An act to amend Sections 1240, 1630, 14041.5, 14041.6, 14041.8, 17076.10, 17375, 35780, 41204.2, 42238.051, 42238.07, 43504, 43507, 44252, 44259, 44280, 44310, 44830, 46392, 47612.1, 48000, 52064, 52070, 52070.5, and 56836.40 of, to add Sections 42238.022, 43504.5, 44415.5, and 44417.5 to, to add Article 13.2 (commencing with Section 8281.5) and Article 25 (commencing with Section 8498.5) to Chapter 2 of Part 6 of Division 1 of Title 1 of, the Education Code, 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. 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 his or her that county.
(b) Maintain responsibility for the fiscal oversight of each school district in his or her that county pursuant to the authority granted by this code.
(c) (1) Visit and examine each school in his or her the county at reasonable intervals to observe its operation and to learn of its problems. He or she The county superintendent of schools annually may present a report of the state of the schools in his or her the county, and of his or her office, the county office of education, including, but not limited to, his or her observations while from visiting the schools, to the board of education and the board of supervisors of his or her the county.
(2) (A) For fiscal years 2004–05 to 2006–07, inclusive, to the extent that funds are appropriated for purposes of this paragraph, the county superintendent, or his or her their designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her their jurisdiction, the county board of education of his or her the county, and the board of supervisors of his or her the county office of education that are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index (API), as described in subdivision (b) of Section 17592.70, and shall include, among other things, his or her observations while from visiting the schools and his or her determinations for each school regarding the status of all of the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies. As a condition for receipt of funds, the county superintendent, or his or her their designee, shall use a standardized template to report the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her their designee, already includes those details for each school.
(B) Commencing with the 2007–08 fiscal year, the county superintendent, or his or her their designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her their jurisdiction, the county board of education of his or her the county, and the board of supervisors of his or her the county office of education that are ranked in deciles 1 to 3, inclusive, of the 2006 base API, pursuant to former Section 52056, as that section read on June 30, 2013. The annual report shall include the determinations for each school made by the county superintendent, or his or her their designee, regarding the status of all of the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies, and the county superintendent, or his or her their designee, shall use a standardized template to report the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her their designee, already includes those details with the same level of specificity that is otherwise required by this subdivision. For purposes of this section, schools ranked in deciles 1 to 3, inclusive, on the 2006 base API shall include schools determined by the department to meet either of the following:
(i) The school meets all of the following criteria:
   (I) Does not have a valid base API score for 2006.
   (II) Is operating in fiscal year 2007–08 and was operating in fiscal year 2006–07 during the Standardized Testing and Reporting (STAR) Program testing period.
   (III) Has a valid base API score for 2005 that was ranked in deciles 1 to 3, inclusive, in that year.
   (ii) The school has an estimated base API score for 2006 that would be in deciles 1 to 3, inclusive.

(C) The department shall estimate an API score for any school meeting the criteria of subclauses (I) and (II) of clause (i) of subparagraph (B) and not meeting the criteria of subclause (III) of clause (i) of subparagraph (B), using available test scores and weighting or corrective factors it deems appropriate. The department shall post the API scores on its internet website on or before May 1.

(D) For purposes of this section, references to schools ranked in deciles 1 to 3, inclusive, on the 2006 base API shall exclude schools operated by county offices of education pursuant to Section 56140, as determined by the department.

(E) (i) Commencing with the 2010–11 fiscal year and every third year thereafter, the Superintendent shall identify a list of schools ranked in deciles 1 to 3, inclusive, of the API for which the county superintendent, or his or her designee, annually shall submit a report, at a regularly scheduled November board meeting, to the governing board of each school district under his or her jurisdiction, the county board of education of the county, and the board of supervisors of the county, that describes the state of the schools in the county or of the county office of education that are ranked in deciles 1 to 3, inclusive, of the base API as defined in clause (ii).
   (ii) For the 2010–11 fiscal year, the list of schools ranked in deciles 1 to 3, inclusive, of the base API shall be updated using the criteria set forth in clauses (i) and (ii) of subparagraph (B), subparagraph (C), and subparagraph (D), as applied to the 2009 base API and thereafter shall be updated every third year using the criteria set forth in clauses (i) and (ii) of subparagraph (B), subparagraph (C), and subparagraph (D), as applied to the base API of the year preceding the third year consistent with clause (i).
   (iii) The annual report shall include the determinations for each school made by the county superintendent, or his or her designee, regarding the status of all of the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies, and the county superintendent, or his or her designee, shall use a standardized template to report the circumstances listed in subparagraph (I) and teacher misassignments and teacher vacancies, unless the current annual report being used by the county superintendent, or his or her designee, already includes those details with the same level of specificity that is otherwise required by this subdivision.

(F) 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.

(G) On a quarterly basis, the county superintendent, or his or her 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 his or her designee, for each
school regarding the status of all of the circumstances listed in subparagraph (I) and
teacher misassignments and teacher vacancies. If the county superintendent, or his or
her designee, conducts no visits or reviews in a quarter, the quarterly report shall report that fact.

(H) 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.

(I) 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.

(J) The county superintendent may make the status determinations described in
subparagraph (I) 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.

(K) 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 his or her Internet Web site, the internet website of the county
superintendent. The report shall be removed from the internet website when the county superintendent verifies the repairs have been completed.

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

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

(f) Keep in his or her office the reports of the Superintendent.

(g) Keep a record of his or her official acts, 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 his or her an authorized agent.

(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 2005–06 school year, if a school is ranked in any of deciles 1 to 3, inclusive, of the base API, as specified in paragraph (2) of subdivision (c), and not currently under review pursuant to a state or federal intervention program, 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. For the 2004–05 fiscal year only, the county superintendent shall make a diligent effort to conduct a visit to each school pursuant to this paragraph within 120 days of receipt of funds for this purpose.

(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 ranked in any of deciles 1 to 3, inclusive, of the base API, as specified in paragraph (2) of subdivision (c), may utilize 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.
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 remediation of the deficiency no later than the second month of the school term.

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

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

(k) Deliver to his or her county superintendent’s successor, at the close of his or her 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 years.
fiscal years. The certifications shall be classified as positive, qualified, or negative, pursuant to standards prescribed by the Superintendent, for the purposes of determining subsequent state agency actions pursuant to Section 1240.1. For purposes of this subdivision, a negative certification shall be assigned to a county office of education that, based upon current projections, will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year. A qualified certification shall be assigned to a county office of education that may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to a county office of education that will meet its financial obligations for the current fiscal year and subsequent two fiscal years. In accordance with those standards, the Superintendent may reclassify a certification. If a county office of education receives a negative certification, the Superintendent, or his or her designee, may exercise the authority set forth in subdivision (c) 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.

(i) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, each county office of education budget shall project the same level of revenue per unit of average daily attendance as it received in the 2010–11 fiscal year and shall maintain staffing and program levels commensurate with that level.

(ii) For the 2011–12 fiscal year, the county superintendent shall not be required to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(iii) For the 2011–12 fiscal year, notwithstanding any of the standards and criteria adopted by the state board pursuant to Section 33127, the Superintendent, as a condition on approval of a county office of education budget, shall not require a county office of education to project a lower level of revenue per unit of average daily attendance than it received in the 2010–11 fiscal year nor require the county superintendent to certify in writing whether or not the county office of education is able to meet its financial obligations for the two subsequent fiscal years.

(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, he or she 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 his or her 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 his or her normal duties, the county superintendent discovers information that gives him or her the county superintendent reasonable cause to believe that false fiscal expenditure data relative to the conduct of an educational program has been reported.

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

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

1630. (a) The Superintendent shall review and consider studies, reports, evaluations, or audits of the county office of education that contain evidence that the county office of education is demonstrating fiscal distress according to the standards and criteria developed pursuant to Section 33127, or that contain a finding by an external reviewer that more than 3 of the 15 most common predictors the county office of education is at moderate or high risk of intervention based on the most common indicators of school agencies needing intervention, as determined by the County Office Fiscal Crisis and Management Assistance Team, are present. If those findings are made, the Superintendent shall investigate the financial condition of the county office of education and determine if the county office of education may be unable to meet its financial obligations for the current or two subsequent fiscal years, or should receive a qualified or negative interim financial certification pursuant to Section 1240.

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

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

(2) Conduct a study of the financial and budgetary conditions of the county office of education. If, in the course of this review, the Superintendent determines that his or her office requires analytical assistance or expertise that is not available through the county office, he or she the Superintendent may employ, at the county office of education’s expense, on a short-term basis, staff, including certified public accountants, to provide the assistance and expertise.
(3) Direct the county office of education to submit a financial projection of all fund and cash balances of the county office of education as of June 30 of the current year and subsequent fiscal years as he or she the Superintendent requires.

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

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

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

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

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

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

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

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

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

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

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

(g) The county office of education shall pay reasonable fees charged by the Superintendent for administrative expenses incurred pursuant to subdivision (d) or costs associated with improving the office’s county office of education’s financial management practices.

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

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

(j) If staff persons are hired pursuant to paragraph (2) of subdivision (b), the Superintendent may certify to the Controller an amount to be transferred to the State Department of Education, from the funds that otherwise would be apportioned to the county office of education pursuant to Section 2558, 2574 or 2575, for the purpose of paying all costs incurred by that staff in performing their respective services. The Controller, upon receipt of that certification, shall transfer that amount.

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

SEC. 3. Article 13.2 (commencing with Section 8281.5) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 13.2. Early Education Professional Development Grant Program

8281.5. (a) The Superintendent shall administer the Early Education Professional Development Grant Program to increase the number of highly qualified teachers available to serve transitional kindergarten pupils, and to provide both transitional kindergarten and kindergarten teachers with training in providing instruction in inclusive classrooms, supporting dual language learners, enhancing social-emotional learning, implementing trauma-informed practices and restorative practices, and mitigating implicit biases, pursuant to this section.

(b) (1) The sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund to the department for the competitive professional development grant program established pursuant to this section, to be released by the department as grants in the 2021–22 fiscal year. These funds shall be available for encumbrance until June 30, 2024.

(2) The Director of Finance may change the release of grant funds scheduled in paragraph (1), if deemed necessary. The director shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson’s designee, of the director’s
intent to notify the Controller of the necessity to change the release of funds scheduled in paragraph (1). The total amount released shall not be greater or lesser than the amount appropriated in paragraph (1). The Controller shall make the funds available to the department not sooner than five days after receipt of this notification.

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

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

1. A need for transitional kindergarten or kindergarten professional development in a region.
2. A need for transitional kindergarten teachers in a region.
3. The presence of, or plan to create, inclusive classroom settings.
4. The ability to connect the transitional kindergarten or kindergarten program to before and after school programs and extended day services.

(e) Priority for funding shall be given to local educational agencies located in the attendance area of high-poverty elementary schools in school districts and charter schools that receive local control funding formula concentration grant funds. In allocating these funds, the Superintendent shall establish a methodology that accounts for all of the following:

1. The percentage of dual language learners that the local educational agency is serving or is planning to serve in a transitional kindergarten program.
2. The percentage of pupils with disabilities the local educational agency is serving or planning to serve in an inclusive transitional kindergarten program.
3. The percentage of full-day kindergarten programs offered by the local educational agency.
4. The extent to which applicants operate in an attendance area where significant disproportionality of particular races or ethnicities, as described in Section 1418(d) of Title 20 of the United States Code, has been identified in special education.

(f) Professional development grants may be used for costs associated with the educational expenses of current and future transitional kindergarten and kindergarten professionals that support their professional development in early childhood instruction or child development, including developing competencies in serving inclusive classrooms and dual language learners. Professional development grant funds shall be used for any of the following purposes:

1. Tuition, supplies, and other related educational expenses.
2. Transportation and childcare costs incurred as a result of attending classes.
3. Substitute teacher pay for transitional kindergarten and kindergarten professionals that are currently working in a transitional kindergarten or kindergarten classroom.
(4) Stipends and professional development expenses, as determined by the Superintendent.

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

(6) Other educational expenses as determined by the Superintendent.

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

(h) Professional learning provided pursuant to this section shall, as applicable, be aligned to the academic standards pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11, as those sections read on June 30, 2020.

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

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

(k) The competitive professional development grant program established pursuant to this section shall be funded from funds appropriated in this section.

(l) Notwithstanding any other provision of this section, the Superintendent, with the concurrence of the executive director of the state board, shall recommend to the Department of Finance and the budget committees of the Legislature on or before January 1, 2022, any changes to the funding methodology in this section, provided that the funds are used for purposes related to the recommendations and priorities provided pursuant to Section 8207.

(m) On June 30, 2027, any unexpended funds of the amount appropriated pursuant to subdivision (b) shall revert to the General Fund.

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

SEC. 4. Article 25 (commencing with Section 8498.5) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 25. California Transitional Kindergarten Incentive Grant Program

8498.5. (a) The California Transitional Kindergarten Incentive Grant Program is hereby established as a state early learning initiative with the goal of expanding access to transitional kindergarten programs at local educational agencies. The department shall award incentive grants to local educational agencies for the implementation or enrollment expansion of transitional kindergarten programs.

(b) For the 2021–22 fiscal year, the sum of two hundred fifty million dollars ($250,000,000) is hereby appropriated from the General Fund to the department for allocation to local educational agencies for the California Transitional Kindergarten
Incentive Grant Program pursuant to this section. These funds shall be available for encumbrance until June 30, 2024.

(c) At a minimum, an applicant shall be a local educational agency and shall include all of the following information in its grant application:

(1) Enrollment data of four-year-old children in transitional kindergarten and kindergarten for the 2021–22 school year.

(2) A proposal to implement or expand a transitional kindergarten program over a three-year period, beginning in the 2022–23 fiscal year, with the intent to increase access for four-year-old children who will have their fifth birthday after December 2 of the school year.

(3) The local educational agency’s enrollment growth goals.

(4) A plan to fiscally sustain subsidized programs created by grant funds beyond the grant period.

(5) A description of the early education expertise, strategies, curriculum, and materials that will be used to ensure that funds are used for high-quality and inclusive early education programs.

(6) A commitment to report transitional kindergarten enrollment data to the Superintendent at the beginning of the grant period, at the end of the first year of the grant period, and at the end of the second year of the grant period.

(d) Grants shall be awarded on a competitive basis and shall reflect the geographic diversity of the state to the greatest extent possible. Priority shall be given to all of the following applicants:

(1) Applicants with a demonstrated need for expanded access to transitional kindergarten programs in a region.

(2) Applicants serving a high number of four-year-old children who will have their fifth birthday after December 2 of the school year.

(3) Applicants serving or planning to serve a high percentage of dual language learners in a transitional kindergarten program.

(4) Applicants that have, or plan to create, inclusive classroom settings.

(5) Applicants with the ability to connect the transitional kindergarten or kindergarten program to before and after school programs or other extended day services.

(6) Applicants in the attendance area of an elementary school district or charter school where at least 80 percent of the applicant’s pupil population, in both the 2020–21 and 2021–22 school years, were eligible for free or reduced-price meals, pursuant to Section 42238.01.

(7) Applicants that plan to offer transitional kindergarten for a full school day.

(8) Applicants in an attendance area where a significant disproportionality of particular races or ethnicities, as described in Section 1418(d) of Title 20 of the United States Code, has been identified in special education.

(e) Grant amounts shall be awarded as follows:

(1) In the 2022–23 fiscal year, a local educational agency with an existing transitional kindergarten program shall be awarded 50 percent of the local control funding formula kindergarten and grades 1 to 3, inclusive, adjusted base grant amount, calculated pursuant to subdivision (d) of Section 42238.02, multiplied by the local educational agency’s percent add-ons pursuant to subdivisions (e) and (f) of Section 42238.02 as of the certified second principal apportionment for the 2021–22 fiscal year.
for the number of four-year-old children who will have their fifth birthday after December 2 of the school year enrolled in a transitional kindergarten program in the 2022–23 school year additional to the number of pupils enrolled in a transitional kindergarten program in the 2021–22 school year.

