law, and the number of administrative employees in excess of the number allowable without penalty, as provided. Existing law requires the Superintendent to determine a reduction in state support resulting from excess administrative employees, as specified, and requires the school district's 2nd principal apportionment for the current fiscal year to be reduced by that amount.



This bill would exempt the Plumas Unified School District from that reduction in state support for the 2023–24 fiscal year to the 2026–27 fiscal year, inclusive. The bill would make legislative findings and declarations as to the necessity of a special statute for the Plumas Unified School District.

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

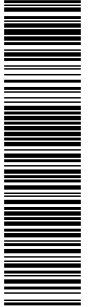
This bill would revise the funding for necessary small schools and high schools by increasing some of those specified amounts.

(18) Existing law requires the Commission on Teacher Credentialing to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the commission and the State Department of Education to enter into a data sharing agreement for the department to provide the commission with educator assignment data necessary to annually identify educator misassignments and vacant positions at local educational agencies, as provided, as part of the California Statewide Assignment Accountability System. Existing law requires the commission to annually use data it receives from the department to produce an initial data file of vacant positions and educator assignments that do not have a clear match of credential to assignment and requires the commission to notify local educational agencies and monitoring authorities of the opportunity to access and review the initial data file of potential misassignments, as defined, and vacant positions. Existing law grants the commission the authority to make a final determination for all potential assignments and misassignments. Existing law requires the commission, commencing with the 2020–21 school year, to support the department in making annual educator assignment, misassignment, and vacant position data publicly available in a searchable format on the department’s internet website, as provided.

This bill would require teachers employed by a local educational agency and offering certain courses to hold the certificate, permit, or other document required by the commission for that assignment and be monitored. The bill would define “local educational agency” for these purposes to mean a school district, county office of education, charter school, or educational joint powers authority. To the extent that this provision would create new duties for county superintendents of schools and local educational agencies, it would constitute a state-mandated local program.

(19) Existing law prescribes the minimum requirements for a preliminary multiple subject, single subject, or education specialist teaching credential, including, among other requirements, verification of subject matter competence through one of multiple methods, including through the successful completion of a baccalaureate or higher degree from a regionally accredited institution of higher education. Existing law establishes that, for purposes of this method of subject matter competence, a single subject credential candidate is required to complete a major in one of the subject areas in which the commission credentials candidates, and a multiple subject credential candidate is required to complete a liberal studies major or other degree that includes coursework in specified content areas.

This bill would revise and recast those provisions by expanding the types of majors that count towards the verification of subject matter competence for those purposes, as provided. The bill would require, as applied to the PK-3 early childhood



education specialist credential, a candidate to verify subject matter competence through completion of a baccalaureate degree or higher, completion of a child development major, education major, or a major in a subject area closely related to the credential area.

(20) Existing law requires the commission to select, administer, and interpret subject matter examinations, and establishes that those subject matter examinations are a prerequisite for assignment to assure minimum levels of subject matter knowledge by all certified personnel, as provided.

This bill would repeal those requirements and instead require the commission and programs of professional preparation to support teacher candidates to establish subject matter competence through degree major or coursework, as provided. The bill would require to commission to update the degree majors that establish subject matter competence and ensure the subject matter requirements support streamlined transcript review, as provided. The bill would require the commission to make subject matter examinations available when a candidate's degree major or completed coursework do not establish their subject matter competence. The bill would require the commission to maintain a standard error of measurement for the determination of passing scores for these examinations.

(21) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program under the administration of the State Department of Education to award grants to a teacher who, among other things, (A) attains, initiates the process to attain, or initiates the process to maintain certification from the National Board for Professional Teaching and (B) teaches at a high-priority school, as defined, for a specified duration.

This bill would, for purposes of satisfying the above-described award requirements, require the school to be listed as a high-priority school on the most recent list of priority schools published by the department when the grant recipient seeks employment at a priority school. The bill would also authorize further service at that school to continue to satisfy the award requirements even if the school is no longer included on future priority school lists published by the department.