(2) In the 2023–24 fiscal year, a local educational agency that meets its enrollment growth goals in the prior year and demonstrates the ability to further increase enrollment over its prior year enrollment shall be awarded a second award, prorated based on additional percentage of increased enrollment at the local educational agency, based on the availability of funds.

(3) A basic aid school district, as defined in subdivision (o) of Section 42238.02, is ineligible to receive a grant pursuant to this section if that school district was a basic aid school district as of the second principal apportionment of the prior fiscal year.

(f) Grant funds may be used for costs associated with creating or expanding transitional kindergarten programs.

(g) (1) Local educational agencies receiving grants pursuant to this section shall commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, recipient information and educational progress, and participating in overall program evaluation.

(2) Local educational agencies receiving grants pursuant to this section shall annually report specific data to the department by a date specified by the Superintendent. Data reported pursuant to this paragraph shall include, but not be limited to, all of the following metrics:

(A) The number of four-year-old children served before the start of the grant period.

(B) Demographic information of four-year-old pupils served, including race, ethnicity, and language spoken at home.

(C) The number of pupils served in transitional kindergarten in the 2022–23 and 2023–24 school years additional to the number of pupils served in transitional kindergarten in the 2021–22 school year.

(D) Use of best practices and high-quality instruction in transitional kindergarten classrooms, as defined by the Superintendent.

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

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

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

(2) “Inclusive classroom setting” has the same meaning as in the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), wherein all young children with exceptional needs are able to learn alongside children who do not have exceptional needs and are provided with individual and appropriate supports to enable them to meet high expectations.

(3) “Four-year-old children” means children who will have their fourth birthday on or before December 1 of the school year in which they are enrolled in a transitional kindergarten program.

SEC. 5. 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 commencing with the 2019–20 fiscal year, 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) Commencing with 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 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 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 of any year 2021 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.

(C) Commencing with the 2021–22 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 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 three billion seven hundred twenty-three million two hundred twelve thousand
dollars ($3,723,212,000). Any amount in excess of three billion seven hundred twenty-three million two hundred twelve thousand dollars ($3,723,212,000) 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.

(2) (A) 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.

(B) For the 2021–22 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, 2022.

SEC. 6. Section 14041.6 of the Education Code is amended to read:

14041.6. (a) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2008–09 fiscal year, warrants for the principal apportionments for the month of February in the amount of two billion dollars ($2,000,000,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339.

(b) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2009–10 fiscal year, warrants for the principal apportionments for the month of February in the amount of two billion dollars ($2,000,000,000) instead shall be drawn in July of the same calendar year and warrants for the month of April in the amount of six hundred seventy-eight million six hundred eleven thousand dollars ($678,611,000) and for the month of May in the amount of one billion dollars ($1,000,000,000) instead shall be drawn in August pursuant to the certification made pursuant to Section 41339.

(c) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2010–11 fiscal year, warrants for the principal apportionments for the month of February in the amount of two billion dollars ($2,000,000,000), for the month of April in the amount of four hundred nineteen million twenty thousand dollars ($419,020,000), for the month of May in the amount of eight hundred million dollars ($800,000,000), and for the month of June in the amount of five hundred million dollars ($500,000,000) instead shall be drawn in July of the same calendar year and warrants for the month of April in the amount of six hundred seventy-eight million six hundred eleven thousand dollars ($678,611,000) and for the month of May in the amount of one billion dollars ($1,000,000,000) instead shall be drawn in August pursuant to the certification made pursuant to Section 41339.

(d) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2011–12 fiscal year, warrants for the principal apportionments for the month of February in the amount of two billion dollars ($2,000,000,000), for the month of April in the amount of four hundred nineteen million twenty thousand dollars ($419,020,000), for the month of May in the amount of eight hundred million dollars ($800,000,000), and for the month of June in the amount of five hundred million dollars ($500,000,000) instead shall be drawn in July of the same calendar year and warrants for the month of March in the amount of one billion three hundred million dollars ($1,300,000,000) and for the month of April in the amount of one billion four hundred forty-two million four hundred five thousand dollars ($1,442,405,000) and for the month of May in the
amount of one billion dollars ($1,000,000,000) instead shall be drawn in August pursuant to the certification made pursuant to Section 41339.

(e) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2012–13 fiscal year, warrants for the principal apportionments for the month of February in the amount of five hundred thirty-one million seven hundred twenty thousand dollars ($531,720,000), for the month of April in the amount of five hundred ninety-four million seven hundred forty-eight thousand dollars ($594,748,000), for the month of May in the amount of one billion nine hundred seventy-six million seven hundred one thousand dollars ($1,976,701,000), and for the month of June in the amount of five hundred million dollars ($500,000,000) instead shall be drawn in July of the same calendar year and warrants for the month of March in the amount of one billion twenty-nine million four hundred ninety-three thousand dollars ($1,029,493,000) and for the month of April in the amount of seven hundred sixty-three million seven hundred ninety-four thousand dollars ($763,794,000) instead shall be drawn in August pursuant to the certification made pursuant to Section 41339.

(f) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2013–14 fiscal year, warrants for the principal apportionments for the month of April in the amount of nine hundred seventeen million five hundred forty-two thousand dollars ($917,542,000), for the month of May in the amount of two billion one hundred fifty-two million four hundred thirty thousand dollars ($2,152,430,000), and for the month of June in the amount of five hundred million dollars ($500,000,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339.

(g) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2013–14 fiscal year, warrants for the principal apportionments for the month of May in the amount of two hundred million dollars ($200,000,000) and for the month of June in the amount of six hundred ninety-nine million four hundred seventy-three thousand dollars ($699,473,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339. The Superintendent shall allocate this deferred amount and repayment to local educational agencies based on their proportionate share of funding appropriated to local educational agencies pursuant to Section 92 of Chapter 38 of the Statutes of 2012.

(h) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2014–15 fiscal year, warrants for the principal apportionments for the month of June in the amount of eight hundred ninety-seven million one hundred eighteen thousand dollars ($897,184,000) instead shall be drawn in July of the same calendar year pursuant to the certification made pursuant to Section 41339.

(i) (1) (A) Notwithstanding subdivision (a) of Section 14041, or any other law, commencing with the 2020–21 fiscal year, warrants for the principal apportionments for the month of February in the amount of one billion five hundred forty million three hundred three thousand dollars ($1,540,303,000) shall instead be drawn in November of the same calendar year pursuant to the certification made pursuant to Section 41332.

(B) Notwithstanding subdivision (a) of Section 14041, or any other law, commencing with the 2020–21 fiscal year, warrants for the principal apportionments for the month of March in the amount of two billion three hundred seventy-five million three hundred eight thousand dollars ($2,375,308,000) shall instead be drawn in October of the same calendar year pursuant to the certification made pursuant to Section 41332.
(C) Notwithstanding subdivision (a) of Section 14041, or any other law, commencing with the 2020–21 fiscal year, warrants for the principal apportionments for the month of April in the amount of two billion three hundred seventy-five million three hundred eight thousand dollars ($2,375,308,000) shall instead be drawn in September of the same calendar year pursuant to the certification made pursuant to Section 41332.

(D) Notwithstanding subdivision (a) of Section 14041, or any other law, commencing with the 2020–21 fiscal year, warrants for the principal apportionments for the month of May in the amount of two billion three hundred seventy-five million three hundred eight thousand dollars ($2,375,308,000) shall instead be drawn in August of the same calendar year pursuant to the certification made pursuant to Section 41335.

(2) Pursuant to Section 8.28 of the Budget Act of 2020, if the Director of Finance determines that there are sufficient federal funds provided to the state for the 2020–21 fiscal year that may be used to offset the deferral of payments in the amount specified in Section 8.28 of the Budget Act of 2020, the Director of Finance shall reduce the amounts described in paragraph (1). In reducing these amounts, the Director of Finance shall first reduce the amounts deferred from any months occurring earliest in the 2020–21 fiscal year.

(j) Except as provided in subdivisions (c) and (e) of Section 41202, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to subdivisions (a) to (i), inclusive, shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the 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.

(k) Notwithstanding subdivision (j), for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one billion five hundred ninety million four hundred forty-nine thousand dollars ($1,590,449,000) of the warrants drawn in August of 2013 pursuant to subdivision (e) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2012–13 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 2012–13 fiscal year.

(l) Notwithstanding subdivision (j) of this section and subdivision (e) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one billion two hundred ninety-four million seven hundred twenty thousand dollars ($1,294,720,000) of the warrants drawn in July 2014 pursuant to subdivisions (f) and (g) of this section and subdivision (e) of Section 14041.5 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2012–13 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 2012–13 fiscal year.
(m) Notwithstanding subdivision (j) of this section and subdivision (e) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, two billion seven hundred eighty million five hundred twenty-six thousand dollars ($2,780,526,000) of the warrants drawn in July 2014 pursuant to subdivisions (f) and (g) of this section and subdivision (e) of Section 14041.5 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2013–14 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 2013–14 fiscal year.

(n) (1) (A) Notwithstanding subdivision (j) of this section and subdivision (f) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (i) for the 2020–21 fiscal year four billion six hundred twenty-three million seven hundred ninety-two thousand dollars ($4,623,792,000) of the warrants drawn in the 2021–22 fiscal year pursuant to subdivision (i) 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.

(B) Notwithstanding subdivision (j) of this section and subdivision (f) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (i) for the 2021–22 fiscal year four billion six hundred twenty-three million seven hundred ninety-two thousand dollars ($4,623,792,000) of the warrants drawn in the 2021–22 fiscal year pursuant to subdivision (i) 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) Notwithstanding subdivision (j) of this section and subdivision (f) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (i) for the 2021–22 warrants drawn in the 2022–23 fiscal year and each fiscal year thereafter pursuant to subdivision (i) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the 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.

SEC. 7. Section 14041.8 of the Education Code is amended to read:

14041.8. (a) (1) For the 2020–21 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the month of February, that are instead to be drawn in November, pursuant to Section 14041.6, may be drawn in February, subject to the approval of the Director of Finance, for a charter school or school district as follows:
(A) In order for a charter school to receive a payment in February pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the charter school being unable to meet its financial obligations for February or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for February and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in February pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the school district being unable to meet its financial obligations for February or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for February and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the February deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars ($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before February 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.
(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before February 26, 2021.

(b)(1) For the 2020–21 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the month of March, that are instead to be drawn in October, pursuant to Section 14041.6, may be drawn in March, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in March pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the charter school being unable to meet its financial obligations for March or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for March and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in March pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the school district being unable to meet its financial obligations for March or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for March and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the March deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars ($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize
additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before February 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before March 30, 2021.

(c) (1) For the 2020–21 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the month of April, that are instead to be drawn in September, pursuant to Section 14041.6, may be drawn in April, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in April pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the charter school being unable to meet its financial obligations for April or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for April and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in April pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the school district being unable to meet its financial obligations for April or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for April and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of
Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the April deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars ($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before February 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before April 30, 2021.

(d) (1) For the 2020–21 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the month of May, that are instead to be drawn in August, pursuant to Section 14041.6, may be drawn in May, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in May pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the charter school being unable to meet its financial obligations for May or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for May and any subsequent month until the deferral is repaid, as applicable.
(B) In order for a school district to receive a payment in May pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before December 15, 2020, that the deferral of warrants pursuant to Section 14041.6 will result in the school district being unable to meet its financial obligations for May or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for May and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the May deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars ($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before February 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before May 28, 2021.

(e) (1) For the 2020–21 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the
month of June, that are instead to be drawn in July pursuant to Section 14041.5, may be drawn in June, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in June pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before April 1 that the deferral of warrants pursuant to Section 14041.5 will result in the charter school being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in June pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before April 1 that the deferral of warrants pursuant to Section 14041.5 will result in the school district being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the June deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars ($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before May 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint
Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before June 30, 2021.

(f) (1) For the 2021–22 fiscal year only, up to one hundred million dollars ($100,000,000) of the amount of the warrants for the principal apportionments for the month of June, that are instead to be drawn in July pursuant to Section 14041.5, may be drawn in June, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in June pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before April 1 that the deferral of warrants pursuant to Section 14041.5 will result in the charter school being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in June pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before April 1 that the deferral of warrants pursuant to Section 14041.5 will result in the school district being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

(C) To make the certification specified in subparagraph (B), both of the following criteria shall be met:

(i) The school district must have exhausted all internal and external sources of borrowing including those pursuant to Sections 42603, 42620, 42621, and 42622 of this code, Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and Section 6 of Article XVI of the California Constitution.

(ii) If not exempt from the June deferral the school district will require a state emergency loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2.

(D) A charter school or school district may receive, pursuant to this subdivision, no more than the lesser of the monthly payment for the charter school or school district calculated pursuant to Section 14041 or the amount of additional funds necessary for the charter school or school district to meet its financial obligations, as reported to the Superintendent pursuant to subparagraph (A) or (B), as applicable.

(2) If the total amount requested by charter schools and school districts pursuant to subparagraph (D) of paragraph (1) exceeds one hundred million dollars
($100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars ($300,000,000). On or before May 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars ($100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to subparagraph (D) of paragraph (1), payments to charter schools and school districts shall be prioritized according to the date on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

(4) Payments pursuant to this subdivision shall be made by the Controller on or before June 30, 2022.

(f) Except as provided in subdivisions (c) and (e) of Section 41202, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the warrants drawn pursuant to paragraphs (1) and (2) of subdivisions (a) to (e), (f), inclusive, shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the 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.

SEC. 8. Section 17076.10 of the Education Code is amended to read:

17076.10. (a) A school district that has received any funds pursuant to this chapter shall submit a summary report of expenditure of state funds and of school district matching funds annually until all state funds and school district matching funds are expended, and shall then submit a final report to the board. The board may require an audit of these reports or other school district records to ensure that all funds received pursuant to this chapter are expended in accordance with program requirements.

(b) If the board finds that a participating school district has made no substantial progress towards increasing its pupil capacity or modernizing its facilities within 18 months of the receipt of any funding pursuant to this chapter, the board shall rescind the apportionment in an amount equal to the unexpended funds.

(c) (1) If the board, after the review of expenditures or audit has been conducted pursuant to subdivision (a), determines that a school district failed to expend funds in accordance with this chapter, the department shall notify the school district of the amount that must be repaid to the 1998 State School Facilities Fund, the 2002 State School Facilities Fund, the 2004 State School Facilities Fund, the 2006 State School Facilities Fund, or the 2016 State School Facilities Fund, as the case may be, within
60 days. If the school district fails to make the required payment within 60 days, the department shall notify the Controller and the school district in writing, and the Controller shall deduct an amount equal to the amount received by the school district under this subdivision, from the school district’s next principal apportionment or apportionments of state funds to the school district, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. Any amounts obtained by the Controller shall be deposited into the 1998 State School Facilities Fund, the 2002 State School Facilities Fund, the 2004 State School Facilities Fund, the 2006 State School Facilities Fund, or the 2016 State School Facilities Fund, as appropriate.

(2) Notwithstanding paragraph (1), if the board determines that repayment of the full liability within 60 days after the board action would constitute a severe financial hardship, as defined by the board, for the school district, the board shall approve a plan of equal annual payments over a period of up to five years. The plan shall include interest on each year’s outstanding balance at the rate earned on the state’s Pooled Money Investment Account during that year. The Controller shall withhold amounts, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution, pursuant to the plan.

(d) If a school district has received an apportionment, but has not met the criteria to have funds released pursuant to Section 17072.32 or 17074.15 within a period established by the board, but not to exceed 18 months, the board shall rescind the apportionment and deny the district’s application.

SEC. 9. Section 17375 of the Education Code is amended to read:

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

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

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

(4) (A) Commencing with the 2019–20 fiscal year, this program is contingent upon appropriation by the Legislature. For the 2021–22 fiscal year, the sum of two hundred million dollars ($200,000,000) is hereby appropriated from the General Fund to the State Allocation Board to provide one-time grants as specified in this section.