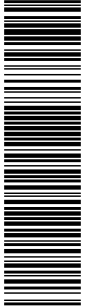
(22) Existing law establishes the Teacher Residency Grant Program and appropriates funds from the General Fund to the commission to make one-time grants to develop new, or expand, strengthen, or improve access to existing, teacher residency programs, as provided.

This bill would appropriate \$250,000,000 from the General Fund to the commission to augment the Teacher Residency Grant Program to support teacher and school counselor residency programs that recruit and support the preparation of teachers and school counselors, as provided.

(23) Existing law requires state funding to be calculated and withheld from a school district or county office of education as a penalty for any fiscal year in which a person renders service as a teacher in kindergarten or any of grades 1 to 12, inclusive, who does not have a valid certification document, as provided.

This bill would apply the above-described provisions relating to the penalties for a person rendering services as a teacher who does not have a valid certification document to charter schools, as provided.

(24) Existing law requires any entity that has a contract with a school district, county office of education, or charter school to ensure that any employee who interacts



with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee has a valid criminal records summary, as specified.

This bill would expressly apply the above-described provisions to educational joint powers authorities. The bill would require an entity that has a contract with a local educational agency to instead ensure any employee who interacts with pupils has a valid criminal records summary without regard to whether the interaction takes place outside of the immediate supervision and control of the pupil's parent or guardian or a school employee.

(25) Existing law establishes the Expanded Learning Opportunities Program and requires the Superintendent to allocate \$2,750 per unit of average daily attendance, as specified, to local educational agencies with a prior fiscal year unduplicated pupil percentage of 55% or more, and requires those local educational agencies, as a condition of receiving that funding, to offer access to expanded learning opportunity programs to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and to provide access to any of those pupils whose parent or guardian requests their placement in a program. Existing law requires local educational agencies not receiving that funding, as a condition of receiving remaining funding, to 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 to provide access to any of those unduplicated pupils whose parent or guardian requests their placement in a program. Existing law subjects local educational agencies to an audit, as specified, to determine compliance with those requirements.

This bill would prohibit a local educational agency that receives an allocation from the remaining funding described above from receiving less than a per-unit rate of \$1,800, as provided.

(26) Existing law provides that the minimum schoolday in a high school is 240 minutes, except as provided, including that a day of attendance for a pupil enrolled in grades 11 and 12 at an early college high school or middle college high school is 180 minutes of attendance if the pupil is also enrolled in a community college, classes of the California State University, or classes of the University of California, as provided.

This bill would reduce the 240-minute minimum schoolday to instead be 180 minutes of attendance for a pupil enrolled under a dual enrollment program, as provided.

(27) Existing law authorizes a school district, county office of education, or charter school to offer independent study to meet the educational needs of pupils when certain requirements are met. Existing law prohibits a local educational agency from being eligible to receive apportionments for independent study by pupils unless the local educational agency has adopted written policies, and implemented those policies, in accordance with rules and regulations adopted by the Superintendent, as specified. Existing law, for purposes of independent study, requires those programs to meet specified average-daily-attendance-to-certificated-employee ratios. Existing law authorizes a local educational agency to claim apportionment credit for independent study only to the extent of the time value of pupil work products.

This bill would revise the above-described required average-daily-attendance-to-certificated-employee ratios and would require a local educational agency to maintain one completed pupil work product in each of 4 specified subjects for a pupil enrolled in independent study for each of 3 specified attendance periods, except as provided.



(28) The Charter Schools Act of 1992 authorizes the establishment, operation, and governance of charter schools. The act authorizes the governing board of a school district, a county office of education, and the state board to approve a petition for the establishment of a charter school and to act as or designate a chartering authority, as provided. Existing law requires each chartering authority, with respect to each charter school under its authority, to, among other things, visit each charter school at least annually.