(B) (i) Of the moneys allocated to a school district from the appropriation made pursuant to this paragraph, savings and interest achieved upon full completion of an approved project, and as a result of a school district’s efficient and prudent expenditure of the moneys allocated, may be used for professional development or instructional materials to build capacity for the implementation of a transitional kindergarten program, a full-day kindergarten program, or high priority capital outlay purposes identified by the school district and in accordance with subdivision (f), associated regulations, and any accompanying grant agreement.
(ii) Notwithstanding any other law, for purposes of the funds appropriated in support of this paragraph only, a school district may retain and use savings and interest pursuant to clause (i) even if it receives financial hardship assistance pursuant to Section 17075.10.

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

(C)(i) For the first two fiscal years after any funds have been appropriated in support of this paragraph, funds shall be limited to schoolsites that did not offer a full-day kindergarten program as of July 1, 2019, and will use the funding to convert a part-day kindergarten program to a full-day kindergarten program, a transitional kindergarten program as of July 1, 2021, or will expand enrollment in a transitional kindergarten program, and will use the funding to offer, or expand enrollment in, a transitional kindergarten program.

(ii) For the second fiscal year after any funds have been appropriated in support of this paragraph, funds shall be limited to schoolsites that did not offer a transitional kindergarten program or full-day kindergarten program as of July 1, 2022, or will expand enrollment in a transitional kindergarten program, and will use the funding to offer, or expand enrollment in, a transitional kindergarten program, or to convert a part-day kindergarten program to a full-day kindergarten program.

(iii) This subparagraph does not apply to any funds remaining after the second fiscal year that funds have been appropriated in support of this paragraph.

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

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

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

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

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

(3) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10 and as specified in paragraph (4), a school district that applies for a grant pursuant to this section for new construction shall provide 50 percent of the cost of the project, and a school district that applies for a grant pursuant to this section for a retrofit project shall provide 40 percent of the cost of the project.
(4) Except for school districts that meet the requirements for financial hardship pursuant to Section 17075.10, a school district that will convert a part-day kindergarten program to a full-day kindergarten program shall provide 25 percent of the cost of the project whether the project is for new construction or retrofit. A school district that was awarded a grant from funds appropriated pursuant to paragraph (3) of subdivision (a) and met the requirements of this paragraph shall have its grant amount adjusted to reflect the requirements of this paragraph.

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

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

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

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

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

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

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

(2) For a school district applying for grant funds for a transitional kindergarten facilities project, pass a resolution at a public meeting of the governing board of the school district stating the school district’s intent to offer, or expand enrollment in, a transitional kindergarten program.
(f) (1) A school district may use grant funds awarded for new construction on costs necessary to adequately house transitional kindergarten and kindergarten pupils in an approved project, which shall include only the following:

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

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

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

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

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

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

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

(j) The Department of General Services may charge its administrative costs against the Transitional Kindergarten and Full-Day Kindergarten Facilities Account, which shall be subject to the approval of the Department of Finance and which shall not exceed 2.5 percent of the account.
(k) Funds made available to school districts pursuant to this article shall supplement, not supplant, existing funds available for school facilities construction.

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

SEC. 10. Section 35780 of the Education Code is amended to read:

35780. (a) A school district that has been organized for more than three years shall be lapsed as provided in this article if the number of registered electors in the school district is less than six or if the average daily attendance of pupils in the school or schools maintained by the school district is less than six in kindergarten and grades 1 through 8, inclusive, or is less than 11 in grades 9 through 12, except that for any unified district that has established and continues to operate at least one senior high school, the board of supervisors shall to 12, inclusive. The county board of education may defer the lapsation of the school district for one year upon a written request for adoption of a resolution approved by a majority of the members of the governing board of the school district and written concurrence of the county committee. The board of supervisors superintendent of schools. The county board of education shall make no more than three such deferments, deferments for any school district.

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

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

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

SEC. 11. Section 41204.2 of the Education Code is amended to read:

41204.2. (a) Notwithstanding any other law, commencing with the 2021–22 fiscal year, an appropriation shall be made from the General Fund in the annual Budget Act for the support of public schools maintaining kindergarten or any of grades 1 to 12, inclusive, and the California Community Colleges to supplement funding appropriated pursuant to Section 8 of Article XVI of the California Constitution. In each fiscal year, the amount of the supplemental appropriation shall be equal to 1.5 percent of total General Fund revenues, revenues in the 2021–22 fiscal year, as calculated pursuant to Section 8 of Article XVI of the California Constitution. The supplemental appropriation shall be made annually until the sum of all supplemental appropriations equals twelve billion three hundred sixty-six million one hundred seven thousand dollars ($12,366,107,000).

(b) Amounts appropriated pursuant to subdivision (a) shall be deemed a supplementary payment in excess of the minimum amount required for a given fiscal year pursuant to Section 8 of Article XVI of the California Constitution.

(c) (1) For the 2022–23 fiscal year, and each fiscal year thereafter, “the percentage of General Fund revenues appropriated for school districts and community colleges districts, respectively, in fiscal year 1986–87,” for purposes of paragraph (1) of
subdivision (b) of Section 8 of Article XVI of the California Constitution, shall be deemed to be the percentage of General Fund revenues that would have been appropriated for those entities if the share of the General Fund of the supplementary payment calculated pursuant to subdivision (a) in the prior fiscal year had been included in the percentage of General Fund revenues appropriated for school districts and community colleges districts, respectively, in fiscal year 1986–87.

(2) Paragraph (1) is operative until “the percentage of General Fund revenues appropriated for school districts and community colleges districts, respectively, in fiscal year 1986–87,” for purposes of paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution equals 40 percent.

SEC. 12. Section 42238.022 is added to the Education Code, to read:
42238.022. Notwithstanding any other law, for the 2021–22 fiscal year, the adjustments required pursuant to paragraph (4) of subdivision (a) of Section 2574, subparagraph (B) of paragraph (1) of subdivision (c) of Section 2574, subdivision (b) of Section 2575.1, paragraph (2) of subdivision (d) of Section 42238.02, and subdivision (b) of Section 42287 shall be calculated by first assuming the adjustment referenced in Section 42238.021 is 2.31 percent instead of zero.

SEC. 13. Section 42238.051 of the Education Code is amended to read:
42238.051. (a) For purposes of paragraph (1) of subdivision (a) of Section 42238.05, a sponsoring school district’s average daily attendance shall be computed as follows:
(1) Compute the sponsoring school district’s regular average daily attendance in the current year, excluding the attendance of pupils in charter schools.
(2) (A) Compute the regular average daily attendance used to calculate the second principal apportionment of the school district for the prior year, excluding the attendance of pupils in charter schools.
(B) Compute the attendance of pupils who attended one or more noncharter schools of the school district between July 1, and the last day of the second period, inclusive, in the prior year, and who attended a charter school sponsored by the school district between July 1, and the last day of the second period, inclusive, in the current year. For purposes of this subparagraph, a pupil enrolled in a grade at a charter school sponsored by the school district shall not be counted if the school district does not offer classes for pupils enrolled in that grade. The amount of the attendance counted for any pupil for the purpose of this subparagraph may not be greater than the attendance claimed for that pupil by the charter school in the current year.
(C) Compute the attendance of pupils who attended a charter school sponsored by the school district in the prior year and who attended one or more noncharter schools of the school district in the current year. The amount of the attendance counted for any pupil for the purpose of this subparagraph may not be greater than the attendance claimed for that pupil by the school district in the current year.
(D) From the amount determined pursuant to subparagraph (B), subtract the amount determined pursuant to subparagraph (C). If the result is less than zero, the amount shall be deemed to be zero.
(E) The prior year average daily attendance determined pursuant to subparagraph (A) shall be reduced by the amount determined pursuant to subparagraph (D).
(3) To the greater of the amounts computed pursuant to paragraphs (1) and (2), add the regular average daily attendance in the current year of all pupils attending
charter schools sponsored by the school district that are not funded through the charter schools local control funding formula allocation pursuant to Section 42238.02, as implemented by Section 42238.03.

(b) For purposes of this section, a “sponsoring school district” shall mean a “sponsoring local educational agency,” as defined in Section 47632, as that section read on January 1, 2013.

(c) Notwithstanding any other law, this section does not apply to the 2021–22 fiscal year.

SEC. 14. Section 42238.07 of the Education Code is amended to read:

42238.07. (a) On or before January 31, 2014, the state board shall adopt regulations that govern the expenditure of funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 2574, 2575, 42238.02, and 42238.03. The regulations shall include, but are not limited to, provisions that do all of the following:

(1) Require a school district, county office of education, or charter school to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils in the school district, county office of education, or charter school.

(2) Authorize a school district, county office of education, or charter school to use funds apportioned on the basis of the number of unduplicated pupils for schoolwide purposes, or, for school districts, districtwide purposes, for county offices of education, countywide purposes, or for charter schools, charterwide purposes, in a manner that is no more restrictive than the restrictions provided for in Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301, et seq.).

(b) The state board may adopt emergency regulations for purposes of this section.

(c) (1) Beginning with the first local control and accountability plan adopted after July 1, 2021, each school district, county office of education, or charter school shall annually calculate the total difference between the total budgeted expenditures on planned specific actions reported in the local control and accountability plan pursuant to paragraph (4) of subdivision (b) of Section 52064 and the total estimated actual expenditures for those actions reported in the local control and accountability plan pursuant to paragraph (7) of subdivision (b) of Section 52064.

(2) Beginning with the first local control and accountability plan adopted after July 1, 2021, if the total budgeted expenditures on planned specific actions reported in the local control and accountability plan pursuant to paragraph (4) of subdivision (b) of Section 52064 are less than the total increase or improvement in services required by paragraph (1) of subdivision (a), each school district, county office of education, or charter school shall also annually calculate the total difference between the total planned quality improvements based on the planned specific actions reported in the local control and accountability plan pursuant to subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064 and the total actual quality improvements for those actions reported in the local control and accountability plan pursuant to paragraph (7) of subdivision (b) of Section 52064.

(3) If the total estimated actual expenditures and the total actual quality improvements described in paragraphs (1) and (2) are less than the total budgeted expenditures and the total planned quality improvements described in paragraphs (1) and (2), and together these efforts are less than the total increase or improvement in
services required by paragraph (1) of subdivision (a), all of the following requirements shall apply:

(A) The unrealized quality improvements shall be expressed as an unused portion of the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils in the school district, county office of education, or charter school set forth in paragraph (1) of subdivision (a).

(B) The funds herein shall be expended only to implement specific actions that satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to the regulations adopted by the state board pursuant to subdivision (a).

(C) The local educational agency shall report the planned uses of the funds in its local control and accountability plan.

(d) The requirements in subdivision (c) are independent and additional to the requirement to increase or improve services for the ensuing fiscal year established in regulations adopted by the state board pursuant to subdivision (a).

SEC. 15. Section 43504 of the Education Code is amended to read:

43504. (a) The compulsory education requirements described in Section 48200 continue to apply for the 2020–21 school year.

(b) A local educational agency shall offer in-person instruction to the greatest extent possible.

(c) For the 2020–21 school year, for purposes of the requirement on school districts to offer 180 instructional days per school year pursuant to Section 46208 and the requirement on charter schools to offer 175 instructional days per school year pursuant to Section 11960 of Title 5 of the California Code of Regulations, an instructional day is a day in which all pupils are scheduled for the length of the day established by the governing board or body of the local educational agency in a classroom under the immediate supervision of a certificated employee or in distance learning that meets the minimum requirements described in this part. For purposes of this section, for charter schools, distance learning shall be provided by a certificated employee pursuant to the requirements of Sections 47605, 47605.4, and 47605.6.

(d) (1) Each local educational agency shall document daily participation for each pupil on each schoolday, in whole or in part, for which distance learning is provided. A pupil who does not participate in distance learning on a schoolday shall be documented as absent for that schoolday.

(2) For purposes of this section, daily participation may include, but is not limited to, evidence of participation in online activities, completion of regular assignments, completion of assessments, and contacts between employees of the local educational agency and pupils or parents or guardians.

(e) Each local educational agency shall ensure that a weekly engagement record is completed for each pupil documenting synchronous or asynchronous instruction for each whole or partial day of distance learning, verifying daily participation, and tracking assignments.

(f) (1) A pupil who does not participate daily in either in-person instruction pursuant to subdivision (b) or distance learning pursuant to subdivision (d) shall be deemed absent by the local educational agency. A local educational agency shall use documentation of the absence for purposes of reporting its chronic absenteeism rates in its local control and accountability plan.
(2) Each local educational agency shall develop written procedures for tiered reengagement strategies for all pupils who are absent from distance learning for more than three schooldays or 60 percent of the instructional days in a school week. These procedures shall include, but are not limited to, verification of current contact information for each enrolled pupil, daily notification to parents or guardians of absences, a plan for outreach from the school to determine pupil needs including connection with health and social services as necessary and, when feasible, transitioning the pupil to full-time in-person instruction.

(g) Each school shall regularly communicate with parents and guardians regarding a pupil’s academic progress.

(h) The Controller shall include instructions necessary to enforce the requirements of this section in the 2020–21 audit guide required by Section 14502.1.

(i) (1) (A) For a school district or charter school that offers fewer than the instructional days required in subdivision (c), the Superintendent shall withhold from the local educational agency’s local control funding formula grant apportionment for the prior year average daily attendance of each affected grade level, the sum of .0056 multiplied by that apportionment for each day less than what was required pursuant to this section.

(B) Notwithstanding subparagraph (A), the Superintendent shall proportionately reduce the amount of funding pursuant to subdivision (b) of Section 11960 of Title 5 of the California Code of Regulations for a charter school that has ceased operation during the 2020–21 school year if school was actually taught in the charter school on fewer than 175 calendar days during that school year.

(2) (A) For a local educational agency school district or charter school that does not meet the requirements in subdivision (d), (e), or (f), the Superintendent shall withhold from the local educational agency’s school district’s or charter school’s local control funding formula grant apportionment the percentage of an amount equal to the total days out of compliance divided by the number of instructional days required to be offered, multiplied by the derived value of average daily attendance, all multiplied by the average daily attendance of each affected grade level. For purposes of this paragraph, the percentage of days out of compliance is equivalent to the number of days out of compliance divided by the total number of instructional days required to be offered.

(B) For a county office of education that does not meet the requirements in subdivision (d), (e), or (f), the Superintendent shall withhold from the county office of education’s local control funding formula grant apportionment an amount equal to the total days out of compliance divided by 175 multiplied by the derived value of average daily attendance.

(3) A local educational agency that provides distance learning shall not be penalized for instruction provided before September 1, 2020, that fails to meet the requirements of this section.

SEC. 16. Section 43504.5 is added to the Education Code, to read:

43504.5. (a) The state board may waive the fiscal penalties set forth in subparagraph (A) of paragraph (1) of subdivision (i) of Section 43504 for a school district or charter school that fails to maintain the prescribed minimum number of instructional days for the school year.
(b) For fiscal penalties incurred as a result of a shortfall on instructional days in the 2020–21 fiscal year, a waiver may only be granted pursuant to subdivision (a) upon the condition that the school or schools in which the days were lost maintain days of instruction equal in number to those lost and in addition to the amount otherwise prescribed in this part for twice the number of years that it failed to maintain the prescribed minimum number of instructional days for the school year following the year commencing not later than the school year following the year in which the waiver was granted and continuing for each succeeding school year until the condition is satisfied. Days of instruction added in the 2021–22 fiscal year or later for the purpose of making up lost instructional days in the 2020–21 fiscal year shall be days on which all pupils are offered days of in-person instruction for the length of the schoolday under the immediate physical supervision and control of a certificated employee of the school district or charter school that failed to meet the prescribed minimum number of instructional days in the 2020–21 fiscal year. Compliance with the condition shall be specifically verified in the report of the annual audit of the school district or charter school for each year in which the additional days are to be maintained. If an audit report for a year in which the additional days are to be maintained does not verify that the time was provided, that finding shall be addressed as set forth in Section 41344.