This bill would additionally require each chartering authority, with respect to each charter school under its authority, to provide the governing body of the charter school with feedback on any issues of concern identified in a specified review and an opportunity to respond and to provide notification to the governing body of the charter school within 60 days of any material concern arising out of the chartering authority's ongoing oversight and monitoring activities. Commencing July 1, 2026, the bill would require each chartering authority to, among other things, visit each resource center, meeting space, and satellite facility approved in a charter petition or material revision and established by the charter school at least once every 2 years for each charter school under its authority and, for each nonclassroom-based charter school under its authority, annually review the charter school's average daily attendance, as provided.

The bill would require charter schools to obtain the approval of the governing body of the charter school for any contract that would cause the charter school to compensate an individual contractor more than \$100,000 in a fiscal year.

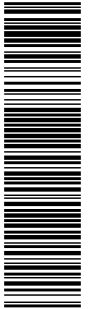
To the extent that these additions to the act would impose new duties on local educational agencies, they would constitute a state-mandated local program.

Existing law sets out performance standards and procedures for the renewal of charter schools, including prohibiting a chartering authority from renewing a charter if certain performance standards are not met.

The bill would require the state board to establish criteria to define verified data and identify an approved list of valid and reliable assessments that would be required to be used by a chartering authority in its determination of renewing a charter, as provided. The bill would revise the performance standards and procedures for the renewal of charter schools and make these provisions inoperative on July 1, 2028, and would repeal them as of January 1, 2029. The bill would set out revised standards and procedures for the renewal of charter schools that are operative on and after July 1, 2028.

(29) For the 2026–27 fiscal year, existing law requires the Superintendent to calculate, for specified charter schools that operate a minimum of 175 school days, the difference between the charter school's certified local control funding formula entitlement as of the annual principal apportionment in that fiscal year and the first principal apportionment in the 2024–25 fiscal year, and, if there is a difference, allocate the amount of that difference to the charter school.

This bill would require the amount calculated for the above-described charter schools to be adjusted to account for the increase in the add-on amount for transitional kindergarten from the 2024–25 to the 2025–26 fiscal years, inclusive, in a manner that ensures that those charter schools are not negatively impacted for the difference in funding increase for transitional kindergarten. The bill would require the Superintendent, for those charter schools, to calculate 30% of the charter school's local control funding formula entitlement, as provided, as of the 2024–25 first principal apportionment and



allocate that amount for each charter school in the 2026–27 fiscal year. The bill would also require the Superintendent to allocate \$4,000,000 to Pasadena Unified School District to help address outstanding and ongoing recovery-related costs that resulted from the state of emergency that was declared by the Governor in January 2025.

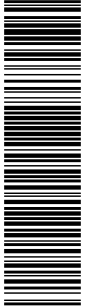
(30) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law defines “transitional kindergarten” as the first year of a 2-year kindergarten program that uses curriculum that is age and developmentally appropriate.

This bill, for purposes of transitional kindergarten, would require developmentally appropriate curriculum to include (A) instructional practices that promote each child’s development and learning through a strengths- and play-based approach to joyful, engaged learning that addresses the domains of development, as specified, and (B) a cohesive set of principles, learning goals, intentional teaching strategies, activities, experiences, and materials designed to help children learn and thrive in ways that are appropriate to their age and stage of development.

(31) Existing law requires the state board, on or before October 1, 2016, to adopt evaluation rubrics for certain purposes, including, among others, 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 specified processes, and the specific priorities upon which the technical assistance should be focused. Existing law also requires these evaluation rubrics to include performance criteria, based on performance by pupil subgroups either across 2 or more state and local indicators or 2 or more state priorities, for local educational agency assistance and intervention. Existing law requires the state board, no later than July 15, 2026, to update the performance criteria, as provided.

This bill would revise and recast the above-described provisions related to evaluation rubrics used to identify school districts, county offices of education, and charter schools in need of technical assistance. The bill would delete the requirement that the performance criteria be based on performance by pupil subgroups either across 2 or more state and local indicators or 2 or more state priorities, as provided. The bill would authorize the state board to adopt unique performance criteria for local educational agency assistance and intervention, and, beginning with the release of the 2026 California School Dashboard, and every 3 years thereafter, would require the state board to determine local educational agency eligibility for assistance and intervention based on the updated performance criteria. The bill would apply the updated performance criteria to certain determinations made by the California Collaborative for Educational Excellence as to whether assistance from the collaborative is necessary for school districts and county offices of education, as provided.