(c) It is the intent of the Legislature that school districts and charter schools make every effort to make up any instructional days lost during the school year in which the loss occurred, rather than seeking a waiver under this section.

SEC. 17. Section 43507 of the Education Code is amended to read:

43507. Notwithstanding Sections 15948.1, 15498.1 and 15103 of Title 5 of the California Code of Regulations, for purposes of calculating the local control funding formula grade span adjustment pursuant to Section 42238.02 or the class size penalty pursuant to Sections 41376 and 41378, “class” may include instruction offered through distance learning or in-person instruction pursuant to this part.

SEC. 18. Section 44252 of the Education Code is amended to read:

44252. (a) (1) The commission shall establish standards and procedures for the initial issuance and renewal of credentials.

(2) (A) The commission shall require an initial or renewal applicant who submits an initial or renewal application for his or her the applicant’s credential online, as part of the application process, to read and attest by electronic signature a statement that the applicant for the credential understands the duties imposed on a holder of a teaching credential or a services credential pursuant to 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), including, but not limited to, the duty of a holder of a teaching credential or a services credential to report to any police department, sheriff’s department, county probation department authorized to receive reports, or county welfare department, whenever he or she, the credentialholder, in his or her the credentialholder’s professional capacity or within the scope of his or her the credentialholder’s employment, has knowledge of or observes a child whom the holder of a teaching credential or a services credential knows or reasonably suspects has been the victim of child abuse or neglect.

(B) The commission shall require an initial applicant who submits an application in paper form, as part of the application process, to read and attest by signature a statement that the applicant understands the duties imposed on a holder of a teaching
credential or a services credential pursuant to 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), including, but not limited to, the duty of a holder of a teaching credential or a services credential to report to any police department, sheriff’s department, county probation department authorized to receive reports, or county welfare department, whenever he or she, the credentialholder, in his or her the credentialholder’s professional capacity or within the scope of his or her the credentialholder’s employment, has knowledge of or observes a child whom the holder of a teaching credential or a services credential knows or reasonably suspects has been the victim of child abuse or neglect.

(C) The statement described in subparagraphs (A) and (B) shall be substantially in the following form:

“As a documentholder authorized to work with children, it is part of my professional and ethical duty to report every instance of child abuse or neglect known or suspected to have occurred to a child with whom I have professional contact.

I understand that I must report immediately, or as soon as practicably possible, by telephone to a law enforcement agency or a child protective agency, and will send a written report and any evidence relating to the incident within 36 hours of becoming aware of the abuse or neglect of the child.

I understand that reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person is not a substitute for making a mandated report to a law enforcement agency or a child protective agency.

I understand that the reporting duties are individual and no supervisor or administrator may impede or inhibit my reporting duties.

I understand that once I submit a report, I am not required to disclose my identity to my employer.

I understand that my failure to report an instance of suspected child abuse or neglect as required by the Child Abuse and Neglect Reporting Act under Section 11166 of the Penal Code is a misdemeanor punishable by up to six months in jail or by a fine of one thousand dollars ($1,000), or by both that imprisonment and fine.

I acknowledge and certify that as a documentholder, I will fulfill all the duties required of a mandated reporter.”

(b) The commission shall not issue initially a credential, permit, certificate, or renewal of an emergency credential to a person to serve in the public schools unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills in the English language as provided in Section 44252.5 or 44252.7. The commission shall exempt the following persons from the basic skills proficiency test requirement:

(1) A person credentialed solely for the purpose of teaching adults in an apprenticeship program.

(2) An applicant for an adult education designated subject credential for other than an academic subject.
(3) A person credentialed in another state who is an applicant for employment in a school district in this state who has passed a basic skills proficiency examination administered by the state where the person is credentialed.

(4) A person credentialed in another state who is an applicant for employment in a school district in this state who has passed a basic skills proficiency examination that has been developed and administered by the school district offering that person employment, by cooperating school districts, or by the appropriate county office of education. School districts administering a basic skills proficiency examination under this paragraph shall comply with the requirements of subdivision (h) of Section 44830. The applicant shall be granted a nonrenewable credential, valid for not longer than one year, pending fulfillment of the basic skills proficiency requirement pursuant to Section 44252.5.

(5) An applicant for a childcare center permit or a permit authorizing service in a development center for the handicapped if the holder of the permit is not required to have a baccalaureate degree.

(6) The holder of a credential, permit, or certificate to teach, other than an emergency permit, who seeks an additional authorization to teach.

(7) An applicant for a credential to provide service in the health profession.

(8) An applicant who achieves scores on the writing, reading, and mathematics sections of the College Board SAT Reasoning Test, the enhanced ACT Test, or the California State University Early Assessment Program that are sufficient to waive the English placement test and the entry level mathematics examination administered by the California State University.

(9) An applicant for an eminence credential to be issued pursuant to Section 44262.

(10) (A) An applicant who earns at least a letter grade of B in qualifying coursework determined by a credential preparation program, or determined by the commission for an applicant not enrolled in a California credential preparation program, to sufficiently serve as an indicator of proficiency in basic reading, writing, and mathematics skills in the English language. As used in this section, “qualifying coursework” means a course or courses taken at a regionally accredited institution of higher education for academic credit that applies toward the requirements for an associate’s degree, baccalaureate degree, or higher degree. Qualifying coursework does not include professional development or continuing education units, inservice training or workshops, or courses where credits do not apply toward the requirements for an associate’s degree, baccalaureate degree, or higher degree.

(B) (i) For purposes of subparagraph (A), the following courses are sufficient to serve as indicators of proficiency in basic reading, writing, and mathematics:

(I) For reading proficiency, a course in the subjects of critical thinking, literature, philosophy, reading, rhetoric, or textual analysis.

(II) For writing proficiency, a course in the subjects of composition, English, rhetoric, written communications, or writing.

(III) For mathematics proficiency, a course in the subjects of algebra, geometry, mathematics, quantitative reasoning, or statistics.

(ii) A course that does not fall within a subject described in clause (i) may serve as an alternative indicator of proficiency if the applicant provides documentation in writing from the registrar or relevant department chair of the regionally accredited
institution of higher education where the course was taken that the course includes the study of subjects in reading, writing, or mathematics, as those terms are described in clause (i). A course that meets these standards may combine the study of reading and writing.

(C) Qualifying coursework shall be a semester-length course of at least three units or the equivalent number of quarter units.

(11) A credential preparation program may determine that an applicant has demonstrated proficiency in basic reading, writing, and mathematics skills in the English language through a combination of qualifying coursework described in paragraph (10), passage of a component or components of the state basic skills proficiency test described in subdivision (d) of Section 44252.5, and scores described in paragraph (8).

(c) (1) The Superintendent shall adopt an appropriate state test to measure proficiency in these basic skills. In adopting the test, the Superintendent shall seek assistance from the commission and an advisory board. A majority of the members of the advisory board shall be classroom teachers. The advisory board also shall include representatives of school boards, school administrators, parents, and postsecondary educational institutions.

(2) The Superintendent shall adopt a normed test that the Superintendent determines will sufficiently test basic skills for purposes of this section.

(3) The Superintendent, in conjunction with the commission and approved teacher training institutions, shall take steps necessary to ensure the effective implementation of this section.

(d) This section does not require the holders of, or applicants for, a designated subjects special subjects credential to pass the state basic skills proficiency test unless the requirements for the specific credential required the possession of a baccalaureate degree. The governing board of a school district, or the governing board of a consortium of school districts, or the governing board involved in a joint powers agreement, which employs a holder of a designated subjects special subjects credential, shall establish its own basic skills proficiency criteria for the holders of these credentials and shall arrange for those individuals to be assessed. The basic skills proficiency criteria established by the governing board shall be at least equivalent to the test required by the district, or in the case of a consortium or a joint powers agreement, by any of the participating districts, for graduation from high school. The governing board or boards may charge a fee to individuals being tested to cover the costs of the test, including the costs of developing, administering, and grading the test.

(e) The commission shall compile data regarding the rate of passing the state basic skills proficiency test by persons who have been trained in various institutions of higher education. The data shall be available to members of the public, including to persons who intend to enroll in teacher education programs.

(f) (1) Each applicant to an approved credential program, unless exempted by subdivision (b), shall take the state basic skills proficiency test in order to provide both the prospective applicant and the program with information regarding the proficiency level of the applicant. Test results shall be forwarded to each California postsecondary educational institution to which the applicant has applied. The program shall use test results to ensure that, upon admission, each applicant receives appropriate academic assistance necessary to pass the state basic skills proficiency test. Persons residing
outside the state shall take the test no later than the second available administration following their enrollment in a credential program.

(2) It is the intent of the Legislature that applicants for admission to teacher preparation programs not be denied admission on the basis of state basic skills proficiency test results.

SEC. 19. 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 or single subject 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) Passage of the state basic skills proficiency test that is developed and administered by the commission Demonstration of basic skills proficiency pursuant to Section 44252.5.

(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, each 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 each 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 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 alternative methods of developing English language skills, including the study of reading as described in subparagraphs (A) and (B), among all pupils, including those for whom English is a second language, in accordance with the commission’s standards of program quality and effectiveness. 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).

A program for the multiple subject teaching credential also shall include the study of integrated methods of teaching language arts.

(5) Completion of a subject matter program that has been approved by the commission on the basis of standards of program quality and effectiveness pursuant to Article 6 (commencing with Section 44310) or passage of a subject matter examination pursuant to Article 5 (commencing with Section 44280).

(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.

(iv) Demonstration to the satisfaction of the commission that the candidate, through a combination of the methods described in clauses (ii) and (iii), has addressed each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282.

The
(B) 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.

(6) Demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Section 44335.

(7) Commencing January 1, 2000, 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 one either of the following:

(A) A program of beginning teacher support and assessment approved by the commission and the Superintendent pursuant to Section 44279.1.

(B) An alternative

(A) A program of beginning teacher induction that is provided by one or more local educational agencies and has been approved by the commission and the Superintendent 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, the Superintendent, and the state board commission pursuant to this subdivision. The program standards for alternative programs shall encourage innovation and experimentation in the continuous preparation and induction of beginning teachers. An alternative program of beginning teacher induction that has met state standards pursuant to this subdivision may apply for state funding pursuant to Sections 44279.1 and 44279.2.

(C) An alternative

(B) A program of beginning teacher induction that is sponsored by a regionally accredited college or university, 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) Subparagraphs (A) and (B) of paragraph (4) of subdivision (b) do 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 subparagraphs (A) and (B) of paragraph (4) of subdivision (b) apply only to persons who enter a program of professional preparation on or after January 1, 1997.

SEC. 20. Section 44280 of the Education Code is amended to read:

44280. (a) The adequacy of subject matter preparation and the basis for assignment of certified personnel shall be determined by the successful passage of a subject matter examination as certified by the commission, except commission or as specifically waived by the commission as set forth in Article 6 (commencing with Section 44310). For the purpose of determining the adequacy of subject matter knowledge of languages for which there are no adequate examinations, the commission may establish guidelines for accepting alternative assessments performed by organizations that are expert in the language and culture assessed. The commission shall submit an expenditure plan for the development of a subject matter examination in the Filipino language to the Department of Finance no later than January 8, 2006. Upon approval of the expenditure plan by the Department of Finance and subject to an appropriation in the Budget Act of 2006 for this purpose, the commission shall contract with another entity for that entity to develop, for certification by the commission, a subject matter examination in the Filipino language, to be administered no later than September 1, 2008.
(b) For the purpose of determining the adequacy of subject matter knowledge of languages for which there are no adequate examinations, the commission may establish guidelines for accepting alternative assessments performed by organizations that are expert in the language and culture assessed.

SEC. 21. Section 44310 of the Education Code is amended to read:
44310. (a) The commission shall waive the subject matter examination requirement for graduates of accredited public and private institutions, a regionally accredited institution of higher education who successfully complete subject matter programs specified by the commission, do any of the following:

1. Complete a subject matter program approved by the commission on the basis of standards of program quality and effectiveness pursuant to this article.

2. (A) Complete 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.

(B) A program of professional preparation may review transcripts supplied by a candidate and confirm that each domain has been addressed.

3. Address each of the domains of the subject matter requirements adopted by the commission in the content area of the credential being sought through a combination of examination subtests and coursework described in paragraph (2).

Eligibility for an examination waiver can only be achieved when the subject matter program is one which is listed by the commission under Section 44282, and the program has been successfully completed in an approved institution of higher learning.

(b) The commission may require that the approved examination be taken by candidates, who are otherwise eligible for an examination waiver, for informational purposes only.

SEC. 22. Section 44415.5 is added to the Education Code, to read:
44415.5. (a) For purposes of this section, the following definitions apply:

1. “Experienced mentor teacher” means an educator who meets all of the following requirements:

(A) Has at least three years of teaching experience and holds a clear credential in the subject in which the mentor teacher will be mentoring.

(B) Has a record of successful teaching as demonstrated, at a minimum, by satisfactory annual performance evaluations for the preceding three years.

(C) Receives specific training for the mentor teacher role, and engages in ongoing professional learning and networking with other mentors.

(D) Receives compensation, appropriate release time, or both, to serve as a mentor in the initial preparation or beginning teacher induction component of the teacher residency program.

2. “Teacher residency program” is a grant applicant-based program that partners with one or more commission-approved teacher preparation programs offered by a regionally accredited institution of postsecondary education in which a prospective teacher teaches at least one-half time alongside a teacher of record, who is designated as the experienced mentor teacher, for at least one full school year while engaging in initial preparation coursework.
(b) For the 2021–22 fiscal year, the sum of one hundred million dollars ($100,000,000) is hereby appropriated from the General Fund to the commission for the Teacher Residency Grant Program to support teacher residency programs that recruit and support the preparation of teachers pursuant to this section. This funding shall be available for encumbrance until June 30, 2025.

(c) (1) The commission shall make one-time grants to grant applicants to establish new, or expand existing, teacher residency programs in designated shortage fields, including special education, bilingual education, science, computer science, technology, engineering, or mathematics, and any other fields identified by the commission based on an annual analysis of hiring and vacancy data. Grant recipients shall work with one or more commission-accredited teacher preparation programs and may work with other community partners or nonprofit organizations to develop and implement programs of preparation and mentoring for resident teachers who will be supported through program funds and subsequently employed by the sponsoring grant recipient.

(2) A grant applicant may consist of one or more, or any combination, of the following:
   (A) A school district.
   (B) A county office of education.
   (C) A charter school.
   (D) A regional occupational center or program operated by a joint powers authority.
   (E) A school defined in Section 56034 and issued a county-district-school code by the department.

(d) Grants allocated pursuant to subdivision (c) shall be up to twenty thousand dollars ($20,000) per teacher candidate in the residency program of the jurisdiction of the grant recipient, matched by that grant recipient on a dollar-for-dollar basis, as described in subdivision (f). Residents are also eligible for other forms of federal, state, and local educational agency financial assistance to support the cost of their preparation. Grant program funding shall be used for, but is not limited to, any of the following:
   (1) Teacher preparation costs.
   (2) Stipends for mentor teachers.
   (3) Stipends for teacher candidates.
   (4) Recruitment costs.
   (5) Residency program staff costs.
   (6) Mentoring and beginning teacher induction costs following initial preparation.

(e) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(f) A grant recipient shall provide a 100-percent match of grant funding in the form of one or both of the following:
   (1) One dollar ($1) for every one dollar ($1) of grant funding received to be used in a manner consistent with allowable grant activities pursuant to subdivision (d).
   (2) An in-kind match of program director personnel costs, mentor teacher personnel costs, or other personnel costs related to the Teacher Residency Grant Program, provided by the grant recipient.

(g) Grant recipients shall do all of the following:
(1) Ensure that candidates are prepared to earn a preliminary teaching credential that will authorize the candidate to teach in a designated shortage field upon completion of the program.