This bill would revise and recast specified rules governing the length of technical assistance provided to local educational agencies. The bill would, among other things, beginning with the release of the 2026 California School Dashboard, and every 3 years thereafter, require the county superintendent of schools to provide technical assistance for a minimum of 3 years to a charter school or school district that meets the new criteria established by the state board, and would require the Superintendent to provide technical assistance for a minimum of 3 years to a county office of education that meets the new criteria established by the state board, as provided. By imposing new duties on county offices of education, the bill would impose a state-mandated local program.



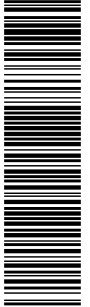
(32) Existing law requires the governing board of each school district and county board of education to adopt a local control accountability plan and to update its local control and accountability plan before July 1 of each year. Existing law requires a county superintendent of schools to prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing specified provisions related to local control and accountability plans. Existing law requires this summary to include, among other things, a description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, and one or more goals for specified topics, including providing technical assistance to school district and charter schools pursuant to specified procedures.

This bill would require the county superintendent of schools to include in that summary a description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. The bill would additionally require the county superintendent of schools to include in that summary a description of one or more goals for providing universal and targeted assistance to local educational agencies pursuant to the above-describe universal and targeted assistance county office of education funding grant. By imposing new duties on the county superintendents of schools, the bill would impose a state-mandated local program.

(33) Existing law requires the state board, on or before January 31, 2024, to 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, and requires the panel of experts, on or before December 31, 2024, to approve a list of screening instruments, as provided. Existing law requires the governing board or body of a local educational agency serving pupils in kindergarten or grades 1 or 2, on or before June 30, 2025, to adopt one or more screening instruments from the list adopted by the panel of experts, and commencing no later than the 2025–26 school year, and annually thereafter, to 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, unless the pupil’s parent or guardian opts out of the screening in writing. Existing law requires a local educational agency, in determining when during the school year to administer each screening instrument, to consider whether pupils have received sufficient instruction in foundational reading skills to support a valid assessment.

This bill would prohibit a local educational agency from administering a screening instrument to a kindergarten pupil before the 91st schoolday in the school year or to a pupil in grade 1 or 2 before the 46th schoolday in the school year. To the extent the bill would impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

The bill would appropriate \$40,000,000 from the General Fund to the Superintendent for allocation to local educational agencies that administer literacy screenings to pupils in kindergarten and grades 1 and 2 for risk of reading difficulties to support implementation of those requirements, as provided.



(34) Existing law requires the Superintendent to calculate allocations to special education local plan areas based on the average daily attendance of each local educational agency and charter school that is a local educational agency for purposes of special education, as specified. Existing law requires, commencing with the 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent to determine the amount of funding per unit of average daily attendance for each special education local plan area using a specified calculation.

This bill would require the amount of funding per unit of average daily attendance for each special education local plan area to instead be \$999 for the 2026–27 fiscal year and, commencing with the 2027–28 fiscal year and for each fiscal year thereafter, the amount of funding per unit of average daily attendance for the prior fiscal year, as adjusted annually by a specified inflation factor. The bill would also revise the special education funding calculations for the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area commencing with the 2026–27 fiscal year and for each fiscal year thereafter, as specified.

(35) Existing law, for the 2021–22 fiscal year, appropriates \$15,000,000 from the General Fund to the Commission on Teacher Credentialing for the Computer Science Supplementary Authorization Incentive Grant Program for purposes of providing one-time grants to local educational agencies to support the preparation of credentialed teachers to earn a supplementary authorization in computer science and provide instruction in computer science coursework in settings authorized by the underlying credential, as provided. Under this program, a participating teacher is eligible to receive an award of up to \$2,500, and a grant recipient is required to provide a 100% local match of the grant funding, as provided. Existing law requires those funds to be available for encumbrance until June 30, 2026.