(2) Ensure that candidates are provided instruction in all of the following:
   (A) Teaching the content area or areas in which the teacher will become certified to teach.
   (B) Planning, curriculum development, and assessment.
   (C) Learning and child development.
   (D) Management of the classroom environment.
   (E) Use of culturally responsive practices, supports for language development, and supports for serving pupils with disabilities.
   (F) Professional responsibilities, including interaction with families and colleagues.

(3) Provide each candidate mentoring and beginning teacher induction support following the completion of the initial credential program necessary to obtain a clear credential and ongoing professional development and networking opportunities during the candidate’s first years of teaching.

(4) Prepare candidates to teach in a school within the jurisdiction of the grant recipient in which they will work and learn the instructional initiatives and curriculum of the grant recipient.

(5) Group teacher candidates in cohorts to facilitate professional collaboration among residents, and ensure candidates are enrolled in a teaching school or professional development program that is organized to support a high-quality teacher learning experience in a supportive work environment.

(h) To receive a grant, an applicant shall submit an application to the commission at a time, in a manner, and containing information prescribed by the commission.

(i) When selecting grant recipients, the commission shall do both of the following:
   (1) Require applicants to demonstrate a need for teachers in one or more designated shortage fields and to propose to establish a new, or expand an existing, teacher residency program that recruits, prepares, and supports teachers to teach in one or more such fields in a school within the jurisdiction of the sponsoring grant applicant.
   (2) Give priority consideration to grant applicants who demonstrate a commitment to increasing diversity in the teaching workforce and with one or more schools that exhibit one or both of the following characteristics:
      (A) A school where 50 percent or more of the enrolled pupils are eligible for free or reduced-price meals.
      (B) A school that is located in either a rural location or a densely populated region.

(j) A candidate in a teacher residency program sponsored by a grant provided pursuant to subdivision (c) shall agree in writing to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate for a period of at least four school years beginning with the school year that begins after the candidate successfully completes the initial year of preparation and obtains a preliminary teaching credential. A candidate who fails to earn a preliminary credential or complete the period of the placement shall reimburse the sponsoring grant recipient the amount of grant funding invested in the candidate’s residency training. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the candidate taught
at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient. A candidate shall have five school years to complete the four-school-year teaching commitment.

(k) If a candidate is unable to complete a school year of teaching, that school year may still be counted toward the required four complete school years if any of the following occur:

(1) The candidate has completed at least one-half of the school year.
(2) The employer deems the candidate to have fulfilled their contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.
(3) The candidate was not able to teach due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the succeeding school year.
(4) The candidate has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.
(5) The candidate was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(l) For purposes of administering the grant program pursuant to subdivision (c), the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.
(2) Require grant recipients to submit program and expenditure reports, as specified by the commission, as a condition of receiving grant funds.
(3) Annually review each grant recipient’s program and expenditure reports to determine if any candidate has failed to meet their commitment pursuant to subdivision (j).

(m) If the commission determines or is informed that a sponsored candidate failed to earn a preliminary credential or meet their commitment to teach pursuant to subdivision (j), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the candidate and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at the sponsoring grant recipient.

(n) Upon confirming the amount to be recovered from the grant recipient pursuant to subdivision (m), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient’s next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or a program operated by a joint powers authority that does not receive principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the candidate taught and the Controller shall deduct the amount owed from the applicable
local educational agency’s next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(o) An amount recovered by the commission or deducted by the Controller pursuant to subdivision (n) shall be deposited into the Proposition 98 Reversion Account.

(p) Grant recipients may recover from a sponsored candidate who fails to earn a preliminary credential or complete the period of placement the amount of grant funding invested in the candidate’s residency training. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the candidate taught at least one year, but less than four years, at a school within the jurisdiction of the sponsoring grant recipient.

(q) Grant recipients shall not charge a teacher resident a fee to participate in the Teacher Residency Grant Program.

(r) (1) Notwithstanding subdivision (c), the commission may allocate up to five million dollars ($5,000,000) of the amount appropriated pursuant to subdivision (b) to capacity grants that shall be awarded on a competitive basis to local educational agencies or consortia, as designated pursuant to this section, partnering with regionally accredited institutions of higher education to expand or create teacher residency programs that lead to more credentialed teachers to teach in shortage fields.

(2) (A) The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.

(B) Individual capacity grants shall not exceed two hundred thousand dollars ($200,000) per grant recipient.

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

SEC. 23. Section 44417.5 is added to the Education Code, to read:

44417.5. The commission shall conduct an evaluation of the Teacher Residency Grant Program described in Section 44415.5 to determine the effectiveness of this program in recruiting, developing support systems for, and retaining teachers prepared to teach in commission-designated shortage areas and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2026.

SEC. 24. Section 44830 of the Education Code is amended to read:

44830. (a) The governing board of a school district shall employ for positions requiring certification qualifications, only persons who possess the qualifications for those positions prescribed by law. It is contrary to the public policy of this state for a person or persons charged, by the governing boards, with the responsibility of recommending persons for employment by the boards to refuse or to fail to do so for reasons of race, color, religious creed, sex, or national origin of the applicants for that employment.

(b) (1) The governing board of a school district shall not initially hire on a permanent, temporary, or substitute basis a certificated person seeking employment in
the capacity designated in his or her the certificated person’s credential unless that person has demonstrated basic skills proficiency as provided in Section 44252.5 or is exempted from the requirement by subdivision (c), (d), (e), (f), (g), (h), (i), (j), or (k), (l).

(A) The governing board of a school district, with the authorization of the Commission on Teacher Credentialing, may administer the state basic skills proficiency test required under Sections 44252 and 44252.5.

(B) The Superintendent, in conjunction with the commission and local governing boards, shall take steps necessary to ensure the effective implementation of this subdivision.

(2) It is the intent of the Legislature that in effectively implementing this subdivision, the governing boards of school districts shall direct superintendents of schools to prepare for emergencies by developing a pool of qualified emergency substitute teachers. This preparation shall include public notice of the test requirements and of the dates and locations of administrations of the tests. The governing board of a school district shall make special efforts to encourage individuals who are known to be qualified in other respects as substitutes to take the state basic skills proficiency test at its earliest administration.

(3) Demonstration of proficiency in reading, writing, and mathematics by a person pursuant to Section 44252 satisfies the requirements of this subdivision.

(c) A certificated person is not required to take the state basic skills proficiency examination if he or she has taken and passed it at least once, achieved a passing score on any of the tests specified in subdivision (b) of Section 44252, or possessed a credential before the enactment of the statute that made the test a requirement.

(d) This section does not require a person employed solely for purposes of teaching adults in an apprenticeship program, approved by the Division of Apprenticeship Standards, Division of the Department of Industrial Relations, to pass the state proficiency assessment instrument as a condition of employment.

(e) This section does not require the holder of a child care permit or a permit authorizing service in a development center for the handicapped to take the state basic skills proficiency test, so long as the holder of the permit is not required to have a baccalaureate degree.

(f) This section does not require the holder of a credential issued by the commission who seeks an additional credential or authorization to teach, to take the state basic skills proficiency test.

(g) This section does not require the holder of a credential to provide service in the health profession to take the state basic skills proficiency test if that person does not teach in the public schools.

(h) This section does not require the holder of a designated subjects special subjects credential to pass the state basic skills proficiency test as a condition of employment unless the requirements for the specific credential require the possession of a baccalaureate degree. The governing board of each a school district, or each the governing board of a consortium of school districts, or each a governing board involved
in a joint powers agreement, which employs the holder of a designated subjects special subjects credential, shall establish its own basic skills proficiency for these credentials and shall arrange for those individuals to be assessed. The basic skills proficiency criteria established by the governing board shall be at least equivalent to the test required by the district, or in the case of a consortium or a joint powers agreement, by any of the participating districts, for graduation from high school. The governing board or boards may charge a fee to individuals being tested to cover the costs of the test, including the costs of developing, administering, and grading the test.

(i) This section does not require the holder of a preliminary or clear designated subjects career technical education teaching credential to pass the state basic skills proficiency test.

(j) This section does not require certificated personnel employed under a foreign exchange program to take the state basic skills proficiency test. The maximum period of exemption under this subdivision shall be one year.

(k) This section does not require a credential applicant who qualifies for an exemption described in paragraph (10) or (11) of subdivision (b) of Section 44252 to take the state basic skills proficiency test.

(l) Notwithstanding any other law, a school district or county office of education may hire certificated personnel who have not taken the state basic skills proficiency test if that person has not yet been afforded the opportunity to take the test. The person shall take the test at the earliest opportunity and may remain employed by the school district pending the receipt of his or her test results.

SEC. 25. Section 46392 of the Education Code is amended to read:

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

(1) Fire.
(2) Flood.
(3) Impassable roads.
(4) Epidemic.
(5) Earthquake.
(6) The imminence of a major safety hazard as determined by the local law enforcement agency.
(7) A strike involving transportation services to pupils provided by a nonschool entity.
(8) An order provided for in Section 41422.

(b) (1) In the event a state of emergency is declared by the Governor in a county, a decrease in average daily attendance in the county below the approximate total average daily attendance that would have been credited to a school district, county office of education, or charter school had the state of emergency not occurred shall be deemed material. The Superintendent shall determine the length of the period during which average daily attendance has been reduced by the state of emergency.
(2) The period determined by the Superintendent shall not extend into the next fiscal year following the declaration of the state of emergency by the Governor, except upon a showing by a school district, county office of education, or charter school, to the satisfaction of the Superintendent, that extending the period into the next fiscal year is essential to alleviate continued reductions in average daily attendance attributable to the state of emergency.

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

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

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

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

(B) In the 2021–22 fiscal year, for school districts, the Superintendent shall allocate an amount equal to 25 percent of the difference calculated in subparagraph (A) to the school district.

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

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

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

(5) In each fiscal year, the allocations 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, both 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 entitlement 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) The allocations made pursuant to paragraph (1) shall be made to school districts by the Superintendent through the principal apportionment beginning with the 2021–22 first principal apportionment certification and shall be final as of the annual principal apportionment.

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

SEC. 26. Section 47612.1 of the Education Code is amended to read:

47612.1. (a) Except for the requirement that a pupil be a California resident, subdivision (b) of Section 47612 shall not apply to a charter school program that provides instruction exclusively in partnership with any of the following:
(1) The federal Workforce Innovation and Opportunity Act (29 U.S.C. Sec. 3101 et seq.), program for in-school youth or out-of-school youth under Section 3614 of Title 29 of the United States Code.
(2) Federally affiliated Youth Build programs.
(3) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider.
(4) The California Conservation Corps pursuant to Section 14406 of the Public Resources Code or a local conservation corps certified by the California Conservation Corps pursuant to Section 14406 or 14507.5 of the Public Resources Code.

(b) This section shall become operative on July 1, 2015.

(b) For purposes of this section, “exclusively in partnership” means the charter school or charter management organization has a written partnership agreement with an entity specified in subdivision (a). The partnership agreement shall delineate the roles and responsibilities of each entity in the partnership and establish measurable outcomes and deliverables that align with the requirements of the specified programs.

(c) A charter school operating a program pursuant to this section shall annually report and provide documentation to the department that provides evidence of its exclusive partnership with any of the entities specified in subdivision (a).

(d) For purposes of calculating average daily attendance, commencing with the 2021–22 school year, only pupils enrolled in a program pursuant to subdivisions (a) and (b) may generate attendance.

(e) Notwithstanding subdivision (d), a charter school authorized to serve pupils pursuant to this section before July 1, 2020, shall receive up to, and not exceed, the amount computed based on its 2019–20 average daily attendance certified at the second principal apportionment.

(f) The Controller shall include instructions appropriate to the enforcement of this section in the audit guide required by subdivisions (a) and (b) of Section 14502.1.

SEC. 27. 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.
(3) 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:

1. In the 2012–13 school year, children 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.

2. In the 2013–14 school year, children 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.

3. (A) In the 2014–15 school year and each school year thereafter, children 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.

(B) (i) For the 2015–16 school year and each school year thereafter, a school district or charter school may, at any time during a school year, admit children to a transitional kindergarten program who will have their fifth birthday after December 2 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.

(ii) Notwithstanding any other law, a pupil admitted to a transitional kindergarten program pursuant to clause (i) shall not generate average daily attendance for purposes of Section 46300, or be included in the enrollment or unduplicated pupil count pursuant to Section 42238.02, until the pupil has attained the pupil’s fifth birthday, regardless of when the pupil was admitted during the school year.

(d) For purposes of this section, “transitional kindergarten” means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(e) A transitional kindergarten shall not be construed as a new program or higher level of service.

(f) It is the intent of the Legislature that transitional kindergarten curriculum be aligned to the California Preschool Learning Foundations developed by the department.

(g) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, a school district or charter school shall ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2023, one of the following:

1. At least 24 units in early childhood education, or childhood development, or both.

2. As determined by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children that is comparable to the 24 units of education described in paragraph (1).

3. A child development teacher permit issued by the Commission on Teacher Credentialing.
(h) A school district or charter school may place four-year-old children, as defined in subdivision (aj) of Section 8208, enrolled in a California state preschool program into a transitional kindergarten program classroom. A school district or charter school that commingles children from both programs in the same classroom shall meet all of the requirements of the respective programs in which the children are enrolled, and the school district or charter school shall adhere to all of the following requirements, irrespective of the program in which the child is enrolled:

1. An early childhood environment rating scale, as specified in Section 18281 of Title 5 of the California Code of Regulations, shall be completed for the classroom.

2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 18272 of Title 5 of the California Code of Regulations.

3. The classroom shall be taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Section 44065 and subdivision (b) of Section 44256 and who meets the requirements set forth in subdivision (g).

4. The classroom shall be in compliance with the adult-child ratio specified in subdivision (c) of Section 8264.8.

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.

SEC. 28. Section 52064 of the Education Code is amended to read:

52064. (a) On or before March 31, 2014, the state board shall adopt a template for a local control and accountability plan and an annual update to the local control and accountability plan for the following purposes:

1. For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

2. For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

3. For use by charter schools to meet the requirements of Section 47606.5.

(b) On or before January 31, 2020, the template adopted by the state board shall require the inclusion of all of the following information:

1. A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605,
paragraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, subdivision (d) of Section 52060, or subdivision (d) of Section 52066, as applicable, and for any additional local priorities identified by the governing board of the school district, the county board of education, or in the charter school petition. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in subdivision (a) of Section 52052.

(2) A description of the specific actions the school district, county office of education, or charter school will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1). The specific actions shall not supersede the provisions of existing local collective bargaining agreements, if any, within the jurisdiction of the school district, county office of education, or charter school.

(3) One or more summary tables listing and describing the budgeted expenditures for the ensuing fiscal year implementing each specific action included in the local control and accountability plan, including expenditures for the ensuing fiscal year that will serve unduplicated pupils, as defined in Section 42238.02, and pupils redesignated as fluent English proficient. The summary table or tables shall include both of the following:

(A) The total overall expenditures for all specific actions included in the local control and accountability plan, broken down by personnel and nonpersonnel expenditures.

(B) The subtotals of expenditures for each specific action included in the local control and accountability plan broken down into the following categories:

(i) Funds apportioned under the local control funding formula pursuant to Section 42238.02.

(ii) All other state funds.

(iii) All local funds.

(iv) All federal funds.

(4) One or more summary tables listing and describing the specific actions and budgeted expenditures in paragraph (3) that contribute to the demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, grouped as follows:

(A) Specific actions and budgeted expenditures provided to all pupils on a districtwide, countywide, or charterwide basis.

(B) Specific actions and budgeted expenditures that are targeted only to one or more unduplicated pupil subgroups. For these specific actions, the description shall specify the unduplicated pupil subgroup or subgroups that are targeted by each specific action and, if not provided at all schools, the school or schools where the specific action is provided.

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.
(5) An estimate of the funds to be apportioned in the ensuing fiscal year on the basis of the number and concentration of unduplicated pupils and calculation of the percent the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(6) (A) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(B) To the extent the total budgeted expenditures for specific actions reported pursuant to paragraph (4) are less than the estimate reported in paragraph (5), an additional summary table listing and describing how one or more specific actions included in the local control and accountability plan serve to improve services for unduplicated pupils, consistent with regulations adopted by the state board pursuant Section 42238.07 and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d), and how the degree of improvement in services is of a magnitude sufficient to satisfy the requirement to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils beyond the demonstration of total budgeted expenditures described in paragraph (4).

(7) A review of the progress toward the goals included in the existing local control and accountability plan, a review of any changes in the applicability of the goals, an assessment of the effectiveness of the specific actions described in the existing local control and accountability plan toward achieving the goals, a description of changes to the specific actions and related expenditures or quality improvements the school district, county office of education, or charter school will make as a result of the review and assessment, and an update on progress implementing the specific actions in the current fiscal year, including estimated actual expenditures for the specific actions and actual quality improvements.

(8) (A) The calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07.

(B) If applicable to the school district, county office of education, or charter school pursuant to paragraph (3) of subdivision (c) of Section 42238.07, a description of the specific actions and related expenditures to be implemented using the funds specified in that paragraph, including a demonstration that the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(9) A plan summary that includes general information about the school district, county office of education, or charter school and highlights of the local control and accountability plan and annual update to the local control and accountability plan, including reflections on annual performance on the California School Dashboard authorized in Section 52064.5 and other local data.
(10) A summary of the stakeholder engagement process and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) (1) The template for the local control and accountability plan and annual update to the local control and accountability plan shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The state board shall include instructions for school districts, county offices of education, and charter schools to complete the local control and accountability plan and annual update to the local control and accountability plan consistent with the requirements of this section. The state board may include more technical language in the instructions.

(2) Except as provided in paragraph (3), the state board shall not require school districts, county offices of education, or charter schools to provide any information in addition to the information required pursuant to subdivision (b).

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law.

(e) (1) The process of developing and annually updating the local control and accountability plan should support school districts, county offices of education, and charter schools in comprehensive strategic planning, accountability, and improvement across the state priorities and any locally identified priorities through meaningful engagement with local stakeholders.

(2) In developing the template for the local control and accountability plan and annual update to the local control and accountability plan, the state board shall ensure that school districts, county offices of education, and charter schools track and report their progress annually on all state priorities, including the applicable metrics specified within each state priority and, for charter schools, in accordance with Section 47606.5.

(3) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools should prioritize the focus of the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan within one or more state priorities. The instructions shall further specify that school districts, county offices of education, and charter schools should consider their performance on the state and local indicators, including their locally collected and reported data for the local indicators, that are included in the California School Dashboard authorized in Section 52064.5 in determining whether and how to prioritize the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan.

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners.
(5) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that meet the criteria to receive technical assistance pursuant to Section 47607, 47607.2, 52071, or 52071.5, as applicable, based on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal in the local control and accountability plan focused on improving the performance of the pupil subgroup or subgroups.

(6) (A) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that, for any school district or county office of education with a school that meets the criteria described in subparagraph (B), the school district or county office of education shall include a goal in the local control and accountability plan focused on addressing the disparities in performance at the school or schools compared to the school district or county office of education as a whole.

(B) The requirement described in subparagraph (A) shall apply for any local educational agency with two or more schools if, for two consecutive years, a school receives the two lowest performance levels on all but one of the state indicators for which the school receives performance levels on the California School Dashboard pursuant to subdivision (d) of Section 52064.5 and the performance of the local educational agency for all pupils is at least one performance level higher on all of those indicators.

(f) (1) Except as provided in subdivision (g), the state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(2) Notwithstanding paragraph (1), the state board may adopt or revise the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This paragraph shall become inoperative on January 31, 2019.

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session or legislation passed during the 2019–20 Regular Session shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).
(h) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement the act that adds 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). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(i) Revisions to a template shall be approved by the state board by January 31 before the fiscal year during which the template is to be used by a school district, county superintendent of schools, or charter school.

(j) In developing the template, the state board shall take steps to minimize duplication of effort at the local level to the greatest extent possible. The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

(k) Notwithstanding any other law, the templates developed by the state board pursuant to this section, as it read on June 30, 2018, shall continue in effect until the state board adopts a new template pursuant to subdivision (b) on or before January 31, 2020, except that the state board may adopt revisions to those templates pursuant to subdivision (g) that are necessary to implement Assembly Bill 1808 of the 2017–18 Regular Session or meet federal requirements.

SEC. 29. Section 52070 of the Education Code is amended to read:

52070. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.

(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The governing board of a school district
shall consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

(d) The county superintendent of schools shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if the county superintendent of schools determines all of the following:

1. The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

   (A) If applicable to the school district, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (4) of subdivision (e) of Section 52064.

   (B) If applicable to the school district, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to paragraph (5) of subdivision (e) of Section 52064.

   (C) If applicable to the school district, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to paragraph (6) of subdivision (e) of Section 52064.

   (D) Each specific action identified as contributing to the demonstration that the school district will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, subdivisions (c) and (d) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or districtwide basis is supported by the required description.

   (E) If applicable to the school district, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

2. The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the governing board of the school district, based on the projections of the costs included in the plan.

3. The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 42238.02 and 42238.03, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including,
but not limited to, the requirement that any specific action provided on a schoolwide or districtwide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the school district pursuant to paragraph (3) of subdivision (c) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

(e) If a county superintendent of schools has jurisdiction over a single school district, the Superintendent shall perform the duties specified in this section.

SEC. 30. Section 52070.5 of the Education Code is amended to read:

52070.5. (a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the county board of education shall file the local control and accountability plan or annual update to the local control and accountability plan with the Superintendent.

(b) On or before August 15 of each year, the Superintendent may seek clarification, in writing, from the county board of education about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the county board of education shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the county board of education, the Superintendent may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The county board of education shall consider the recommendations submitted by the Superintendent in a public meeting within 15 days of receiving the recommendations.

(d) The Superintendent shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if he or she determines all of the following:

1. The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064 and follows any instructions or directions for completing the template that are adopted by the state board, including, but not limited to, all of the following requirements:

   A. If applicable to the county office of education, the local control and accountability plan includes one or more specific actions consistent with the instructions developed by the state board pursuant to paragraph (4) of subdivision (e) of Section 52064.

   B. If applicable to the county office of education, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to paragraph (5) of subdivision (e) of Section 52064.

   C. If applicable to the county office of education, the local control and accountability plan includes a goal consistent with the instructions developed by the state board pursuant to paragraph (6) of subdivision (e) of Section 52064.
(D) Each specific action identified as contributing to the demonstration that the county office of education will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, with subdivisions (c) and (d) of Section 42238.07, and any applicable instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, provided on a schoolwide or countywide basis is supported by the required description.

(E) If applicable to the county office of education, the local control and accountability plan includes a description of the specific action or actions that improve services for unduplicated pupils, meets the requirements of subparagraph (D), and demonstrates how the degree of improvement in services is sufficient to satisfy the requirement to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, as required by subparagraph (B) of paragraph (6) of subdivision (b) of Section 52064.

(2) The budget for the applicable fiscal year adopted by the county board of education includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the county board of education, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 2574 and 2575, and any applicable instructions for the local control and accountability plan developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064, including, but not limited to, the requirement that any specific action provided on a schoolwide or countywide basis is supported by the required description.

(4) The local control and accountability plan includes the calculations required by paragraphs (1) and (2) of subdivision (c) of Section 42238.07 and, if applicable to the county office of education pursuant to paragraph (3) of subdivision (c) of Section 42238.07, includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement pursuant to regulations adopted by the state board pursuant to Section 42238.07.

SEC. 31. Section 56836.40 of the Education Code is amended to read:

56836.40. (a) For any fiscal year in which moneys are appropriated for purposes of this section, the Superintendent shall make the following computations to determine the amount of funding for each school district for the special education early intervention preschool grant:

(1) For each school district, determine the total number of preschool children with exceptional needs residing in that school district using prior year December special education data.

(2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of preschool children with exceptional needs for the applicable fiscal year.
(3) Calculate a per pupil special education early intervention preschool grant by dividing the amount appropriated in the annual Budget Act for purposes of this section by the total statewide number of preschool children with exceptional needs calculated in paragraph (2).

(4) Calculate the special education early intervention preschool grant for each school district by multiplying the per pupil grant calculated in paragraph (3) by the total number of preschool children with exceptional needs in paragraph (1).

(5) The Superintendent shall allocate the amount of funds calculated for each school district in paragraph (4) to the applicable school district.

(b) It is the intent of the Legislature that funds allocated pursuant to this section are unrestricted in nature, supplement existing special education resources currently required to be provided pursuant to federal and state law and promote a targeted focus on services and supports being offered in inclusive settings, to the extent practicable.

(c) Funding allocated to school districts under this section shall be used to provide services and supports in inclusive settings that have been determined to improve school readiness and long-term outcomes for infants, toddlers, and preschool pupils from birth to five years of age, inclusive, including, but not limited to, all of the following:

(1) Early intervention services, including preschool and supportive services for children from birth to 5 years of age, inclusive, who are not meeting age-appropriate developmental milestones and are at risk for being identified as eligible for special education and related services. This may include children who received individualized family support plan services but did not qualify for an individualized education program, and children who have not received an individualized family support plan nor an individualized education program.

(2) One-time programs, services, or resources for preschool children with exceptional needs that may not be medically or educationally necessary or required by an individualized education program or in an individualized family support plan, but which the school district has determined will have a positive impact on a young child.

(3) Strategies to improve pupil outcomes as identified through the state system of support, including inclusive educational programming that ensures a pupil’s right to placement in the least restrictive educational environment.

(4) Wraparound services for preschool children with exceptional needs not required by federal or state law.

(5) Expansion of inclusive practices to ensure that preschool children with exceptional needs have access to learn in the least restrictive environment.

(6) Professional development for preschool teachers, administrators, and paraprofessionals on evidence-based strategies to build capacity to serve preschool children with exceptional needs in more inclusive settings. This professional development may also include training for teachers, administrators, and paraprofessionals on the development of physical, social, emotional, and academic skills and on developing appropriate individualized education programs for preschool children with exceptional needs that ensure access to a free, appropriate public education in the least restrictive environment.

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

(1) “Preschool child with exceptional needs” means a child between three and five years of age, inclusive, who has been identified as an individual with exceptional
needs, as defined in Section 56026, and is receiving individualized education program services, except those enrolled in kindergarten or a transitional kindergarten program.

(2) “Transitional kindergarten” means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

(3) “Wraparound services” means integrated services and supports that address a child’s holistic needs, including, but not limited to, academic, health, and social services.

SEC. 32. The Commission on Teacher Credentialing may convene a group of stakeholders to assess how current transitional kindergarten credentialing requirements are being implemented and align with the recently released Master Plan for Early Learning and Care.

SEC. 33. 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. 34. (a) For the 2021–22 fiscal year, the sum of twenty-five million dollars ($25,000,000) is hereby appropriated from the General Fund to the Commission on Teacher Credentialing for the California Classified School Employee Teacher Credentialing Program, pursuant to Section 44393 of the Education Code. This funding shall be available for encumbrance until June 30, 2026.

(b) A grant to a local educational agency shall not exceed twenty-four thousand dollars ($24,000) over five years per participant teacher candidate.

(c) The Commission on Teacher Credentialing shall do both of the following:

(1) Allocate grants for at least 1,041 new participants.

(2) Give priority to local educational agencies that have not previously received funding pursuant to Section 44393 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 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. 35. (a) For the 2021–22 fiscal year, the sum of seven hundred eight thousand dollars ($708,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to the Fresno County Office of Education for purposes of reducing the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the 2013–14 fiscal year.

(b) (1) These funds shall be available through June 30, 2024, for the Fresno County Office of Education to continue to administer the statewide early math initiative established by Provision 3 of Item 6100-195-0890 of the Budget Act of 2018 (Chapter 29 of the Statutes of 2018) consistent with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.
These funds shall supplement the funds allocated pursuant to Provision 1 of Item 6100-488— of the Budget Act of 2021.

(c) The State Department of Education shall complete the transfer of funds to the Fresno County Office of Education on or before December 1, 2021.

(d) For purposes of Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be applied to the outstanding balance of the minimum funding obligation to school districts and community college districts, pursuant to Section 8 of Article XVI of the California Constitution, for the 2013–14 fiscal year, and shall be deemed to be appropriations made and allocated in that fiscal year in which the deficiencies resulting in the outstanding balance were incurred.

SEC. 36. (a) (1) The sum of two hundred fifty million dollars ($250,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for apportionment to school districts, county offices of education, charter schools, and the state special schools in an equal amount per full-time equivalent certificated staff, which shall not exceed the total certificated staff count for each eligible local educational agency, in the 2020–21 fiscal year. The Superintendent of Public Instruction shall make the calculations pursuant to this section using the data submitted through the California Longitudinal Pupil Achievement Data System.

(2) A school district, county office of education, charter school, or state special school may expend the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2023–24 fiscal year, inclusive. It is the intent of the Legislature that school districts, county offices of education, charter schools, and state special schools coordinate the use of any federal funds received under Title II of the federal Every Student Succeeds Act of 2015 (Public Law 114–95) to support teachers and administrators with the expenditure of funds received pursuant to this subdivision.

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

(1) Programs that lead to effective, standards-aligned instruction and improve instruction in literacy across all subject areas, including English language arts, history-social science, science, technology, engineering, mathematics, and computer science.

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

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

(4) Practices to create a positive school climate, including, but not limited to, restorative justice, training around implicit bias, providing positive behavioral supports, multtiered systems of support, and preventing discrimination, harassment, bullying, and intimidation based on actual or perceived characteristics, including disability, gender, gender identity, gender expression, language, nationality, race or ethnicity, religion, or sexual orientation.

(5) Strategies to improve inclusive practices, including, but not limited to, universal design for learning, best practices for early identification, and development of individualized education programs for individuals with exceptional needs.
(6) Instruction and education to support implementing effective language acquisition programs for English learners, which may include integrated language development within and across content areas, and building and strengthening capacity to increase bilingual and biliterate proficiency.

(c) Professional learning provided pursuant to this section shall do both of the following:

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

(2) As applicable, be aligned to the academic content standards adopted pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11 of the Education Code, as those sections read on June 30, 2020.

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

(1) Develop and adopt a plan delineating the expenditure of funds apportioned pursuant to this section. The plan shall be presented in a public meeting of the governing board of the school district, county board of education, or governing body of the charter school, before its adoption in a subsequent public meeting.

(2) On or before September 30, 2025, report detailed expenditure information to the State Department of Education, including, but not limited to, specific purchases made and the number of teachers, administrators, or paraprofessional educators that received professional development. The State Department of Education shall determine the format for this report.

(e) The State Department of Education shall summarize the information reported pursuant to subdivision (d) and shall submit the summary to the appropriate budget subcommittees and policy committees of the Legislature and to the Department of Finance on or before November 30, 2025.

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

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the funds appropriated pursuant to this section 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. 37. (a) For the 2021–22 fiscal year, the sum of five million dollars ($5,000,000) is hereby appropriated from the General Fund to the State Department of Education to provide professional development and resources to support local educational agencies offering new and expanded ethnic studies courses.

(b) (1) The State Department of Education, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, shall enter into a contract with a county office of education or consortium of county offices of education for purposes specified in subdivision (a).
When performing the activities specified in subdivision (c), the contracted county office of education or consortium of county offices of education may enter into appropriate contracts for support and services.

(c) Funds appropriated in subdivision (a) shall be used for both of the following:
   (1) To provide professional development and regional training for teachers, administrators, and paraprofessionals to support creation or expansion of ethnic studies course offerings, including, but not limited to, courses that use the ethnic studies model curriculum adopted pursuant to Section 51226.7 of the Education Code as a guide.
   (2) To provide access to an online repository of resources to support ethnic studies courses. This includes the collection and review of materials to be made available for educators to use in implementing the ethnic studies model curriculum adopted pursuant to Section 51226.7 of the Education Code.