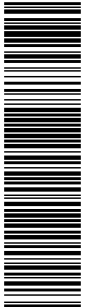
This bill would increase the maximum amount a participating teacher is eligible to receive under the program from \$2,500 to instead be \$6,000. The bill would reduce the local match requirements to instead be cash equal to 1 /3 of the grant funding, as provided. The bill would extend the period that those funds are available for encumbrance to instead be until June 30, 2030, thereby making an appropriation.

(36) Existing law appropriates \$15,000,000 from the General Fund to the State Department of Education for allocation to the Riverside County Office of Education and the El Dorado County Office of Education in equal amounts in support of the Supporting Inclusive Practices project. Existing law requires those funds to be available for encumbrance until June 30, 2026.

This bill would extend the period that those funds are available for encumbrance to instead be until June 30, 2027, thereby making an appropriation.

(37) Existing law appropriates \$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.

This bill would extend the period that those funds are available for encumbrance to instead be until June 30, 2028, and make those funds available for liquidation until June 30, 2030, thereby making an appropriation.



(38) Existing law appropriates \$1,696,718,000 in the 2025–26 fiscal year from the General Fund to the department to establish the Student Support and Professional Development Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools for discretionary purposes, including, among other things, providing standards-aligned professional development for teachers on the English Language Arts/English Language Development Framework, the Literacy Roadmap, and the Mathematics Framework for California Public Schools and addressing rising costs, as provided.

This bill would appropriate, for the 2026–27 fiscal year, \$2,763,633,000 from the General Fund to the department for that block grant, as provided. The bill would expressly authorize funding under the block grant to additionally be used for providing professional development to improve the implementation of transitional kindergarten.

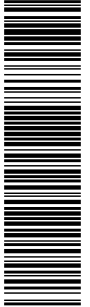
(39) Existing law appropriates \$7,000,000 in the 2025–26 fiscal year from the General Fund to the Superintendent for allocation to the Los Angeles County Office of Education to develop a statewide repository of high-quality curriculum-embedded performance tasks across all grade levels, mapped to the Next Generation Science standards for use by local educational agencies and educators to support inquiry-based instruction and assessment.

This bill would appropriate, for the 2026–27 fiscal year and for each fiscal year thereafter, \$890,000 from the General Fund to the department for allocation to the Los Angeles County Office of Education to maintain that repository, as provided.

(40) Existing law appropriates \$600,000,000 from the General Fund to the department for allocation to certain school districts, county offices of education, and charter schools to expend on kitchen infrastructure upgrades that will increase a school's capacity to prepare meals served through a federal school meal program, as defined, including for freshly prepared onsite meals, to serve fresh and nutritious school meals using minimally processed, locally grown, and sustainable food, or for expanding meal options for pupils with restricted diets, as specified. Existing law requires, as a condition of receiving funding, each local educational agency to report to the department, on or before June 30, 2025, on how it used the funding.

This bill would, for the 2026–27 fiscal year, appropriate \$100,000,000 from the General Fund to the department for grants to school districts, county offices of education, and charter schools participating in the federal School Breakfast Program or the federal National School Lunch Program to support kitchen equipment, infrastructure, training, and the continued implementation of universal school meals, as provided. The bill would require the department to award funds as grants on a competitive basis and would require the department to give priority to certain local educational agencies, including those that did not receive previous kitchen infrastructure and training grant funding, as provided. The bill would require local educational agencies, as a condition of receiving funding, to report to department, on or before June 30, 2030, on how it used the funding. The bill would require the department, to extent practicable, to allow local educational agencies that previously received the above-described allocations for kitchen infrastructure and training to consolidate grant reporting.

(41) 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.

(42) Certain funds transferred and 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.

(43) 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. State-mandated local program: yes.

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