(d) Professional learning provided pursuant to this section shall be content focused, incorporate active learning, support collaboration, use models of effective practice, provide coaching and expert support, offer feedback and reflection, and be of sustained duration.

(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. 38. (a) The sum of ten million dollars ($10,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to apportion to a designated local educational agency, or two designated local educational agencies, selected by the State Department of Education and the executive director of the State Board of Education, to perform the following activities:
   (1) Gather information on valid, reliable, and appropriate school climate surveys for purposes of assessing pupil experiences and school supports, including helping local educational agencies better assess community needs stemming from the COVID-19 pandemic and distance learning through the use of surveys for pupils, families, and educators.
   (2) Provide grants to local educational agencies to implement enhanced survey instruments and support costs associated with conducting school climate surveys on an annual basis. The sum of the grants awarded shall not exceed five million dollars ($5,000,000).
   (3) Provide training for local educational agencies on interpreting data and using responses collected from school climate surveys to inform continuous improvement efforts.

(b) For purposes specified in subdivision (a), the State Department of Education, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, shall enter into a contract with the designated local educational agency, or the two designated local educational agencies, which may include authorization to enter into subcontracts to provide support and services, as necessary and with prior approval. The designated local educational agency, or local educational
agencies, shall encumber or expend the funds provided under this section by June 30, 2024.

(c) To support the continuous improvement of the state’s accountability system, including further enhancement of the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5 of the Education Code, and the statewide system of support, every effort shall be made to ensure coherence with the local climate survey indicator as outlined in paragraph (6) of subdivision (d) of Section 52060 of the Education Code and to maximize the consistency of school-level data gathered through school climate surveys when performing work under this section.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (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. 39.

(a) For the 2021–22 fiscal year, the sum of three million one hundred thousand dollars ($3,100,000) is hereby appropriated from the Federal Trust Fund to the State Department of Education for the purpose set forth in subdivision (b).

(b) The State Department of Education shall allocate the funds appropriated pursuant to subdivision (a) to the Kern County superintendent of schools for the County Office Fiscal Crisis and Management Assistance Team for the Standardized Account Code Structure system replacement project.

SEC. 40.

(a) For the 2021–22 fiscal year, the sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to apportion to the Orange County Department of Education in the manner, and for the purposes, set forth in this section.

(b) The Orange County Department of Education, in consultation with the Superintendent of Public Instruction and the executive director of the State Board of Education, shall award no less than thirty million dollars ($30,000,000) of the amount appropriated in subdivision (a) as grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multi-Tiered Systems of Support framework developed under the “Scale Up MTSS Statewide” (SUMS) project. The grants shall be awarded to local educational agencies on or before December 15, 2021.

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

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

(B) Ongoing training and coaching support to schoolsite educators and leaders in deepening the implementation of high leverage practices for integrated academic, behavioral, and social-emotional learning across tiers throughout the school community.
(C) Ongoing training and support to school and local educational agency leaders in aligning practices, policies, and structures to create and sustain a schoolwide and agencywide integrated multitiered system of support.

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

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

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

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

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

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

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

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

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

(d) A local educational agency that receives a grant pursuant to subdivision (b), or high quality professional learning pursuant to subdivision (c), shall, as a condition of receiving the grant or high quality professional learning, provide to the Orange County Department of Education, the Butte County Office of Education, and the State Department of Education any available outcome data resulting from the practices implemented, and participate in overall program evaluation.
The Orange County Department of Education may expend up to one million dollars ($1,000,000) of the amount appropriated pursuant to subdivision (a) to administer the grants and provide support to the grantees pursuant to Department of Finance approval of an expenditure plan. The Orange County Department of Education shall not expend moneys pursuant to this subdivision sooner than 30 days after the Department of Finance provides written notification of the approval of the expenditure plan to the Joint Legislative Budget Committee.

For purposes of this section, “local educational agency” means a school district, county office of education, or charter school.

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

SEC. 41. For the 2021–22 fiscal year, the sum of four million dollars ($4,000,000) is hereby appropriated from the General Fund to the State Department of Education. The Superintendent of Public Instruction shall allocate these funds to the Special Olympics of Northern and Southern California for purposes of supporting the Unified Champion Schools Program, the Healthy Athletes Program, and the Community Sports Program. This funding shall be available for encumbrance until June 30, 2024.

SEC. 42. (a) The sum of five million dollars ($5,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to apportion to two or more designated local educational agencies selected by the State Department of Education, in consultation with, and subject to the approval of, the executive director of the State Board of Education, to establish and convene professional learning networks to do all of the following:

1. Support local educational agencies in establishing the infrastructure and partnerships needed to enable successful participation in the Local Educational Agency Medi-Cal Billing Option Program.

2. Identify common characteristics and best practices of local educational agencies that are successful in submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services.

3. Provide peer-to-peer learning opportunities and create capacity for local educational agencies to become self-sustaining and secure federal reimbursement for services provided to Medi-Cal eligible pupils.

(b) Designated local educational agencies selected pursuant to subdivision (a) shall be enrolled as providers in the Local Educational Agency Medi-Cal Billing Option Program, demonstrate a history of receiving federal reimbursement for health-related assessments and services through the Local Educational Agency Medi-Cal Billing Option Program, and commit to regularly participating and sharing the perspectives of local educational agencies in the Local Educational Agency Program Advisory Workgroup convened by the State Department of Health Care Services.
(c) On or before February 1, 2022, designated local educational agencies selected pursuant to subdivision (a) shall solicit local educational agencies to participate in the professional learning networks and convene their first meeting. To the extent possible, subsequent meetings shall be scheduled in the months that the Local Educational Agency Advisory Workgroup convened by the State Department of Health Care Services does not meet.

(d) Each professional learning network shall represent a different region of the state and, to the extent possible, shall include schoolsite staff and leadership, school district staff and leadership, and county office of education staff and leadership. Professional learning network participants shall do all of the following:

   1. Participate in the professional learning network for no less than two years.
   2. Engage in open dialogue on issues related to participation in the Local Educational Agency Medi-Cal Billing Option Program.
   3. Partner with others as needed to enhance Medi-Cal services on schoolsites, increase access of care for pupils, and increase Medi-Cal reimbursement for local educational agencies.

(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. 43. (a) (1) On or before November 1, 2021, the State Department of Education, with approval from the executive director of the State Board of Education, shall select a local educational agency to provide guidance around Medi-Cal billing and increase local educational agencies’ capacity to successfully submit claims through the Local Educational Agency Medi-Cal Billing Option Program. The local educational agency selected shall demonstrate success in submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services, and a willingness and capacity to perform the duties described in paragraph (2).

   2. The local educational agency selected pursuant to paragraph (1) shall do all of the following:

      (A) Provide effective assistance and support to local educational agencies in securing federal reimbursement for services provided to Medi-Cal eligible pupils.
      (B) Work in coordination and collaboration with expert lead agencies identified pursuant to Section 52073.1 of the Education Code, special education resource leads identified pursuant to Section 52073.2 of the Education Code, the State Department of Education, the State Department of Health Care Services, and the Medi-Cal professional learning networks established pursuant to Section 42 of this act.
      (C) Identify and disseminate information regarding existing resources, professional development activities, and other efforts currently available to assist local educational agencies in successfully submitting claims through the Local Educational Agency Medi-Cal Billing Option Program and drawing down federal reimbursement for Medi-Cal services.
(D) Upon request by the State Department of Education and the State Department of Health Care Services, develop new resources and activities designed to build capacity for local educational agencies to secure federal reimbursement for services provided to Medi-Cal eligible students.

(E) Serve as a point of contact for local educational agencies, and regularly participate and share the perspectives of local educational agencies in the Local Educational Agency Program Advisory Workgroup convened by the State Department of Health Care Services.

(F) Other duties, as prescribed by the State Department of Education, to enhance Medi-Cal services on schoolsites, increase access of care for pupils, and increase Medi-Cal reimbursement for local educational agencies.

(3) A local educational agency may partner as a consortium with other local educational agencies, institutions of higher education, nonprofit educational services providers, or county mental health providers to submit a proposal to the State Department of Education to be considered for selection as the local educational agency pursuant to paragraph (1).

(b) (1) The term of a local agency selected pursuant to subdivision (a) shall not exceed five years.

(2) At the conclusion of the term of the selected local educational agency, the State Department of Education, with approval from the executive director of the State Board of Education, may renew the term of the selected local educational agency or select a new local educational agency in a manner consistent with subdivision (a).

(3) If a selected local educational agency requests that its term be renewed, it shall provide a description of the efforts it has made to carry out the duties described in paragraph (2) of subdivision (a), and before renewing the term, the State Department of Education shall evaluate the local educational agency’s success in carrying out those duties.

(c) Notwithstanding Section 13340 of the Government Code, commencing with the 2021–22 fiscal year, each fiscal year the sum of $250,000 shall be continuously appropriated, without regard to fiscal years, from the General Fund to the State Department of Education to be awarded to the local educational agency selected pursuant to this section.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (c) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 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. 44. (a) The Legislature finds and declares all of the following:

(1) The COVID-19 crisis 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 integrated educational, health, and mental health services to pupils with a wide range of needs that have been affected by the COVID-19 crisis.
(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 crisis.

(b) For the 2021–22 fiscal year, the sum of one hundred million dollars ($100,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to administer the California Community Schools Partnership Program in the manner and for the purposes set forth in this section. These funds, along with the amount appropriated for purposes of this section in Provision 1 of Item 6100-485-____ of Section 2.00 of the Budget Act of 2021, shall be available for encumbrance or expenditure until June 30, 2026.

(c) On or before November 1, 2021, the Superintendent of Public Instruction, with the approval of the executive director of the State Board of Education, shall update as necessary, the application process and administration plan for the selection of grant recipients under the program. Administration of the program shall include offering technical assistance to potential applicants before awarding a grant under the program and providing program oversight and technical assistance to grantees selected pursuant to this section. The Superintendent of Public Instruction may retain up to 1 percent of the appropriation made pursuant to this section for technical assistance purposes.

(d) The Superintendent of Public Instruction shall award, subject to the approval of the executive director of the State Board of Education, grants on a competitive basis to local educational agencies to support the establishment of new, and the expansion of existing, community schools and shall give priority to grant funding based on the following:

1. Applicants serving pupils in high-poverty schools in which at least 80 percent of the pupil population is eligible for free and reduced-price meals.
2. Applicants with a demonstrated need for expanded access to integrated services.
3. Applicants who commit to coordinate and partner in a consortium with other schools or county agencies.
4. Applicants with committed matching funds for pupil services.
5. Applicants with a plan for sustaining community school services after grant expiration.
6. Applications with cosignatories from partner government agencies, including, but not limited to, county public health, county health, and county mental health agencies.

(e) Grant funding may be used for any of the following purposes:

1. Establishing new community schools, which may include direct grants to local educational agencies.
2. Expanding and sustaining existing community schools, which may include direct grants to local educational agencies.
3. Coordinating and providing health, mental health, social services, and pupil support services to pupils and families at community schools.
4. Providing training and support to local educational agency personnel to help develop best practices for integrating pupil supports.

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

1. “Community school” means a public school serving preschool, kindergarten, or any of grades 1 to 12, inclusive, and includes the following:
(A) Integrated supports services, including the coordination of health, mental health, and social services that ensure coordination and support with county and local educational agency resources, and early screening and intervention for learning and other needs.

(B) Family and community engagement, which may include home visits, home-school collaboration, community partnerships, and school climate surveys.

(C) Collaborative leadership and practices for educators and administrators, including professional development to support mental and behavioral health, trauma-informed care, social-emotional learning, restorative justice, and other key areas.

(D) Extended learning time and opportunities, including before and after school care.

(2) “Local educational agency” means a school district, county office of education, or charter school, excluding nonclassroom-based charter schools operating pursuant to Section 47612.5 of the Education Code.

(g) Grant recipients shall commit to providing program data to the State Department of Education, as specified by the Superintendent of Public Instruction, and participate in overall program evaluation.

(h) 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 in 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.

(i) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the funds appropriated pursuant to subdivision (b) 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. 45. (a) Notwithstanding Section 13340 of the Government Code, commencing with the 2021–22 fiscal year, each fiscal year the sum of $25,000,000 shall be continuously appropriated, without regard to fiscal years, from the General Fund to the State Department of Education for purposes of expanding the scope of services available in school settings and strengthening the partnership between schools and counties to meet the mental health needs of pupils.

(b) The funds appropriated pursuant to subdivision (a) shall be used to award competitive incentive grants to local educational agencies to match proposed county expenditures for children’s mental health services, as specified in a county’s three-year program and expenditure plan or annual update prepared pursuant to Section 5847 of the Welfare and Institutions Code.

(c) The match shall be in the form of $1 for every $1 of funding identified for expenditure towards a children’s mental health services project in a county’s three-year program and expenditure plan or annual update pursuant to paragraphs (1), (2), and (4) of subdivision (b) of Section 5847 of the Welfare and Institutions Code.
(d) The Superintendent of Public Instruction, with the approval of the executive director of the State Board of Education, shall develop and administer a competitive application process for the selection of local educational agency incentive grant recipients.

(e) The Superintendent of Public Instruction shall require that applicants for incentive grants, at minimum, submit a plan that complies with all of the following requirements:

1. Describes the need for mental health services at the local educational agency and potential gaps in local service connections.
2. Addresses the mental health needs of enrolled pupils in kindergarten and grades 1 to 12, inclusive, in a manner consistent with a whole-child approach, and may include, but is not limited to, all of the following:
   A. Professional development for educators to identify early warning signs and risk factors for pupils in need of mental health supports.
   B. Establishment or expansion of mental health and counseling staff available in schools.
   C. Development of peer support networks and other activities that promote pupils’ sense of connectedness and belonging to a school community.
   D. Development of partnerships with community organizations, including health and mental health service providers, with an emphasis on organizations that serve at-risk pupil groups.
   E. Development of resources and supports for family engagement.
   F. Resources that address the acute and chronic mental health support needs in communities experiencing ongoing natural disasters and systemic violence.
3. Includes a proposal for how the incentive grant funds will be used to expand a county’s children’s mental health services project and to meet data collection and reporting requirements of the county’s three-year program and expenditure plans.

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

2. At the conclusion of each grant term, the State Department of Education may renew the selection of the grant recipient or reopen the selection process in a manner consistent with subdivisions (d) and (e).

(g) The Superintendent of Public Instruction shall determine the amount of each grant, taking into consideration the level of need.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 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 for the fiscal year in which they are appropriated.

SEC. 46. 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 places various requirements on county superintendents of schools and the Superintendent of Public Instruction in reviewing and determining whether a county office of education’s adopted budget will allow the county office of education to meet its financial obligations during the fiscal year and, based on current forecasts, for two subsequent fiscal years.

The bill would revise certain requirements on county superintendents of schools and the Superintendent regarding determinations of fiscal distress for county offices of education, and would require the Superintendent to provide a written notice of going concern determination to the county board of education and the county superintendent of schools under certain circumstances.

(2) Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law requires, in the 2014–15 school year and each school year thereafter, and as a condition of receipt of apportionments for pupils in a transitional kindergarten program, a child who will have their 5th birthday between September 2 and December 2, to be admitted to a transitional kindergarten program maintained by a school district or charter school. Existing law authorizes, for the 2015–16 school year and each school year thereafter, a school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year, as provided.

This bill would appropriate $50,000,000 from the General Fund to the State Department of Education to establish the Early Education Professional Development Grant Program and award professional development grants to local educational agencies, as defined, to increase the number of highly qualified teachers available to serve transitional kindergarten pupils and provide transitional kindergarten and kindergarten teachers with training in specified subjects.

This bill would also appropriate $250,000,000 from the General Fund to the department to establish the California Transitional Kindergarten Incentive Grant Program and award incentive grants to local educational agencies to implement or expand enrollment of transitional kindergarten programs.

(3) Existing law requires the Controller to draw warrants on the State Treasury throughout each year in specified amounts for purposes of apportioning funding to school districts, county offices of education, and charter schools. Existing law, commencing with the 2019–20 fiscal year, requires the warrants scheduled to be drawn in June to instead be drawn in July of the same calendar year.

This bill, for the 2021–22 fiscal year, would authorize up to $100,000,000 of the amount of the warrants for the principal apportionments for the month of June, that are instead to be drawn in July, to be drawn in June, subject to the approval of the Director of Finance, for a charter school or school district meeting certain criteria. If
the total amount requested by charter schools and school districts under these provisions exceeds $100,000,000, the bill would authorize the Controller, the Treasurer, and the Director of Finance to authorize additional payments to meet these requests, so long as the total payments to charter schools and school districts do not exceed $300,000,000.

(4) The Leroy F. Greene School Facilities Act of 1998 (the Greene Act) requires the State Allocation Board to allocate to applicant school districts, as defined, prescribed per-unhoused-pupil state funding for the construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. Existing law authorizes the board to require an audit of expenditure reports filed by a school district pursuant to the Greene Act and to require repayment of certain funds a school district failed to expend in accordance with the law. Existing law requires a school district to repay the funds within 60 days of the notice requiring repayment unless the board determines that repayment of the full liability within 60 days would constitute a severe financial hardship, as defined by the board, for the school district, in which case the board is required to approve a plan of equal annual payments over a period of up to 5 years.

This bill would expand the maximum time for repayment in the case of severe financial hardship from a period of up to 5 years to a period of up to 20 years. The bill would also expressly include the 2006 State School Facilities Fund and the 2016 State School Facilities Fund within those provisions.

(5) Existing law establishes the Full-Day Kindergarten Facilities Grant Program, under the administration of the State Allocation Board, to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms, as specified. For purposes of the program, existing law specifies that kindergarten includes transitional kindergarten. Commencing with the 2019–20 fiscal year, existing law makes the grant program contingent upon an appropriation by the Legislature.

This bill would change the name of this program to the Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program and would expressly add providing transitional kindergarten classrooms as another purpose of the grants. The bill would appropriate $200,000,000 for the program for the 2021–22 fiscal year, and would limit funding for the 2 fiscal years after the appropriation to specified schoolsites.

(6) Existing law requires a school district that has been organized for more than three years to be lapsed under certain conditions related to the number of registered electors or average daily attendance of pupils in the school district. Existing law authorizes a school district to also be lapsed when there are no school facilities or sites on which to maintain any school in the school district.

This bill would revise the conditions and procedures for the required lapsation of a school district, would authorize a county board of education to defer the lapsation of a school district under certain conditions, and would additionally authorize a school district to be lapsed upon adoption of a resolution approved by a majority of the members of the governing board of the school district and written concurrence of the county superintendent of schools.

(7) The Classroom Instructional Improvement and Accountability Act, an initiative approved by the voters as Proposition 98 at the November 8, 1988, statewide general election, amended the California Constitution to, among other things, set forth a formula for computing the minimum amount of revenues that the state is required to
appropriate for the support of school districts and community college districts based on one of 3 tests in any given fiscal year. Commencing with the 2021–22 fiscal year, existing law requires an appropriation to be made from the General Fund in the annual Budget Act for the support of elementary and secondary public schools and community colleges to supplement funding appropriated pursuant to Proposition 98 annually in an amount equal to 1.5% of total General Fund revenues, as calculated pursuant to Proposition 98, until the sum of the supplemental appropriations equals $12,366,107,000.

This bill instead would require an appropriation to be made from the General Fund for only the 2021–22 fiscal year in the annual Budget Act for the support of elementary and secondary public schools and community colleges to supplement funding appropriated pursuant to Proposition 98 in an amount equal to 1.5% of total General Fund revenues, as calculated pursuant to Proposition 98.

(8) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires certain components of funding to be adjusted for inflation in each fiscal year, as specified. Existing law, notwithstanding those specified inflation adjustments, requires those inflation adjustments for the 2020–21 fiscal year to instead be zero.

This bill, when making those specified inflation adjustments for the 2021–22 fiscal year, would require those adjustments to assume that the adjustments for the 2020–21 fiscal year was 2.31% instead of zero.

(9) Existing law requires the local control funding formula, in part, to be based on average daily attendance, as defined. Existing law specifies how to calculate the average daily attendance for school districts, and requires an adjustment for the calculation of average daily attendance for a sponsoring school district, as defined.

This bill would make the provisions requiring an adjustment for the calculation of average daily attendance for a sponsoring school district inapplicable to the 2021–22 fiscal year.

(10) Existing law requires, on or before March 31, 2014, the State Board of Education to adopt a template for use by school districts, county superintendents of schools, and charter schools for purposes of local control and accountability plans. Existing law requires the state board to adopt regulations that require a school district, county office of education, or charter school to increase or improve services for unduplicated pupils in proportion to the increase of funds apportioned on the basis of the number and concentration of unduplicated pupils, and requires a local control and accountability plan to include the specific actions and budgeted expenditures that contribute to the demonstration that this requirement is met.

This bill would require the state board’s template to include, to the extent the total budgeted expenditures for those specific actions are less than the estimate of the funds apportioned on the basis of the number and concentration of unduplicated pupils in the ensuing fiscal year, a description of how one or more specific actions will improve services for unduplicated pupils consistent with the above-described requirement. The bill would require the first local control and accountability plan adopted by each school district, county office of education, or charter school after July 1, 2021, to include certain calculations relating to those specific actions and the specific actions that contribute to the demonstration that the above-described requirement is met.
the bill would require local educational agencies to include additional information in a local control and accountability plan, the bill would impose a state-mandated local program.

(11) Existing law, for the 2020–21 school year, waives the minimum requirements for instructional minutes offered during the school year and authorizes a local educational agency to meet the minimum requirements for instructional minutes offered during a schoolday and for instructional days offered in the 2020–21 school year through in-person instruction or a combination of in-person instruction and distance learning, as provided. Existing law requires the Superintendent to withhold a portion of a local educational agency’s funding apportionments for failing to offer the minimum number of instructional days in the 2020–21 school year and for noncompliance with documentation requirements of pupils participating in distance learning.

This bill would revise the calculations for the withholding of a local educational agency’s funding apportionments for noncompliance with those requirements, and would authorize the state board to waive certain fiscal penalties for a school district or charter school that fails to maintain the prescribed minimum number of instructional days for the school year if the school district or charter school adheres to certain requirements to make up lost instructional days.

(12) Existing law requires the Commission on Teacher Credentialing, among other duties, to establish standards and procedures for the issuance and renewal of credentials, certificates, and permits. Existing law prohibits the commission from issuing initially a credential, permit, certificate, or renewal of an emergency credential to a person to serve in the public schools unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills in the English language by passing the state basic skills proficiency test. Existing law exempts specified applicants from this basic skills proficiency test requirement, including, among others, out-of-state teachers who have passed a basic skills exam in another state, eminence credential applicants who have achieved eminence in a field of endeavor taught or service practiced in the public schools of California, and applicants who achieve scores on the writing, reading, and mathematics sections of the College Board SAT Reasoning Test, the enhanced ACT English and mathematics tests, or the California State University Early Assessment Program that are sufficient to waive the English placement test and the entry level mathematics examination administered by the California State University. Existing law specifies the minimum requirements for the preliminary multiple or single subject teaching credential, including a subject matter competence requirement demonstrated by either completion of a subject matter program that has been approved by the commission or passage of a subject matter examination.

This bill would exempt from the basic skills proficiency test requirement an applicant who earns at least a letter grade of B in qualifying coursework, as defined, determined by a credential preparation program or the commission, as specified, to sufficiently serve as an indicator of proficiency in basic reading, writing, and mathematics skills in the English language. The bill would also exempt an applicant who has demonstrated proficiency in the basic skills through a combination of qualifying coursework, passage of components of the state basic skills proficiency test, and scores on the writing, reading, and mathematics sections of the College Board SAT Reasoning Test, the enhanced ACT English and mathematics tests, or the California State University Early Assessment Program that are sufficient to waive the English placement
test and the entry level mathematics examination administered by the California State University.

This bill would authorize a candidate for the preliminary multiple or single subject teaching credential to demonstrate subject matter competence by completing higher education coursework in the subject matters related to the content area of the credential, as provided. The bill would authorize a program of professional preparation to verify a candidate’s subject matter competence in this manner for this purpose. The bill would additionally authorize a candidate to demonstrate subject matter competence through a combination of a subject matter examination and higher education coursework in the subject matters related to the content area of the credential.

(13) Existing law appropriates $75,000,000 from the General Fund to the Commission on Teacher Credentialing to establish the Teacher Residency Grant Program, including $50,000,000 to provide one-time competitive grants to develop new, or expand existing, teacher residency programs that recruit and support the preparation of special education teachers, and $25,000,000 to provide one-time competitive grants to develop new, or expand existing, teacher residency programs that recruit and support the preparation of bilingual education, science, technology, engineering, or mathematics teachers, as provided.

This bill would appropriate $100,000,000 from the General Fund to the commission for the Teacher Residency Grant Program for the commission to make one-time grants to develop new, or expand existing, teacher residency programs in designated shortage fields, as provided. The bill would authorize one or more, or any combination of, school districts, county offices of education, charter schools, regional occupational centers or programs operated by a joint powers authority, or nonpublic, nonsectarian schools to apply for grant funding. The bill would require a grant recipient to provide a 100% match of grant funding, as provided. The bill would require a candidate in a teacher residency program sponsored by a grant to agree in writing to serve in a school within the jurisdiction of the grant recipient that sponsored the candidate for at least 4 school years after completing an initial year of preparation and obtaining a preliminary teaching credential. If a candidate fails to earn a preliminary credential or complete the period of the placement, the bill would require the candidate to reimburse the sponsoring grant recipient the amount of grant funding invested in the candidate’s residency training, as provided.

The bill would authorize the commission to allocate up to $5,000,000 of the $100,000,000 appropriation for capacity grants, as provided. The bill would require the commission to conduct and provide to the Department of Finance and the relevant policy and fiscal committees of the Legislature on or before December 1, 2026, an evaluation of the Teacher Residency Grant Program.

(14) For purposes of state apportionments, if the average daily attendance of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year because of an emergency, existing law requires the Superintendent of Public Instruction to estimate the average daily attendance in a manner that credits to the school district, county office of education, or charter school the total average daily attendance that would have been credited had the emergency not occurred. Existing law requires the Superintendent to make specified calculations for purposes of state apportionments to a school district, county office of education, or charter school affected by a state of emergency declared by the Governor
in November 2018. Existing law continuously appropriates the amounts necessary to provide those apportionments.

This bill would require the Superintendent to provide certain additional apportionments for the 2021–22 fiscal year to affected school districts. The bill would require the Superintendent to make specified calculations for purposes of state apportionments to a school district or charter school for the 2021–22 fiscal year affected by a state of emergency declared by the Governor in September 2020.

(15) The Charter Schools Act of 1992 requires that a pupil over 19 years of age be continuously enrolled in public school and make satisfactory progress towards award of a high school diploma in order to remain eligible for generating charter school apportionments. The act exempts charter school programs that provide instruction exclusively in partnership with any of several specified career preparation programs from those requirements.

This bill would define “exclusively in partnership” for purposes of those provisions, would require charter school programs using that exemption to annually report and provide documentation to the State Department of Education that provides evidence of their exclusive partnership with a specified career preparation program, and would require the Controller to include instructions appropriate to the enforcement of these provisions in a certain audit guide.

(16) Existing law requires, as a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to the statutory methods of calculating average daily attendance, a school district or charter school to ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom on or after July 1, 2015, have, by August 1, 2021, met one of 3 designated criteria establishing qualification for the position.

This bill would delay until August 1, 2023, the deadline for a credentialed teacher first assigned to a transitional kindergarten classroom on or after July 1, 2015, to meet one of the designated criteria referenced above.

(17) Existing law establishes the Special Education Early Intervention Preschool Grant, which requires the Superintendent, in any year moneys are appropriated for this purpose, to allocate grant funding to school districts for preschool children with exceptional needs, as provided.

This bill would require grant funds to be used to provide services and supports in inclusive settings that have been determined to improve school readiness and long-term outcomes for infants, toddlers and preschool pupils from birth to 5 years of age, as provided.

(18) For the 2021–22 fiscal year, this bill would appropriate $25,000,000 from the General Fund to the Commission on Teacher Credentialing for the California Classified School Employee Teacher Credentialing Program.

(19) For the 2021–22 fiscal year, this bill would appropriate $708,000 from the General Fund to the State Department of Education for allocation to the Fresno County Office of Education to continue to administer the statewide early math initiative established in a certain item of the Budget Act of 2018.

(20) This bill would appropriate $250,000,000 from the General Fund to the Superintendent for apportionment to school districts, county offices of education, charter schools, and the state special schools to provide professional learning for teachers, administrators, and paraprofessionals who work with pupils.
For the 2021-22 fiscal year, this bill would appropriate $5,000,000 from the General Fund to the department to provide professional development and resources to support local educational agencies offer new and expanded ethnic studies courses.

This bill would appropriate $10,000,000 from the General Fund to the Superintendent to apportion to a designated local educational agency, or 2 designated local educational agencies, selected by the department and the executive director of the State Board of Education, to perform certain activities relating to school climate surveys.

This bill would appropriate $3,100,000 from the Federal Trust Fund to the department for the 2021–22 fiscal year for allocation to the Kern County superintendent of schools for the County Office Fiscal Crisis and Management Assistance Team for the Standardized Account Code Structure system replacement project.

This bill would appropriate $50,000,000 from the General Fund to the Superintendent to apportion to the Orange County Department of Education. The bill would require no less than $30,000,000 of that amount to be allocated as grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multitiered System of Support framework. The bill would require the Orange County Department of Education, jointly with the Butte County Office of Education, to contract with a local educational agency, institute of higher education, or nonprofit educational service provider, or a consortia, to expand the state’s capacity to support local educational agencies’ implementation of social-emotional learning, trauma-informed practices, and culturally relevant, affirming, and sustaining practices. The bill would require no more than $20,000,000 to be available for these purposes. To the extent the bill would impose additional duties on the Orange County Department of Education and the Butte County Office of Education, the bill would impose a state-mandated local program.

This bill would appropriate $4,000,000 from the General Fund to the State Department of Education to be allocated by the Superintendent to the Special Olympics of Northern and Southern California for the purposes of supporting the Unified Champion Schools Program, the Healthy Athletes Program, and the Community Sports Program.

This bill would appropriate $5,000,000 from the General Fund to the Superintendent to apportion to 2 or more designated local educational agencies selected to establish and convene professional learning networks to, among other things, support local educational agencies in participating in the Local Educational Agency Medi-Cal Billing Option Program and submitting claims through the program.

This bill would continuously appropriate $250,000 each fiscal year from the General Fund to the department to be awarded to a local educational agency selected on or before November 1, 2021, for a term of up to 5 years to perform specified tasks for purposes of providing guidance related to Medi-Cal billing and increasing local educational agencies’ capacity to successfully submit claims through the Local Educational Agency Medi-Cal Billing Option Program.

This bill would appropriate $100,000,000 from the General Fund to the Superintendent to administer the California Community Schools Partnership Program. The bill would require the Superintendent to award grants on a competitive basis to local educational agencies to support the establishment of new, and the expansion of existing, community schools, as provided.
(29) This bill would continuously appropriate $25,000,000 each fiscal year from the General Fund to the department to be awarded as competitive incentive grants to local educational agencies for a term of up to 3 years to provide a $1 for $1 match to proposed county expenditures for children’s mental health services identified in a county’s 3-year program and expenditure plan or annual update, as specified.

(30) 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.

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

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